

[EXTERNAL]Proper notice is NOT given for public hearings

none <tus403@gmail.com>

Fri 2/28/2020 1:53 PM

To: PlanComm <PlanComm@alexandriava.gov>

Hello,

I have some concerns regarding the Notices of the Public Hearings that have been posted regarding The Newport Village RPA request. The first one is they are illegible you can hardly see the date and times of the scheduled meeting which I believe is March 3, 2020 (I checked the website) they are only being put out about 9-10 days about before the meeting and whomever is putting them out isn't full securing the zip ties so they either are lost by the wind or slide to the bottom of the pole unseen. Because of the wind and how they were placed on the polls by Wednesday all but one signage has blown away and the one that remains is by the leasing office and West Braddock Road not close to the RPA area and were residence can see. This is not the proper notice residence deserve. This is on the Docket for Tuesday night and I don't feel that proper notice was given.

Thank you.

DISCLAIMER: This message was sent from outside the City of Alexandria email system.
DO NOT CLICK any links or download attachments unless the contents are from a trusted source.

Notice Requirements - Newport Village Resource Protection Area (RPA) Exception Request

Anh Vu <Anh.Vu@alexandriava.gov>

Fri 2/28/2020 3:53 PM

To: tus403@gmail.com <tus403@gmail.com>

Cc: Christina Brown <Christina.Brown@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>; Jesse Maines <Jesse.Maines@alexandriava.gov>; Melanie Mason <melanie.mason@alexandriava.gov>; Maya Contreras <Maya.Contreras@alexandriava.gov>; Karl Moritz <Karl.Moritz@alexandriava.gov>; Nancy Williams <Nancy.Williams@alexandriava.gov>

 3 attachments (31 MB)

Fw: 4898 W. Braddock Rd; Fw: 4898 W. Braddock Rd; RPA Exception_4898 W. Braddock Road for Placarding.jpg;

Good afternoon Carrie,

Thank you for contacting the City of Alexandria regarding your concerns about the noticing requirements and missing placards for the Newport Village Resource Protection Area (RPA) Exception Request at 4898 West Braddock Road. As discussed, the noticing period for the March 3, 2020 Planning Commission Public Hearing was February 13 to February 22, 2020. Legal Advertisement was published in the Alexandria Times on February 13 and the placards were installed on February 21. Additionally, the applicant sent out their written notice on February 20. Please be assured that proper notice requirements were followed and met, per Section 11-300.

Staff will visit the subject site and replace the missing signs later today. Also, per your request, attached are photos of the placards posted on February 21. I am happy to answer any additional questions you may have.

Thank you,
Anh

Anh Vu
Supervisory Program Analyst
City of Alexandria, Virginia
Department of Planning & Zoning (P&Z)
703.746.4666 (Main Office)
703.746.3839 (Direct)
alexandriava.gov



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Census
2020

Everyone Counts!

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Help Your Community

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Resource Protection Area Exception Request

UDR: Newport Village







newport village
← leasing office







NORTH BEAUREGARD ST

RPA BOUNDARY
PER FIELD
SURVEY

PROPOSED
BUILDING
FOOTPRINT

LOCATION IDENTIFIED
FOR POTENTIAL
REFORESTATION.
(EXACT LOCATION AND
AREA PENDING FINAL
DESIGN AND SURVEY.)

PROPOSED
REDEVELOPMENT
SITE

PROPOSED
REDEVELOPMENT
SITE

RPA ENCROACHMENTS AND MITIGATION SUMMARY

| SYMBOL | NAME | AREA |
|--|--|----------------------|
|  | PROPOSED RPA ENCROACHMENT | +5,100 SF / +0.12 AC |
|  | EXISTING ON-SITE IMPERVIOUS AREA WITHIN RPA TO BE REMOVED AND REPLACED WITH IMPERVIOUS AREA | -635 SF / -0.02 AC |
|  | EXISTING OFF-SITE IMPERVIOUS AREA (SLIP LANES) WITHIN RPA TO BE REMOVED AND REPLACED WITH PERVIOUS COVERAGE | -4,500 SF / -0.10 AC |
| | TOTAL | -35 SF / -0.01 AC |
|  | REFORESTATION AS MITIGATION | 17,420 SF / 0.40 AC |
|  | STREAM BANK STABILIZATION PROJECT | 800 LF |

