

DOCKET ITEM #4
Development Special Use Permit #2018-0012
Pickett's Ridge Phase II – Extension

CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Project Name: Pickett's Ridge Phase II - Extension	PC Hearing:	November 7, 2019
	CC Hearing:	November 16, 2019
	Recommended DSUP Expiration:	November 16, 2022 (3 years)
	Plan Acreage:	2 acres
Location: 1101 and 1102 Finley Lane	Zone:	R-20
	Proposed Use:	Single-Family Residential
Applicant: Sutton Building Corporation	Small Area Plan:	Seminary Hill / Strawberry Hill
	Historic District:	Not Applicable
	Green Building:	Not Applicable

Purpose of Application

The applicant requests an extension of a previously-approved Development Special Use Permit for construction of a single-family dwelling on the remaining undeveloped lot at 1101 Finley Lane.

Special Use Permits and Modifications Requested:

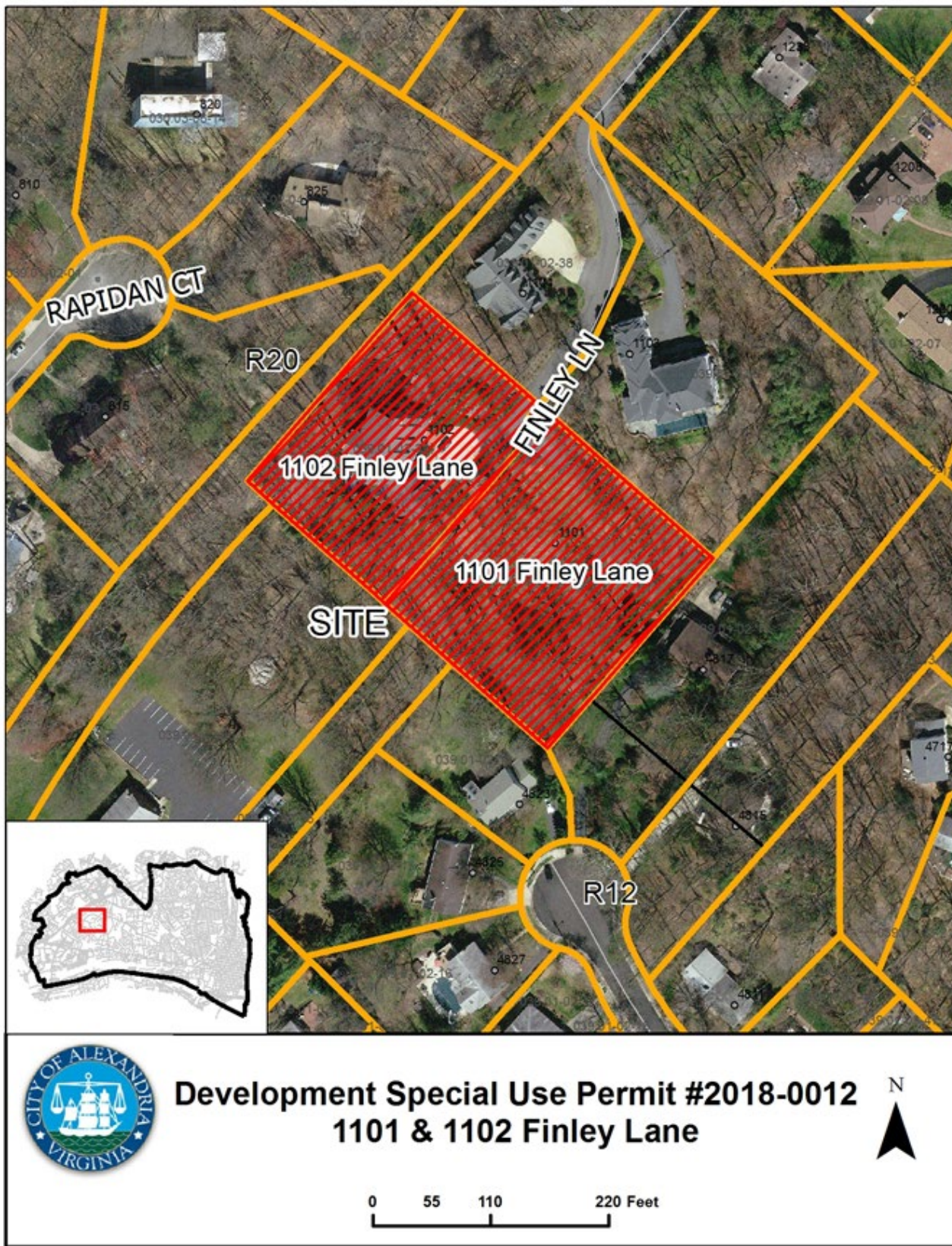
1. Development Special Use Permit (with site plan) to construct a single-family dwelling;
2. Special Use Permit for land without frontage on a public street.

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewers:

Robert M. Kerns, AICP, Chief of Development robert.kerns@alexandriava.gov
Maya Contreras, Principal Planner maya.contreras@alexandriava.gov
Nathan Randall, Urban Planner nathan.randall@alexandriava.gov

PLANNING COMMISSION ACTION, OCTOBER 3, 2019: On a motion by Commissioner Lyle, seconded by Vice Chair Wasowski, the Planning Commission accepted the applicant's request to defer consideration of the DSUP extension request. The motion carried on a vote of 7 to 0.



PROJECT LOCATION MAP

I. SUMMARY

Staff recommends **approval** of an extension of a previously-approved Development Special Use Permit (DSUP) for an additional three years for the “Pickett’s Ridge Phase II” development. The purpose of the current extension request is to allow for the construction of one single-family dwelling on the vacant lot at 1101 Finley Lane (Lot 503), which does not have required frontage on a public right-of-way. The applicant has not been able to construct the remaining dwelling on the property but has prepared the lot for construction. Although previous extensions have been granted, the proposal continues to be reasonable and appropriate for this site and is consistent with the Seminary Hill / Strawberry Hill Small Area Plan.

Staff would like to note that Section VI of this report has been updated, and one recommended condition has been added, compared to the report provided to Planning Commission prior to its October 3, 2019 public hearing. The purpose of these changes is to describe the deferral from the original hearing date and the activity that has occurred since that time.

II. BACKGROUND

A. Procedural Background

The applicant obtained land-use approval for the four-lot Pickett’s Ridge project in two phases, with two dwellings included in each phase. Each phase was approved separately: Phase I was approved in March 2003 under DSUP#2002-0049 and Phase II was approved in February 2004 under DSUP#2003-0036. Both dwellings in Phase I were constructed and occupied by 2006. One dwelling in Phase II, at 1102 Finley Lane, was constructed and occupied in 2007.

Construction at the project site stopped for more than 24 months following completion of the 1102 Finley Lane dwelling, leaving one lot vacant at 1101 Finley Lane. City Council approved an extension request in 2009 to keep the DSUP valid in order to construct the last of the planned single-family dwellings on that lot. A minor site plan amendment to expand the footprint of the future dwelling at 1101 Finley and to reconfigure its garage was also approved in 2009. A second three-year DSUP extension was approved in 2012 and a third three-year DSUP extension was approved in 2015 (DSUP#2015-0017) to allow for the construction of the remaining single-family dwelling. The applicant informed staff that the dwelling would not be built prior to the June 13, 2018 expiration date for DSUP#2015-0017 and filed this extension request prior to that date. Staff determined as part of its review that additional guidance regarding stormwater requirements was needed from the State. The need for this guidance along with other scheduling-related matters resulted in the docketing of the extension request, which was originally scheduled for October 2019.

B. Site Context

The Phase II project site consists of two lots, with the vacant lot at 1101 Finley Lane measuring 47,601 square feet (1.09 acres). The lots are accessed by a private street, Finley Lane, which the applicant constructed as part of the overall Pickett’s Ridge development. Finley Lane is connected to the portion of North Pickett Street that extends south from Seminary Road. The 1101 Finley

Lane site contains significantly sloped terrain and a substantial number of mature trees, many of which were required to be preserved through the original approval. The site has already been prepared for construction with clearing of certain trees and the installation of utilities and other infrastructure that will eventually serve the future dwelling. It is surrounded by other single-family dwellings, many of which are also located on relatively large lots.

III. PROJECT DESCRIPTION

The applicant, Sutton Building Corporation, requests an extension of an approved Development Special Use Permit to construct a single-family dwelling on the remaining vacant lot at 1101 Finley Lane. The proposed dwelling for the remaining undeveloped lot (1101 Finley Lane), at approximately 10,600 net square feet, would be similar in size to two of the three other houses in the Pickett's Ridge development. No changes to the proposed single-family dwelling on the vacant site are proposed as part of this extension request.

IV. ZONING

The subject site is zoned R-20 / Single Family. Pursuant to Section 3-102 of the Zoning Ordinance, single-family residential uses are allowed in R-20 without the need of a Special Use Permit. However, Section 7-1007 requires Special Use Permit approval for lots without frontage on public streets. Sections 11-403 and 11-404 also require Development Site Plan (DSP) approval for the contemporaneous development of three or more single-family dwellings. A summary of the zoning elements of the project are identified in the table below.

Site Area:	47,601 SF (1101 Finley) + 39,519 SF (1102 Finley) = 87,120 SF (2.0 acres) in total		
Zone:	R-20		
Current Use:	One vacant lot (1101 Finley) and one single-family house (1102 Finley)		
Proposed Use:	New single-family dwelling on vacant lot (1101 Finley)		
	<i>Permitted / Required</i>	<i>Proposed / Existing</i>	
		<i>1101 Finley</i>	<i>1102 Finley</i>
FAR	0.25	0.23	0.25
Height	35 feet*	35 feet	35 feet
Front Yard	40 feet*	98 feet	61 feet
Side Yards	12 feet min / 1:2 ratio = 17.5 feet	39 feet (west)	42 feet (west)
		37 feet (east)	27 feet (east)
Rear Yard	12 feet min / 1:1 ratio = 35 feet	50 feet	65 feet
Parking:	2 spaces / unit	2 spaces	2 spaces

*As required in original DSUP approval (DSUP#2003-0036).

V. STAFF ANALYSIS

Staff recommends extending the validity period of the applicant's previously-approved Development Special Use Permit for an additional three years. In some instances, staff might be reluctant to support a fourth extension given that planning goals and regulations can change over such a long period of time. However, the proposal to construct a single-family dwelling at 1101 Finley Lane continues to represent a reasonable plan to develop the property and one that is consistent with the SAP.

A. Consistency with SAP & Zoning

Very few changes have occurred in this stable single-family neighborhood in the last 15 years since original DSUP approval. No other new development has occurred in the area, nor have any planning goals been amended, that would impact staff's original recommendation for approval of the remaining single-family dwelling. The use of the property for a single-family dwelling is consistent with the recommendations of the Seminary Hill / Strawberry Hill Small Area Plan. The single-family dwelling use is also consistent with the R-20 zone. The specific SUP-related element of the approval – the circumstance of the remaining lot not having required frontage on a public street – exists at the three other approved Pickett's Ridge lots and continues to be an acceptable development pattern.

As a legal matter, the applicant's specific proposal is grandfathered as to infill regulations given that it was first approved in 2004, prior to the establishment of the first infill regulations in 2008. Staff has nonetheless considered whether the surrounding area would be improved by the introduction of the infill zoning regulations, as they currently exist, into the proposal. Generally speaking, the infill regulations were crafted with the ultimate goal that new dwellings should be consistent with the character of other dwellings in the immediate area. Due to the geography of this particular case, the immediate area around the vacant lot to be considered for character purposes are the three other dwellings in the Pickett's Ridge project. As established in the originally-approved DSUPs, those three dwellings share the same pre-infill development pattern as the proposal to develop 1101 Finley Lane that is now under consideration. Imposing infill regulations now would not result in a development proposal more consistent with the immediate area.

B. Stormwater Regulations

The other regulatory change since the original approval in 2004 that staff reviewed for its potential applicability to this project pertains to stormwater treatment. Staff anticipated that state stormwater regulations, which had most recently changed in 2014, were likely to change again in 2019. However, the extent of the changes was unknown and staff determined that it needed to pause its consideration of the extension request to ensure that the applicant would be provided the most accurate information about whether the changes would affect the project. When announced, it was ultimately determined that the new regulations would not have an impact on stormwater treatment at the vacant lot.

C. City Policies

Several City policies that normally apply to development projects do not apply to the current request. Single-family dwellings are exempt from the City's Affordable Housing and Public Art Policies. They are also exempt from the 2009 Green Building Policy, which remains in effect for projects like the current one, given that it was submitted prior to March 2020.

D. Expiration Date

The new expiration date for the requested DSUP extension is recommended to be three years from today rather than three years from the previous expiration date. This timeframe is proposed in order to account for the additional amount of time that was necessary to bring the case to public hearings.

VI. COMMUNITY

The property has been posted with public notice signs announcing the proposed extension request and notification has been sent to all adjacent property owners with information about the proposal, hearing dates and contact information. The applicant has also informed the Seminary Hill Civic Association of the extension request. No comments from the community had been received by the applicant or staff as of the publication of the October 2019 staff report in late September.

After publication of the staff report and shortly before the October 3rd Planning Commission hearing, the applicant and staff heard from the three other property owners within the Pickett's Ridge development. They expressed disappointment that they had not heard from the applicant earlier in the process and raised concerns about the appearance of the 1101 Finley Lane property. More specifically, the neighbors asked the applicant to erect a new fence, add some landscaping, and repair a portion of the private road, all in the area where Finley Lane ends at the 1101 Finley Lane lot.

The applicant requested deferral of the DSUP extension to the November docket and promptly reached out to the group of neighbors to discuss the request in general and the sought-after improvements. The applicant has reported to staff that agreement has been reached with the neighbors regarding all three points. New fencing has already started to be installed and additional trees are expected to be planted within a few weeks, based on planting guidance from the applicant's landscaping consultant. Finally, it appears that an understanding was reached that pavement repairs should be delayed until such time that the new single-family dwelling is built in the future. Staff has added new Condition #72 to this report to memorialize the fencing and landscaping improvements that the applicant has already agreed to complete. The neighbors have reported to staff that the applicant has addressed their concerns and no longer have objections to the DSUP extension request.

VII. CONCLUSION

In conclusion, staff recommends **approval** of the three-year extension of the previously-approved Development Special Use Permit to construct a new single-family dwelling subject to compliance with all applicable codes and the staff recommendations contained in Section IX of this report.

Staff: Robert M. Kerns, AICP, Chief of Development
 Maya Contreras, Principal Planner, Development
 Nathan Randall, Urban Planner, Development