TREES IN RPA TO BE REMOVED

| TREE NO. | SPECIES | DBH (INCH) | NOTES |
|----------|-----------------------------------|------------|--|
| 155* | OAK (QUERCUS SPP.) | 9 | LEANING. MARKED TO BE REMOVED PER WOIA. APPLICANT BELIEVES TREE CRITICAL ROOT ZONE COULD REASONABLY BE PROTECTED DURING CONSTRUCTION AND THE TREE PRESERVED. |
| 161 | WHITE PINE (PINUS STROBUS) | 19 | CLIMBING IVY ON TRUNK, NOT LOCALLY NATIVE OR RECOMMENDED PER 2019 C.O.A. LSCP GUIDELINES |
| 162 | CRAPPE MYRTLE (LAGERSTORMIA SPP.) | 7 | |
| 169 | HAWTHORN (CRATAEGUS VIRIDIS) | 7 | |
| 170 | CRAPPE MYRTLE (LAGERSTORMIA SPP.) | 12 | |
| 171 | HAWTHORN (CRATAEGUS VIRIDIS) | 8 | |
| 172 | CRAPPE MYRTLE (LAGERSTORMIA SPP.) | 7 | |

- Encroachment area is managed turf and roadway - and has already been disturbed.
- Total mitigation proposed will reduce phosphorous by 10 times the requirement.
- No net increase in impervious area.
- Overall water quality will be significantly improved.



Section 13-119 – Exception Request:

(1) The exception is the minimum necessary to afford relief;

- ▶ Applicant has spent over a year trying to find alternative layouts that deal with the topography and site access.
- ▶ Prior submissions to the City were determined to be not feasible due to extraordinary costs.
- ▶ The building jogs to avoid forested area in the RPA and is almost exclusively managed turf.
- ▶ Configuration preserves a 3rd townhome, which would keep affordable market rate housing.
- ▶ The setback from Beauregard is the minimum necessary for fire access.
- ▶ Building is oriented to maximize usage of the proposed BRT.

Exception Request

(2) The exception is not based upon conditions or circumstances that are self-created or self-imposed, nor does the exception arise from conditions or circumstances either permitted or noncomplying that are related to adjacent parcels;

- ▶ The extreme topography confines buildable area in this corner.
- ▶ The primary orientation of development towards the street pulls the building towards the corner (and the road).
- ▶ A stream running in the median of the street is rare and occurs in <7% of protected areas in Alexandria.

Exception Request

(3) Granting the exception will not confer upon the applicant any special privileges that are denied to other property owners in the CBPA overlay district;

- ▶ Exceptions are explicitly written into the Ordinance.
- ▶ The use of the Ordinance is not a special privilege given to this Applicant only.
- ▶ RPA exceptions have been approved in Fairfax County and other CBPA jurisdictions.
- ▶ Considering all existing encroachments we are proposing to remove, there is a net reduction in impervious area.

Exception Request

(4) The exception will be consistent with the purpose and intent of the overlay district, and not injurious to water quality, the neighborhood or otherwise detrimental to the public welfare;

- ▶ Approval will result in a substantial improvement in water quality.
- ▶ The existing RPA is already disturbed and is not functioning to enhance water quality.
- ▶ The water body is separated from the site by several lanes of roadway.
- ▶ The stream in the RPA is in poor condition with heavily eroding slopes and invasive species.

Exception Request

(5) Reasonable and appropriate conditions are imposed, as warranted, to prevent the allowed activity from causing degradation of water quality.

- ▶ Total mitigation proposed will reduce phosphorous by 10 times the requirement.
- ▶ Mitigation efforts directly impact this water body and associated RPA.
- ▶ Overall water quality will be significantly improved as a result.



Kenneth W. Wire
kwire@wiregill.com
703-677-3129

March 2, 2020

VIA EMAIL

Nate Macek, Chair and Members of the Planning Commission
301 King Street, Suite 2100
Alexandria, VA 22314

RE: March 3rd Planning Commission Hearing
Docket Item #7, Newport Village RPA Exception

Dear Mr. Macek and Members of the Planning Commission:

On behalf of my client, UDR, owner of Newport Village (the "Owner"), I am submitting this letter to address questions raised by staff and the Environmental Policy Commission (the "EPC") during their review of this exception request. Some members of the EPC and staff have questioned whether or not the proposed exception is the "minimum necessary to afford relief" as required by Zoning Ordinance Section 13-119. The Owner worked with City planning staff over the past year to study several different development options on the site to address the unique site constraints. The proposed exception is the only viable development option that can accommodate these site constraints while meeting the various City development regulations and policies.