VIII. GRAPHICS / PHOTOS

Figure 1: Pickett's Ridge Layout and Phasing

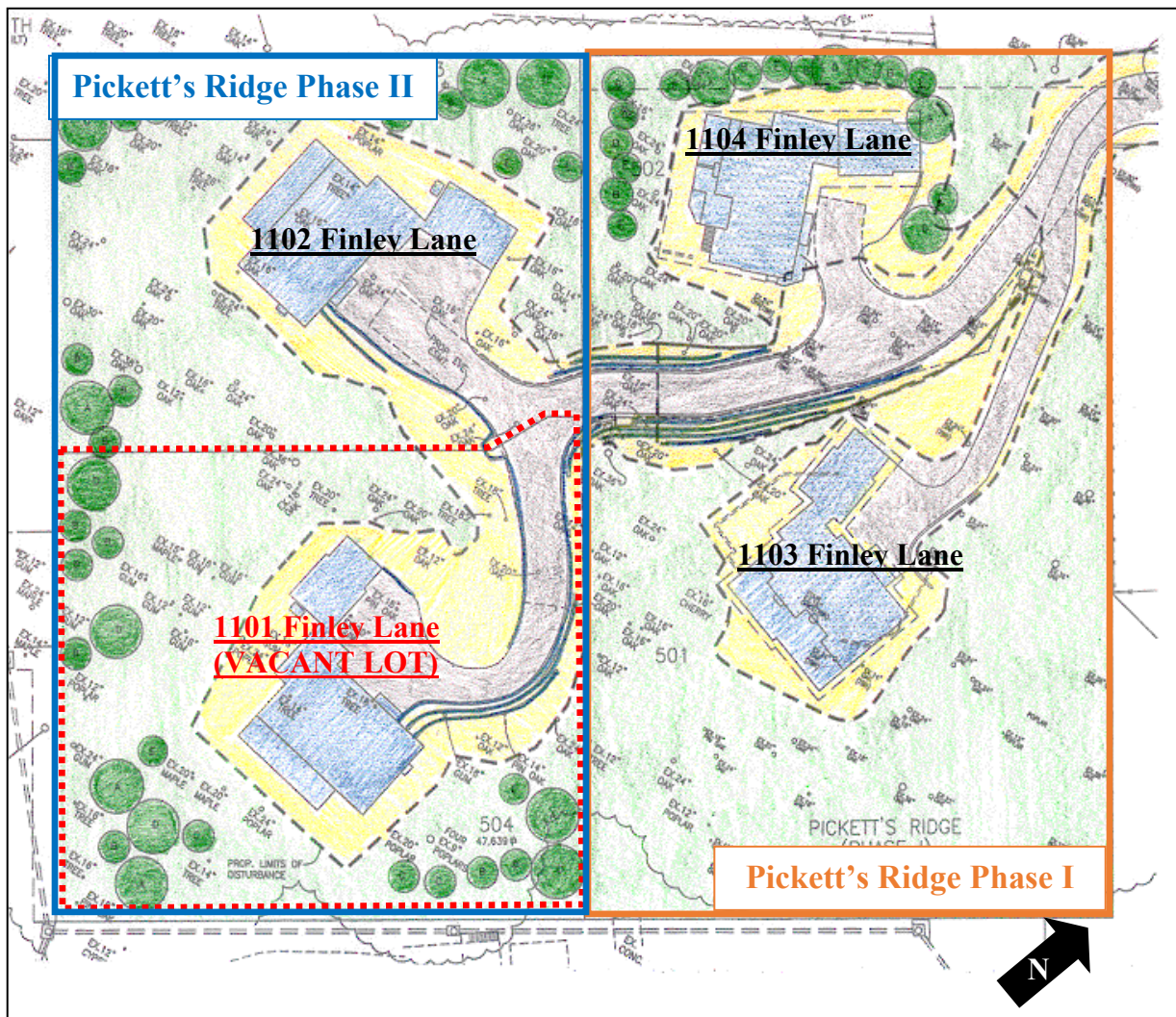


Figure 2: 1101 Finley Lane



Figure 3: Existing Pickett's Ridge Dwellings



IX. STAFF RECOMMENDATIONS

A. TREE PRESERVATION:

1. The home for lot 504 shall be realigned as generally depicted in *Attachment No. 1* to provide an additional setback from the adjacent single-family home on the eastern portion of the site to the satisfaction of the Director of P&Z. (P&Z) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
2. The area of limits of disturbance and clearing for the site shall be limited to the areas of disturbance and clearing as generally depicted on the revised site plan dated November 13, 2003. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
3. The applicant shall impose restrictions in the form of recorded conservation covenants ("Covenants") on all areas that are outside the limits of disturbance as generally depicted on the preliminary plan (hereby referred to as the "Conservation Area"). The Covenants shall impose restrictions on the use of the Conservation Area to protect and preserve existing trees and limit any tree removal and active uses within the designated conservation area. The Covenants shall prohibit construction or placement of accessory structures, as defined in the Alexandria Zoning Ordinance, including but not limited to, buildings, structures, fencing and restrict the removal of mature trees (except to the extent as authorized by the City Arborist for routine maintenance purposes). A plat delineating the Conservation Area shall be prepared and approved by the Directors of P&Z and PR&CA and the City Attorney prior to release of the final site plan. The final approved plat and restriction language shall be recorded among the land records. The following shall also be established as restrictions in the Conservation Area: (DSUP#2002-0049)
 - a. Except as may be necessary for the prevention or treatment of disease, the removal of dead or damaged trees or other good husbandry practices and after consultation with the City of Alexandria Arborist, no mature trees shall be removed from the Conservation Area. Supplemental tree plantings may be provided within the Conservation Area Easement, but shall consist of native species as identified by the City Arborist.
 - b. A variety of native trees (evergreen and deciduous) shall be planted within the Conservation Area on the western portion of lot # 502 in order to minimize the visibility of the house from the adjoining residences. The location, size and quantity of the trees shall be approved to the satisfaction of the City Arborist. (P&Z) (RP&CA) (PC) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
4. The applicant shall contract with a professional tree save/preservation company and/or contractor for the purpose of establishing a tree protection plan. A tree protection plan shall be provided for the existing trees shown in areas as outside the "limits of disturbance" (conservation area) to the satisfaction of the Director of P&Z and the City Arborist. A plan

for tree protection shall be approved by the City Arborist and included in the final approved site plan and at a minimum shall include the following:

- a. The applicant shall follow recommended Horticultural practices to insure the health and vitality of the trees designated for protection prior to, during and after construction of the proposed houses. In the event trees which are to be protected, are damaged or die, other than as the result of disease or acts of God, replacement trees measuring a minimum of 2½" in caliper shall be planted for each inch of caliper that is lost.
 - b. No construction materials or equipment shall be stored or staged within the drip lines of trees designated for protection. Any required construction activity occurring within the drip line of trees designated for saving shall follow recommended guidelines as established by the "Care of Trees".
 - c. A note identifying these restrictions shall be provided on the Site Plan Cover, Erosion Sediment Control and Landscape Plan sheets. (P&Z) (RP&CA) (PC) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
5. Provide an increased buffer for the southwestern portion of 1233 Pickett Street by relocating the fire hydrant and proposed private roadway. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
 6. The applicant shall use "trenchless" lateral construction for the sanitary laterals to preserve tree root systems. The proposed water lines and fire lines for lot 503 and lot 504 shall be located under the proposed driveways to minimize tree disturbance and grading. (DSUP#2002-0049) (RP&CA) (P&Z) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
 7. Show tree canopies for all trees within the limits of disturbance and those trees outside of the limits of disturbance that have canopies that encroach into the disturbed area. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
 8. Condition deleted. (P&Z)

B. STREETS - UTILITY AND INFRASTRUCTURE:

9. a. A perpetual public access easement and vehicle ingress/egress easement shall be recorded by the applicant for the entire portion of the internal private street. The easement shall provide public vehicular and pedestrian access.
 - i. The applicant shall provide a 15-foot wide perpetual public pedestrian access easement running from the private street, starting generally at the common boundary line between Lots 503 and 504, thence, running generally south along such common boundary line and west along the southern boundary line of lot 503, and terminating at the southwest corner of Lot 503 on the unopened right-of-way of North Pickett Street.
 - ii. The retaining wall at the point where such pedestrian easement connects to the private street, and all other site features and improvements, shall be

- designed and constructed to accommodate such pedestrian easement, to the satisfaction of the Directors of Planning and Zoning, of Transportation and Environmental Services, and of Parks, Recreation and Cultural Activities.
- iii. No construction or improvements for public use of the easement area, except for construction necessary to accommodate the pedestrian easement required under Paragraph (b)(2), shall be permitted unless and until approved by City Council, but no amendment to the SUP to authorize such construction or improvements shall be required. Prior to granting any such approval, public hearings on the proposed public use and any construction or improvements therefor shall be conducted by the Park and Recreation Commission, Planning Commission and City Council and also to include input from the Environmental Policy Commission. Notice as provided in Section 11-301 of the Zoning Ordinance shall be given for such hearings.
 - iv. Signage, to the satisfaction of the Director of Parks, Recreation and Cultural Activities, shall be provided at the trail heads connecting to the public right-of-way of North Pickett Street at the north and at the south of the site, and at the connection to the private street, in the event construction or improvement of the easement for public use is approved by City Council.
- b. A plat showing the easements and all required documentation shall be submitted to the City Attorney, Department of Planning and Zoning and Department of Transportation and Environmental Services with the final site plan submission. The easements shall be approved by the City Attorney and recorded among the land records prior to release of the final site plan to the satisfaction of the City Attorney. Actual notice of the easements shall be provided to the initial purchasers of each lot, and, until such time, if ever, as the signage required by Paragraph (B)(4) is installed, to subsequent purchasers, to the satisfaction of the City Attorney. (City Council) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
10. Asphalt paving shall be required for the internal streets in both Phase II and Phase I. Label the widths of the existing and proposed driveways and Emergency Vehicle Easement. Provide City standard pavement detail on the plan for emergency vehicle easements.(T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
11. The driveways (excluding the internal street and emergency vehicle turn-around) shall be constructed of pavers, gravel or decorative pavers to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
12. Private access easement on lot 502 and lot 503 and lot 504 as generally depicted on the preliminary site plan shall be designed for H-20 loading. (P&Z) (Code Enforcement) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

C. LANDSCAPING:

13. A landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RP&CA. At a minimum the plan shall provide:
 - a. A significant amount of additional evergreen and deciduous plantings on the eastern and western portion of the entrance road to the satisfaction of the Directors of P&Z, T&ES and RP&CA.
 - b. A minimum of between 15 and 20 additional Virginia native species deciduous and evergreen trees shall be provided on proposed Lots 503 and 504, including seven deciduous near the street.
 - c. Additional evergreen plantings shall be provided along proposed landscape - retaining walls that exceed a height of 4'.
 - d. All proposed tree protection details shall be depicted on the final site plan and be provided throughout the construction process to the satisfaction of the City Arborist and Director of P&Z. If any of the larger caliper trees (>12") are damaged or destroyed during the construction process the applicant shall replace the tree(s) with the largest caliper trees(s) of comparable species that are available or can be transplanted to the satisfaction of the City Arborist and Director of P&Z; the remaining tree caliper shall be planted on-site or adjacent to the site. In addition, a fine will be paid by the applicant in an amount not to exceed \$10,000 for each tree that is destroyed if the approved tree protection methods have not been followed. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit.
 - e. Place underground utilities and utility structures under proposed streets or away from proposed landscaped areas to the extent feasible, to minimize any impact on the root systems of the proposed landscaping, to the satisfaction of the Director of T&ES and the City Arborist.
 - f. All landscaping shall be maintained in good condition and replaced as needed.
 - g. All plant materials and specifications shall be in accordance with the current and most up to date edition of the *American Standard For Nursery Stock* (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C..
 - h. A bond for all existing trees and landscaping designated to be retained, in an amount determined by the Director of Parks, Recreation and Cultural Activities, and for 100% of the cost of trees and landscaping required to be installed, shall be provided and maintained for a period of five years. (P&Z) (DSUP#2002-0049) (City Council) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

D. BUILDING - DESIGN:

14. All fences visible from the internal street or adjacent residential properties shall be designed and treated to the satisfaction of the Director of P&Z. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
15. Each facade of each of the units shall be a high quality material such as masonry or similar material to the satisfaction of the Director of P&Z. The facades that are visible from the

internal street shall be designed with a level of architectural detail and with finishes consistent with the front facade treatment. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

16. All retaining walls shall be constructed with a natural stone. Any protective fencing or railing atop retaining walls shall be visually unobtrusive and of a decorative metal material, to the satisfaction of the Directors of P&Z and Code Enforcement. Additional retaining walls other than those shown on the preliminary site plan shall be permitted so long as they are required to protect existing trees or to prevent any extensive grading, or additional tree loss or to prevent slopes greater than 3:1. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
17. Basement and decks, including those different and/or larger than those shown on the site plan, shall be permitted provided that they:
 - a. Meet all zoning requirements;
 - b. Do not encroach into the conservation area; and
 - c. Are within the building envelope as depicted on the approved site plan.
 - d. No decks are provided above the first floor. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
18. All dwellings shall be equipped with a residential fire sprinkler system conforming to NFPA 13D based on remote fire access issues to the site. (Code Enforcement) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

E. LEGAL/PROCEDURAL:

19. The developer shall provide a signed disclosure statement from each purchaser prior to the release of a certificate of occupancy permit for that unit. The prospective purchasers shall be informed of the restrictions imposed on the landowners by the elements of this proposed site plan, including:
 - a. Conservation Area Covenants;
 - b. Public ingress/egress easement and emergency vehicle easement restrictions;
 - c. Sanitary sewer easements;
 - d. Public access easement/path through the site extending from Polk Avenue to North Pickett Street at Maury L and;
 - e. Zoning limitations on the construction of future building additions and/or decks larger than what is shown on the site plan. (P&Z) (PC) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
20. The applicant shall submit a homeowner's agreement (HOA) for approval by the City Attorney, prior to applying for the first certificate of occupancy permit. Such HOA shall include the conditions listed below, which shall be clearly expressed in a separate section of the HOA. Also, such section within the HOA shall include language which makes clear that the SUP conditions listed shall not be amended without the approval of City Council.
 - a. The Conservation Area Covenants (as set forth in Condition No. 3).

- b. Exterior building improvements by future residents, including above ground decks not included on the approved plans or different from the approved plans, shall require the approval of the Director of Planning and Zoning and must be consistent with the special use permit conditions.
 - c. Building additions, including decks are limited to the building envelope depicted on the approved site plan.
 - d. All required landscaping and screening, including trees and landscaping in the conservation area, shall be maintained in good condition.
 - e. No ground disturbing activity shall occur within the "limits of disturbance" areas or drip-line areas of trees preserved as a condition of this special use permit.
 - f. The principal use of the individual garages shall be for passenger vehicle storage only. (P&Z) (PC) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
21. The final subdivision plan shall be consistent with the final site plan, and shall be approved and recorded prior to the release of the final site plan. The subdivision plan and all easements shall be submitted as part of the final site plan submission. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
22. The subject site shall not be resubdivided beyond the four lots being created under this development site plan.(City Council) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
23. Prior to approval of the final site plan, the applicant shall execute and submit a stormwater BMP maintenance agreement with the City for the stormwater quality Best Management Practices (BMPs). (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

F. ENVIRONMENTAL:

24. Solid waste services shall be provided by the City. Solid-waste pick-up will be collected from the existing pavement at N. Pickett Street and Maury Lane. The developer must provide adequate space within each unit to accommodate a City Standard super can and recycling container. The containers must be placed inside the units or within an enclosure that completely screens them from view. The developer must purchase the standard containers from the City or provide containers that are compatible with City collection system and approved by the Director of Transportation and Environmental Services. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
25. The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

26. The applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until sale to an owner. Prior to transferring responsibility for the BMPs to the owner, the applicant shall execute a maintenance service contract with a private contractor for a minimum of three years and transfer the contract to the owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the contract shall be submitted to the City. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
27. The applicant shall furnish the owner(s) with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
28. Due to the extensive alteration of the driveway on the adjacent Phase I property, the entire shared roadway for both the Phase I and 2 projects must be paved with asphalt to the satisfaction of the Directors of T&ES, P&Z and Code Enforcement. The private driveways on individual lots (not encumbered by emergency vehicles easements) may be paved with gravel or decorative paving materials. A stormwater fee must be paid based on all new impervious areas (including areas that were previously compacted gravel on the Phase I site) at a rate set by the Director of T&ES. (T&ES) (P&Z) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
29. The Phase II driveway and retaining wall area impacts an Oak tree that was identified to be saved on the Phase I project. Replace such tree with additional trees of significant caliper equal, cumulatively, to the tree being removed prior to issuance of a certificate of occupancy permit. (T&ES) (RP&CA) (P&Z) (PC) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
30. Condition deleted.
31. Plan must demonstrate to the satisfaction of the Director of T&ES that the stormwater management is controlled in non-erosive manner. Identify how runoff from the driveways will be handled. Insure appropriate drainage measures are implemented to prevent flooding. Provide a stormwater management narrative explaining measures taken. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
32. The applicant shall incorporate in its site plan design, the Low Impact Development techniques including but not limited to Roof Downspout System, Gravel/porous material driveways, Gravel/porous material path, Vegetated Filter Strip or their combination to the

satisfaction of Director of T&ES. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

33. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
34. For any surface-installed Best Management Practices, i.e. Bio-Retention Filters, Vegetated Swales, etc. are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of Transportation and Environmental Services. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
35. All stormwater inlets on the subject property and within 50 feet of the project shall be duly marked with the name of watershed it drains into to the satisfaction of the Director of T&ES. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
36. Provide a drainage map for the area flowing to the chosen BMP, including topographic information and storm drains. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
37. If the units will sold as individual units and a home owner's association established the following two conditions shall apply:
 - a. The Developer shall furnish the Homeowner Association with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMP's) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s), drawings and diagrams of the BMP(s) and any supporting utilities, catalog cuts on maintenance requirements and a copy of the Maintenance Agreement with the City.
 - b. The Developer shall furnish each home purchaser with a brochure describing the stormwater BMP(s) installed on the site, outlining the responsibilities of the homeowners and the Homeowner's Association (HOA) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