The location of the proposed improvements and resulting exception request developed as a result of an iterative process between the Owner's design team and City staff. These site constraints are the steep grade of the property, the orientation of the grade to the intersection of Braddock Road and Beauregard Street, prohibition on curb cuts near this intersection and the location of the RPA in relation to these constraints. This combination of constraints limits access to this portion of the property and therefore establishes the only viable building envelope at this intersection.

I. Unique Site Constraints

- a. Topography: There is a 70' change in grade across the portion of the property which limits the location of any new improvements. Please see Grading Exhibit, attached as "Exhibit A". This severe grade change is also oriented at an angle to the street intersection which establishes a triangular building site with limited access to adjacent roads.
- b. Fire and Vehicle Access: The proposed improvements are located at a distance that is accessible by firetrucks from Braddock Road and Beauregard Street. There is no other way a fire truck can access the proposed improvements from Beauregard. In addition, new curbs are prohibited along Beauregard Street.

- c. RPA Condition. The Owner is proposing the encroachment within the area of an existing encroachment and grassed lawn area. Only 6 trees are proposed to be removed within the RPA under this exception request. See RPA Plan and Mitigation Summary, attached as "Exhibit B" and pictures, attached as "Exhibit C".

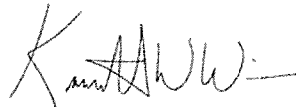
II. Alternate Layouts Are Not Feasible.

The owner worked with city staff on various site plan layouts to find one that is viable. Please see Excerpts of Alternative Layouts, attached as "Exhibit D". Each of these layouts proved not viable due to the combination of the excessive height and extraordinary cost of the retaining wall along the existing grade, lack of fire access to the site and necessity of demolishing more of the existing market rate units on the site. In addition to these construction constraints, City planning policies encourage building entrances fronting public streets and building orientation towards future BRT Stations to encourage ridership of these stations.

For each of these above reasons and the information provided in previous submissions to the City, the preponderance of the evidence demonstrates that the Owner has met each of the criteria for an RPA Exception under Zoning Ordinance Section 13-119.

Thank you for your consideration and I look forward to discussing this exception request with you at next week's Planning Commission hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Wire', with a stylized flourish at the end.

Kenneth W. Wire



cc: Karl Moritz, Director of Planning and Zoning

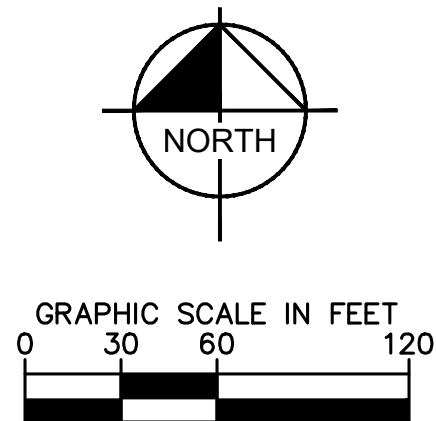
Exhibit A


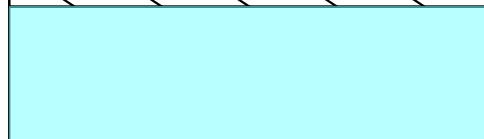





Exhibit B



| LEGEND | |
|---|---------------|
|  | PROPERTY LINE |
|  | RPA LIMITS |



| RPA ENCROACHMENTS AND MITIGATION SUMMARY | | |
|---|---|----------------------|
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| | | | | | | | | | | |
|--------------|--|--------------------|----|---|--|--|-----|-----------|------|----|
| SHEET NUMBER | NEWPORT VILLAGE PREPARED FOR UDR | CITY OF ALEXANDRIA | VA | RPA MITIGATION AND ENCROACHMENT EXHIBIT | KHA PROJECT 110578001 DATE 03/02/2020 SCALE AS SHOWN DESIGNED BY CC DRAWN BY CC CHECKED BY TP |  © 2019 KIMLEY—HORN AND ASSOCIATES, INC. 11400 COMMERCE PARK DRIVE, SUITE 400, RESTON, VA 20191 PHONE: 703—674—1300 WWW.KIMLEY—HORN.COM | No. | REVISIONS | DATE | BY |
| | | | | | | | | | | |