38. The site is located on marine clay area as delineated on City map of marine clay areas. Prior to the release of the final site plan, provide geotechnical report, sealed by a professional engineer registered in the Commonwealth of Virginia, with recommendations for proposed cut slopes, embankments, pavement and retaining wall designs. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
39. Due to the existing steep slopes and vegetation, maintenance and access for the proposed 10" sanitary sewer main extending along the southern property line of Lot 501 will be extremely difficult. Since this sewer main serves a single lot, revise proposed 10" sewer main to an adequately sized sanitary lateral to serve Lot 501 and remove proposed City sanitary sewer easement. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
40. Roof drains discharging on the surface shall be designed to be non-erosive along the entire surface flow path. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
41. If fireplaces are to be included in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
42. Condition deleted.
43. Condition deleted.
44. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

G. MISCELLANEOUS:

45. The building footprints for each unit shall be limited to the building envelope depicted on the preliminary plan unless otherwise necessary to retain additional trees to the satisfaction of the Director of P&Z. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
46. Freestanding subdivision or development sign(s) that differentiates the proposed development from the existing neighborhood shall be prohibited. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

47. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
48. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, whose property abuts the site, and to the Directors of P&Z and T&ES. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
49. Show all utility structures, including transformers, on the final development plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or private street. When such a location is not feasible, such structures shall be located and screened to the satisfaction of the Director of P&Z. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
50. Any inconsistencies between the various drawings shall be reconciled to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
51. The final site plan shall include a zoning tabulation that clearly depicts the permitted and proposed net/gross floor areas, height, yard setbacks, and all other applicable zoning requirements for each individual lot. This information sheet shall also be attached to all building permits. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
52. The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
53. Submit a building location survey to Planning staff prior to applying for a certificate of occupancy permit for each unit. The location survey shall show all improvements on the lot including easements, restrictions and limits of the Conservation Area as shown on the final development plan. The applicant shall submit the final "as-built" site plan for the entire project prior to applying for a certificate of occupancy permit for the last dwelling unit. (P&Z) (PC) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

54. Temporary construction trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. Temporary structures for sales personnel, as well as sales/marketing signs, shall be permitted, with the size and site design for such temporary structures, including signs, subject to approval by the Director of Planning and Zoning. (P&Z) (PC) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
55. Provide a lighting plan with the final site plan to the satisfaction of the Director of T&ES in consultation with the Chief of Police. The plan shall:
 - a. show existing and proposed street lights and site lights;
 - b. indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts;
 - c. provide manufacturer's specifications for the fixtures; and
 - d. provide lighting calculations to verify that lighting meets City Standards. (T&ES)(Police) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
56. Prior to the release of the final site plan, provide written verification for construction easement and grading on adjacent properties. (T&ES) (DSUP#2002-0049) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
57. Provide proposed elevation (contours and spot elevations) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
58. The site is located on marine clay area as delineated on City map of marine clay areas. Prior to the release of the final site plan, provide geotechnical report, sealed by a professional engineer registered in the Commonwealth of Virginia, with recommendations for proposed cut slopes, embankments, pavement and retaining wall designs. (T&ES) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
59. Condition deleted.
60. Condition deleted.
61. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes. This is to be completed prior to the commencement of construction. (Police) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
62. All archaeological work will be carried out in accordance with the *City of Alexandria Archeological Standards* and is subject to the approval of the City Archaeologist. (Archaeology) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)

63. If determined to be appropriate by the City Archaeologist, a plaque will be erected on this property summarizing its historical and archaeological significance. The wording on the plaque will be approved by Alexandria Archaeology. (Archaeology) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
64. The applicant should not allow any other metal detection to be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology) (DSUP #2003-0036) (DSUP #2009-0007) (DSUP#2012-0017)
65. The property, including all buildings existing or under construction, shall be maintained in good order and repair, in compliance with all applicable provisions of the zoning ordinance and the city code, and in addition shall be maintained so as to prevent blight or other substantial detrimental impacts on surrounding property. (PC) (DSUP #2009-0007)
66. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of Infrastructure and Right of Way prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES) (DSUP#2012-0017)
67. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)(T&ES) (DSUP#2012-0017)
68. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES) (DSUP#2012-0017)
69. If there are outstanding performance, completion or other bonds for the benefit of the City in effect for the property at such time as it may be conveyed or sold to a party other than the applicant, a substitute bond must be provided by that party or, in the alternative, an assignment or other documentation from the bonding company indicating that the existing bond remains in effect despite the change in ownership may be provided. The bond(s) shall be maintained until such time that all requirements are met and the bond(s) released by the City. (T&ES) (DSUP#2012-0017)
70. Discharge from pool(s) shall be connected to the sanitary sewer. (T&ES) (DSUP#2012-0017)
71. Pursuant to Section 11-418 of the Zoning Ordinance, the Development Special Use Permit shall expire and become null and void, unless substantial construction of the project is commenced within 36 months after initial approval and such construction is thereafter pursued with due diligence. The applicant shall provide a written status report to staff 18

months after initial approval to update the City Council on the project status if substantial construction has not commenced at such time. (P&Z) (~~DSUP#2015-0018~~)

72. **CONDITION ADDED BY STAFF:** To the satisfaction of the Director of Planning & Zoning and in consultation with adjacent property owners, the applicant shall install new fencing within 60 days of the approval of the DSUP extension and shall install new landscaping within 180 days of said approval. (P&Z)

X. CITY DEPARTMENT COMMENTS

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

Note: These Code Requirements and Findings have been carried over from the previous approvals, but many have been completed through the site plan process for this application.

Transportation and Environmental Services

- C-1 Bond for the public improvements must be posted prior to release of the plan.
- C-2 The sewer tap fee must be paid prior to release of the plan.
- C-3 All easements and/or dedications must be recorded prior to release of the plan.
- C-4 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C-5 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-6 All utilities serving this site to be underground.
- C-7 Provide site lighting plan to meet minimum city standards.
- C-8 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-9 The applicant must comply with the Article XIII of the City's zoning ordinance, which includes requirements for stormwater pollutant load reductions, treatment of the water quality volume default, and stormwater quantity management.
- C-10 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4.
- C-11 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the new state requirement for a VPDES permit for all land disturbing activities greater than 2500 SF.

- C-12 Per the requirements of the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development stormwater flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C-13 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, the applicant shall comply with the peak flow requirements and prepare a Stormwater Management Plan so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. If the project site lies within the Braddock-West watershed then the applicant shall provide an additional 10% storage of the pre-development flows in this watershed to meet detention requirements. (T&ES)
- C-14 Per the requirements of Article 13-113 (d) of the AZO, all stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and stormwater flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. (T&ES)
- C-15 Location of customer utility services and installation of transmission, distribution and main lines in the public rights of way by any public service company shall be governed by franchise agreement with the City in accordance with Title 5, Chapter 3, Section 5-3-2 and Section 5-3-3, respectively. The transformers, switch gears, and boxes shall be located outside of the public right of way. (T&ES)
- C-16 (a) Per the requirements of Section 5-3-2, Article A, Chapter 3 of the City of Alexandria Code, all new customer utility services, extensions of existing customer utility services and existing overhead customer utility services supplied by any existing overhead facilities which are relocated underground shall, after October 15, 1971 be installed below the surface of the ground except otherwise exempted by the City Code and to the satisfaction of the Director, Department of Transportation and Environmental Services. (b) Per the requirements of Section 5-3-3, Article A, Chapter 3 of the City of Alexandria Code, all new installation or relocation of poles, towers, wires, lines, cables, conduits, pipes, mains, and appurtenances used or intended to be used to transmit or distribute any service such as electric current, telephone, telegraph, cable television, traffic control, fire alarm, police communication, gas, water, steam or petroleum, whether or not on the streets, alleys, or

other public places of the City shall, after October 15, 1971, be installed below the surface of the ground or below the surface in the case of bridges and elevated highways except otherwise exempted by the City Code and to the satisfaction of Director, Department of Transportation and Environmental Services. (T&ES)

- C-17 Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer per the requirements of Memorandum to the industry on Downspouts, Foundation Drains, and Sump Pumps, Dated June 18, 2004 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the storm sewer outfall, where applicable after treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO). (T&ES)
- C-18 Per the requirements of Title 4, Chapter 2, Article B, Section 4-2-21, Appendix A, Section A 106(6), Figure A 106.1 Minimum Standards for Emergency Vehicle Access: provide a total turning radius of 25 feet to the satisfaction of Directors of T&ES and Office of Building and Fire Code Administration and show turning movements of standard vehicles in the parking lot as per the latest AASHTO vehicular guidelines. (T&ES)
- C-19 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys. (T&ES)
- C-20 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C-21 Per the Memorandum to Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (T&ES)
- C-22 The thickness of sub-base, base, and wearing course shall be designed using "California Method" as set forth on page 3-76 of the second edition of a book entitled, "Data Book for Civil Engineers, Volume One, Design" written by Elwyn E. Seelye. Values of California Bearing Ratios used in the design shall be determined by field and/or laboratory tests. An alternate pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading designed using California Bearing Ratio (CBR) determined through geotechnical investigation and using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications designed to the satisfaction of the Director of Transportation and Environmental Services (T&ES) will be acceptable. (T&ES)

- C-23 All pedestrian, traffic, and way finding signage shall be provided in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)
- C-24 No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code. (T&ES)
- C-25 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C-26 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C-27 The project shall adhere to the requirements of the VPDES Construction General Permit (CGP) for single-family residences part of a larger common plan of development or sale. This requires the project to complete the Single Family Stormwater Pollution Prevention Plan (SWPPP) template to the City for review prior to submitting for permits. Following approval the project will have coverage under the CGP and will not have to submit a full SWPPP. More information is here: <http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPPermits/ConstructionGeneralPermit.aspx> (T&ES)
- C-28 The project will be grandfathered to the previous stormwater quality and quantity technical criteria effective prior to July 1, 2014 and contained in 9VAC25-870-93, et. seq. However, if there is an increase in pollutant loading from any point of discharge or an increase in the rate or volume of runoff based on the previously approved plans, then the project is not considered grandfathered and must meet the current water quality and quantity technical criteria in Sections 13-109(E) and (F). (T&ES)
- F-1 Since the record drawings, maps, and other documents of the City of Alexandria, State, and Federal agencies show the true north pointing upwards, therefore, the Site Plan shall show the true north arrow pointing upward as is customary; however, for the sake of putting the plan together and/or ease of understanding, the project north arrow pointing upward, preferably east, or west may be shown provided it is consistently shown in the same direction on all the sheets with no exception at all. Provide the reference to the source of meridian on all north arrows. The project north arrow pointing downward will not be acceptable even if, it is shown consistently on all the sheets. (T&ES)
- F-2 Clarify the limits of disturbance for this project. The line types used to represent the limits of disturbance for the Phase I and 2 projects should be different. (T&ES)
- F-3 Any amendments to the Final Site Plan must be prepared per the requirements of Memorandum to Industry 02-09 dated December 3, 2009, Design Guidelines for Site Plan Preparation, which is available at the City's following web address:

<http://alexandriava.gov/uploadedFiles/tes/info/Memo%20to%20Industry%20No.%2002-09%20December%203,%202009.pdf>

- F-4 The plan shall show sanitary and storm sewer, and water line in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label the sanitary and storm sewer, or water line plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of all the existing and proposed sanitary and storm sewer at manholes, and water line piping at gate wells on the respective profiles. Use distinctive stationing for various sanitary and storm sewers (if applicable or required by the plan), and water line in plan and use the corresponding stationing in respective profiles. (T&ES)
- F-5 The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F-6 Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F-7 All storm sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter for storm sewers shall be 18" in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead is 15". The acceptable pipe materials will be AWWA C-151 (ANSI A21.51) Class 52 or Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. For roof drainage system, Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.0 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES)
- F-8 All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter of sanitary sewers shall be 10" in the public Right of Way and sanitary lateral 6" for all commercial and institutional developments; however, a 4" sanitary lateral will be acceptable for single family residences. The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12" or larger diameters); Class III may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Laterals shall be connected to the sanitary sewer through a manufactured "Y" or "T" or approved sewer saddle. Where the laterals are being connected to existing Terracotta pipes, replace the section of main and provide manufactured "Y" or "T", or else install a manhole. (T&ES)
- F-9 Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)

- F-10 Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F-11 All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided. (T&ES)
- F-12 The Traffic Control Plan shall replicate the existing vehicular and pedestrian routes as nearly as practical and the pedestrian pathway shall not be severed or moved for non-construction activities such as parking for vehicles or the storage of materials or equipment. Proposed traffic control plans shall provide continual, safe and accessible pedestrian pathways for the duration of the project. (T&ES)
- F-13 If the lot is indeed grandfathered, then consistent with the previous conditions, the removal of the stormwater facility BMP from the lot would be accepted with a minor amendment to the site plan, if the applicant paid the appropriate fee in lieu to the WQIF. Per the previous review comments: *The waiver for treatment was granted because a detention pond or filter would result in a significant loss of additional trees and vegetation that serve as an effective natural filter. However, staff is recommending that the applicant clearly demonstrate that at a minimum, the post development water runoff be no greater than pre-development runoff, which is a standard requirement for developments and should address the concerns raised by several of the adjoining residents.* (T&ES)

Code Administration

- C-1 All dwellings shall be equipped with a residential fire sprinkler system conforming to NFPA 13D based on remote fire access issues to the site. **Condition met, agreed to by applicant.**
- C-2 Proposed road grade shall not exceed 10% in order to facilitate adequate fire and ambulance access. Angles of approach and departure shall not exceed 6%. Grade and transitions shall be noted on plans. **Condition met. Grade profile indicates grades within specified limits.**
- C-3 Minimum access roadway width shall be 22 feet. Roadway shall be dedicated as Emergency Vehicle Easement. Extent of emergency vehicle easement in designated turn around shall be shown on plans. **EVEs shown at 18 foot, consistent with Phase I. Extent of EVEs shown on plans.**
- C-4 Roadway shall have vehicular turnaround which complies with City standards for emergency vehicles. Turnaround radii shall be noted on plans. Turnaround area shall be level grade 60 feet prior to centerline of turn around area. Wings of turn around shall be level for a minimum of 60 feet from center line of turn around area. The current proposed turnaround is unacceptable as it promotes the use of 5% grades to be included for turn

around purposes. Turn around area must be level. **Revised turnaround is acceptable with 0% grade as shown on plans.**

- C-5 Proposed hydrant at "T" intersection is acceptable.
- C-6 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). All existing construction documents shall be updated to reflect the current addition of the USBC prior to submission for a building permit. **Condition Met. Shown as Note 11 on Sheet 1.**
- C-7 A soils report must be submitted with the building permit application. **Condition met, shown as Note 19 on Sheet 1.**
- C-8 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0. **Condition Met. Shown as Note 21 on Sheet 1.**
- C-9 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. **Condition met. Shown as Note on Sheet 2.**
- C-10 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. **Condition met, Shown as Note on Sheet 2.**
- C-11 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems where applicable.
- C-12 All previous comments made under DSUP2003-00036 and DSUP2009-00007 by the Office of Code Administration will remain in effect for DSUP2012-00017.
- F-1 Replace General Note 11 with the following: New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). **Condition Met. Revised wording completed.**
- F-2 Emergency Vehicle turn around limits are not identified on plan. **Condition met. EVE limits shown on plan.**
- F-3 Size of water mains are not shown. **Condition Met - Water Main Size Shown on Plans.**
- F-4 Plan should note if structures are to be equipped with an automatic fire suppression system. **Condition met. Shown as Note 34 on Sheet 1.**
- F-5 North Arrow is not shown on all sheets of plan. **Condition met.**

- F-6 The use of gravel roadways is not supported by Code Enforcement as a means for emergency vehicles to access the proposed dwelling units. **Condition met. Applicant agrees to pave roadways.**
- F-7 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4193.