Exhibit C



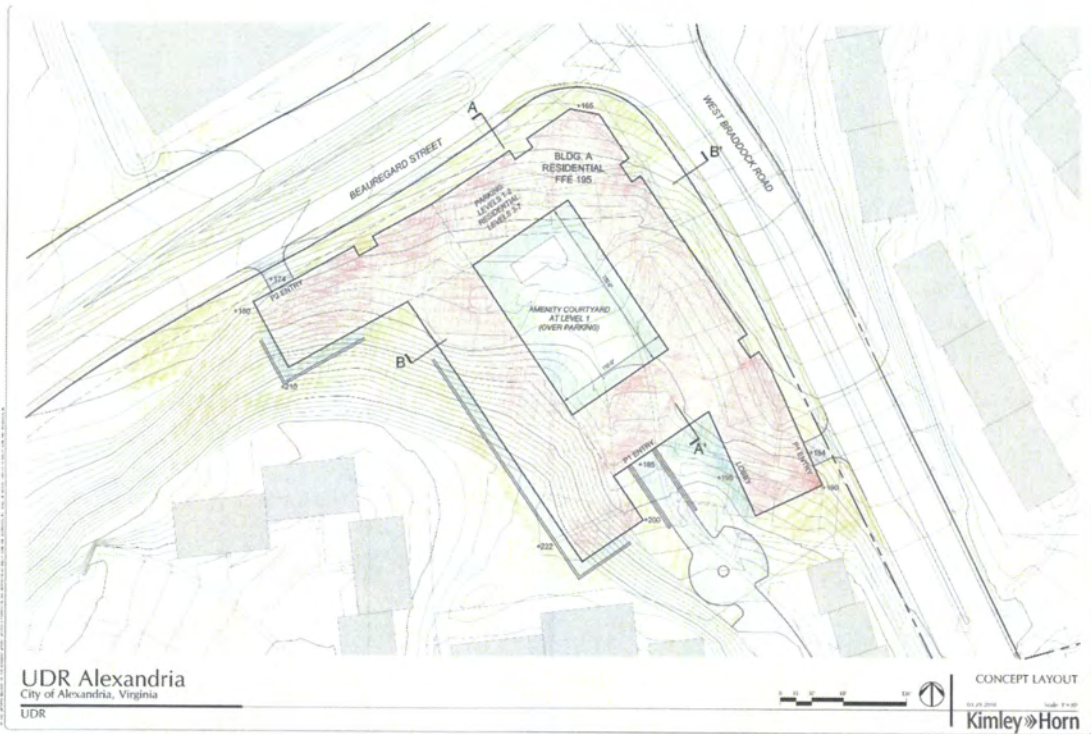






Exhibit D

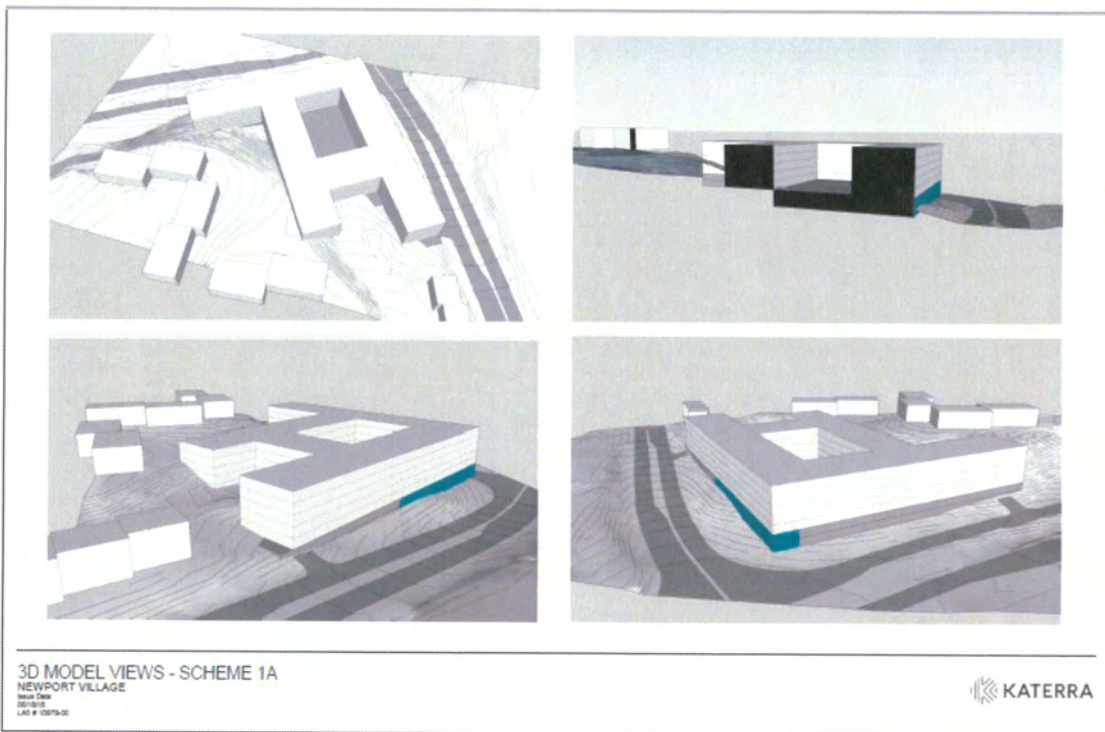