Alexandria Archeology:

- F-1 This area was previously investigated archaeologically by John Milner Associates. Milner completed an executive management summary report documenting the archaeological work dated May 5, 2004. This document suffices as a final report. No additional archaeological action is required.
- R-1 The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
- a. The applicant/developer shall call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.



APPLICATION

DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSUP # 2018-00012 Project Name: Picketts Ridges-Phase II

Property Location: 1101 Finley Lane
Tax Map Reference: 039.01-02-40
Applicant Name: Sutton Building Corporation
1429 Huntington Crescent
Norfolk, VA. 23509
Property Owner: Pickett's Ridge 503 LLC
Ann & Greg Sutton
1429 Huntington Crescent
Norfolk, VA. 23509
Summary Of Proposal: To extend current DSUP# 2015-0017
Three (3) years
Modification Requested: None
SUP's Request: SUP Extension to build remaining
Legally Recorded Out Lot
Without Frontage on a Public Road

[] **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.

Sutton Building Corporation

Print Name of Applicant or Agent

By Greg Sutton, President

Mailing/Street Address

1429 HUNTINGTON CRESCENT

City and State

Norfolk, VA 23509

Zip Code

Signature

757-630-8172 757-401-6486

Telephone #

Fax #

gsutton7@gmail.com

Email address

6/4/18

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: _____

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 three 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.

Sutton Building Corporation is 100% owned by Ann & Greg Sutton
Pickett's Ridge 503 LLC is 100% owned by Ann & Greg Sutton

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 three 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.

Sutton Building Corporation is 100% owned by Ann & Greg Sutton
Pickett's Ridge 503 LLC is 100% owned by Ann & Greg Sutton

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required 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.

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. Sutton Building Corp	None	Planning Commission City Council
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.

6/4/18
Date

GREGORY L. SUTTON
Printed Name


Signature

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.)

See Next Three Pages

RE: Pickett's Ridge 503 LLC-1101 Finley Lane-DSUP
2003-0036

STATUS OF PICKETT'S RIDGE 503 LLC

Pickett's Ridge 503 LLC for all practical purposes is a fee simple single family lot, however Pickett's Ridge 503 LLC-1101 Finley Lane, even though it has public access easements, has been declared an out-lot as it does not have the required street frontage on a public street as defined by the Alexandria Zoning Ordinance.

All public improvements required by the original DSUP 2003-0036 and the renewals DSUP 2009-0007, DSUP 2012-0017 and DSUP 2015-0017 have been completed. Of the two lots under this DSUP, Pickett's Ridge 504-1101 Finley Lane has been completed and occupied since May 5, 2008, at the beginning of the housing slow down.

The only work that remains at Pickett's Ridge is the construction of one single family home and planting of the trees related to Pickett's Ridge 503 LLC-1101 Finley Lane.

The City continues to collect real estate taxes, which this year amount to \$7,715.62 based on an assessment of \$682,798. We continue to market the property and maintain the sediment and erosion controls.

SALES ACTIVITY

Real Estate statistics from April 2018 indicate that there were 488 houses above \$1,500,000 available in Northern Virginia, which is 39 more homes than were available during the same period of the last renewal application in 2015. That

same report indicated that there were 41 settlements in April 2018.

This settlement/availability statistic for the entire Northern Virginia Market does not appear to hold true in Alexandria. If you exclude the Old Town market only a hand full of houses have sold in Alexandria above \$1.5 million in the last year and many may not have appreciated in value.

Following is an example of the weakness of the above \$1.5 million market in Alexandria. The purchasers of 1103 Finley Lane settled on their new home at 1103 Finley Lane in December of 2005 and sold their previous home at 606 King's Cloister Circle the same day for \$1,685,000. That same home, 606 King's Cloister Circle, with improvements, resold this January 18, 2018, for \$1,635,000, some \$50,000 less than its purchase price 12 years ago. In addition, one would expect that the seller incurred sales expenses of more than \$75,000. The purchasers may have lost \$125,000 or more.

An article in our local paper a year or so ago indicated that there were no new homes built in Alexandria the previous year indicating that there are few building lots available in Alexandria for purchase.

With that information, it is encouraging that a lot on Maury Lane sold July 15, 2015 for \$1,150,000, another sold on North Quaker Lane and recently a lot has transferred on Ridge Road Drive.

MARKETING PLANS

McEneaney Associates continues to market 1101 Finley Lane as a "Lot For Purchase" or as a "Completed Home".

Further, we are developing a new WEB SITE to allow us to show prospective customers more comprehensive concept plans, photos and related information.

The website will enable us to highlight the panoramic views from the site, views that are also enjoyed by existing homes on Finley Lane and Maury Lane that have a Southern exposure.

The concept plans will allow for development of a current construction budget and coordinate with prospective contractors.

IMPORTANCE OF A DSUP APPROVAL

The lead time of a year or more to build a custom home for a prospective purchaser is a critical factor in its sale. It is important to have an ACTIVE DSUP to avoid discouraging a potential purchaser and further delaying construction completion.

Approval of the DSUP Extension request will allow for the continuation of marketing 1101 Finley Lane with the goal of building a home that will complement those already built on Finley Lane as well as those custom homes built on Maury Lane, including the home recently built on former Mayor Beatley's property, 4875 Maury Lane, currently assessed for \$2,804,340.

We respectfully request a three year extension of the current DSUP.

- 3. How many patrons, clients, pupils and other such users do you expect?**
Specify time period (i.e., day, hour, or shift).

No Change From DSUP 2012-0017 or DSUP 2015-0017

- 4. How many employees, staff and other personnel do you expect?**
Specify time period (i.e. day, hour, or shift).

No Change From DSUP 2012-0017 or DSUP 2015-0017

- 5. Describe the proposed hours and days of operation of the proposed use:**
- | Day | Hours | Day | Hours |
|---|-------|-----|-------|
| No Change From DSUP 2012-0017 or DSUP 2015-0017 | | | |
| | | | |
| | | | |
| | | | |

- 6. Describe any potential noise emanating from the proposed use:**

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

No Change From DSUP 2012-0017 or DSUP 2015-0017

- B. How will the noise from patrons be controlled?

No Change From DSUP 2012-0017 or DSUP 2015-0017

- 7. Describe any potential odors emanating from the proposed use and plans to control them:**

No Change From DSUP 2012-0017 or DSUP 2015-0017

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 Change From DSUP 2012-0017 or DSUP 2015-0017

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

No Change From DSUP 2012-0017 or DSUP 2015-0017

C. How often will trash be collected?

No Change From DSUP 2012-0017 or DSUP 2015-0017

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

No Change From DSUP 2012-0017 or DSUP 2015-0017

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:

No Change From DSUP 2012-0017 or DSUP 2015-0017

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:

No Change From DSUP 2012-0017 or DSUP 2015-0017

11. What methods are proposed to ensure the safety of residents, employees and patrons?

No Change From DSUP 2012-0017 or DSUP 2015-0017

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.

No Change From DSUP 2012-0017 or DSUP 2015-0017

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 Change From DSUP 2012-0017 or DSUP 2015-0017

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

_____ Standard spaces
 _____ Compact spaces
 _____ Handicapped accessible spaces
 _____ Other

No Change From DSUP 2012-0017 or DSUP 2015-0017

- 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?

No Change From DSUP 2012-0017 or DSUP 2015-0017

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?
- B. How many loading spaces are available for the use?
- C. Where are off-street loading facilities located?

No Change From DSUP 2012-0017 or DSUP 2015-0017

- D. During what hours of the day do you expect loading/unloading operations to occur?

No Change From DSUP 2012-0017 or DSUP 2015-0017

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

No Change From DSUP 2012-0017 or DSUP 2015-0017

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?

No Change From DSUP 2012-0017 or DSUP 2015-0017

FW: Pickett's Ridge Progress

Nathan Randall

Fri 10/25/2019 3:06 PM

To: Patrick Silva <Patrick.Silva@alexandriava.gov>

From: Walker, Karen N. <kwalker@kirkland.com>

Sent: Tuesday, October 22, 2019 3:09 PM

To: Nathan Randall <Nathan.Randall@alexandriava.gov>; greg sutton <gsutton7@gmail.com>

Cc: Greg Pugh <gpugh@rosenthalauto.com>; Raymond Petniunas <petniunas.urb@verizon.net>

Subject: RE: Pickett's Ridge Progress

Dear Nathan:

I can now confirm on behalf of all members of the HOA that we have agreed with Greg Sutton's plans for landscaping on the lot for which he is seeking the permit extension and, as such, withdraw any objection to the extension. We no longer plan to appear at the November 7 hearing.

Thank you for your assistance.

Karen

Karen Natalie Walker, P.C.

Partner

KIRKLAND & ELLIS LLP

1301 Pennsylvania Avenue, N.W., Washington, D.C. 20004

T +1 202 389 5096 **M** +1 703 980 5656

F +1 202 389 5200

karen.walker@kirkland.com

To: City of Alexandria Planning Commission

From: Pickett's Ridge Homeowners Association

Date: October 3, 2019

Re: Resident Comments re Special Use Permit #2018-0012
(Pickett's Ridge Phase II -- Extension)

We submit these comments on behalf of a majority membership of the Pickett's Ridge Homeowners Association (HOA), including the owners and residents of all three of the constructed homes of the Pickett's Ridge I and II project, *i.e.*, the homes at 1102, 1103, and 1104 Finley Lane.

In brief, the Pickett's Ridge HOA opposes the *fourth* extension of the special use permit as requested. At this point, the lot in question (1101 Finley Lane) has been undeveloped for over 12 years. In the meantime, the undeveloped lot is unfinished, unsightly, and possibly unsafe to vehicle traffic. We submit that extending the permit as currently requested to 2022 is unreasonable without appropriate modifications.

If extended to 2022, the permit, originally approved in 2004, will have permitted the lot to remain in a rough and unfinished pre-construction condition for *eighteen years*. We submit that the lot should not be permitted to stay in such a pre-construction state in perpetuity.

Accordingly, we request that the permit renewal be accompanied by a requirement that the lot at 1102 Finley Lane be improved pursuant to an intermediate site plan requiring, among other things: (i) professional landscaping of the street level of the unfinished lot, to include a mature screen of tree plantings alongside the edge of the property that is consistent with the surrounding properties; (ii) a professionally installed, attractive and safe fence or wall around the edge of the undeveloped lot; and (iii) the repaving of the cul-de-sac area of the site which is in disrepair.

BACKGROUND

The Pickett's Ridge development includes four lots on Finley Lane, at the end of North Pickett Street just south of Maury Lane. There have been three constructed homes on Finley Lane since 2007 -- 1102, 1103, and 1104 Finley Lane. The owner-occupants of those three homes constitute a majority membership of the HOA, which supports this submission.

This special use permit was originally approved in 2004. It has been repeatedly extended -- in 2009, 2012, and 2015. The Commission is currently considering extending the special use permit until 2022. If granted, the special use permit will have been approved for a total of 18 years, which we submit is an unreasonable amount of time without appropriate modifications to provide some intermediate finishing touches to the vacant lot.

As a matter of procedure, the HOA was unaware until a few weeks ago that an application for extension had even been submitted, when we observed erected signs and received a one-page notice of the hearing. Prior to that, the applicant did not inform the Homeowners Association of the application, even though he had advance notice of the association's most recent meeting on June 23, 2019. Moreover, the HOA did not obtain a copy of the staff report regarding the application until yesterday, October 2, 2019, at which time we immediately notified the Commission of our intent to comment. We prepared these comments forthwith.

HOMEOWNER CONCERNS AND REQUESTS

1. Appearance of the Undeveloped Lot at 1101 Finley Lane

Concern. The lot in question, by virtue of *four* extensions of the special use permit lasting for *fifteen years*, has been allowed to remain in an unfinished, rough, and unsightly pre-construction phase. An extension of the special use permit in its current form would permit the lot to remain in that state for a total of *eighteen years*. (And there is no reason to believe yet another extension might not be requested in 2022.) We believe it is unreasonable for the lot to be permitted remain in this state in perpetuity.

Request. Accordingly, the HOA requests that the extension be granted only with a modification requiring professional landscaping and finishing of the undeveloped lot. Specifically, the HOA would request that an appropriate decorative fence or wall be erected, that an appropriate stand or screen of trees be professionally planted, and the area be appropriately landscaped in a manner to be approved by the Commission and/or the Pickett's Ridge Homeowners Association.



Unfinished 1101 Lot Appearance

2. Safety and Security Issues with the Undeveloped Drop-Off Area

Concern. Currently at the end of Finley Lane at the site of the 1101 lot is a sharp almost cliff-like drop-off into dense brush and debris. Vehicle traffic often comes down Finley Lane from North Pickett Street, with drivers assuming that North Pickett is connected to North Pickett Street north of Duke Street. Numerous drivers have almost driven off the road not realizing it is a dead-end. In addition, sanitation trucks, police/EMT/fire vehicles and delivery trucks all use the stub area for turn-around purposes. In its current state as an undeveloped lot with only a flimsy, hand-made, one-slat "fence" in place, this condition is not acceptable as a permanent road condition.



Condition of the Street End Drop-Off

Request. The HOA would request that a professionally installed fence or wall that is attractive and approved by the Commission and/or the Pickett's Ridge Homeowners Association also be required. Such a fence should be both functional in terms of safety and attractive in landscaping.

3. Unfinished Condition/Disrepair of Finley Lane

Concern. As the Commission is aware, the original site plan called for the applicant to re-finish and re-pave Finley Lane as part of the plan. Over the *fifteen* years the site plan has been allowed to remain pending in its unfinished state, the street has become cracked and unsightly. It was given one top coat years ago, but at this point the cul-de-sac should be appropriately finished and repaved if the permit is allowed to be extended yet again. Likewise, the original site plan called for a permanent attractive entrance to the neighborhood (rather than the cheap board fence temporarily in place).

Request. The HOA submits that Finley Lane in its entirety should be refinished and repaved, with appropriate decorative fencing and an appropriate landscaped entryway to be completed by the applicant with the advance approval of the Commission and/or the Pickett's Ridge Homeowners Association.



Sample Roughness/Cracks in Paving

CONCLUSION

The HOA submits that the Commission should not just continue to approve permit extensions in perpetuity. It has already been 15 years and the requested extension would take that to 18 years. Accordingly, the HOA submits the extension should be modified as suggested herein. Members of the HOA will be present at the October 3, 2019 hearing to voice their concerns.

October 3, 2019 Planning Commission Agenda Item #5

Walker, Karen N. <kwalker@kirkland.com>

Wed 10/2/2019 1:23 PM

To: PlanComm <PlanComm@alexandriava.gov>

Cc: Robert Kerns <robert.kerns@alexandriava.gov>; Maya Contreras <Maya.Contreras@alexandriava.gov>; Nathan Randall <Nathan.Randall@alexandriava.gov>; Aileen Pugh <alexandriapughfamily@gmail.com>; Greg Pugh <gpugh@rosenthalauto.com>; Ms. Susan Petniunas <sep.pari@verizon.net>; Raymond V. Petniunas <petniunas.urb@verizon.net>; John Walker <Hoya78@outlook.com>; Walker, Karen N. <kwalker@kirkland.com>

Dear Planning Commission:

We the residents of Finley Lane are writing to apprise the Commission that we do have opposition to the permit extension (consent agenda #5 for the meeting tomorrow October 3) as outlined in the Commission agenda. First, we would note that until we very recently received no notice of tomorrow night's meeting, we had received no information whatsoever about the application, the staff report, or any other information regarding the applicant's requested extension.

Builder Sutton did not notify our Homeowners Association about the application, although he receives notices of our meetings (the most recent being in June, but no mention was made of the application). The first notice we received were mailed notices of tomorrow's hearing (about ten days ago). We were not directed to the staff report or other materials.

We are writing to notify you that we do oppose the application for extension in its unmodified form, and will submit formal comments tomorrow morning. We will also appear at the hearing to voice our concerns. Therefore, we do not agree this issue should be listed as a "consent" agenda item because of the opposition of the only three residents of the street, the below-referenced signatories.

Sincerely,

Ray and Susan Petniunas, 1103 Finley Lane
Greg and Aileen Pugh, 1104 Finley Lane
John and Karen Walker, 1102 Finley Lane

Karen Natalie Walker, P.C.

Partner

KIRKLAND & ELLIS LLP

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F +1 202 389 5200

karen.walker@kirkland.com

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