1. Initial Concept



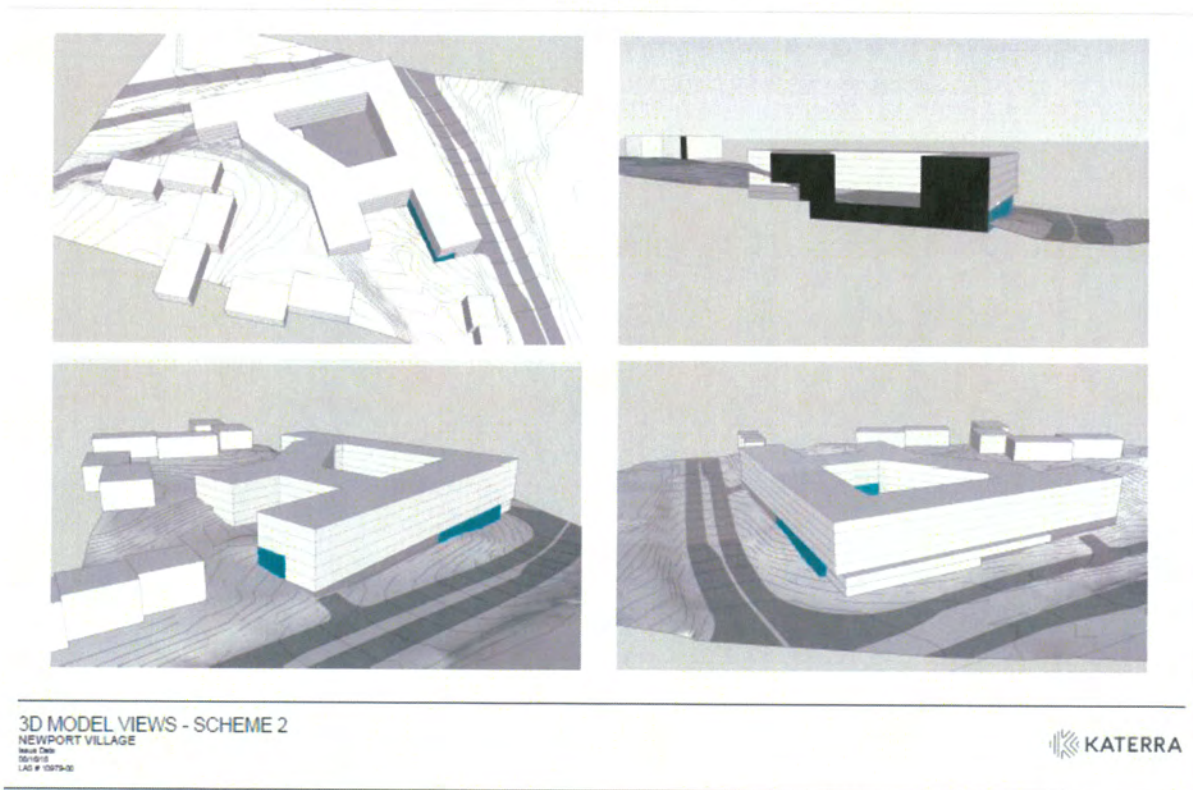
2. Concept Iteration



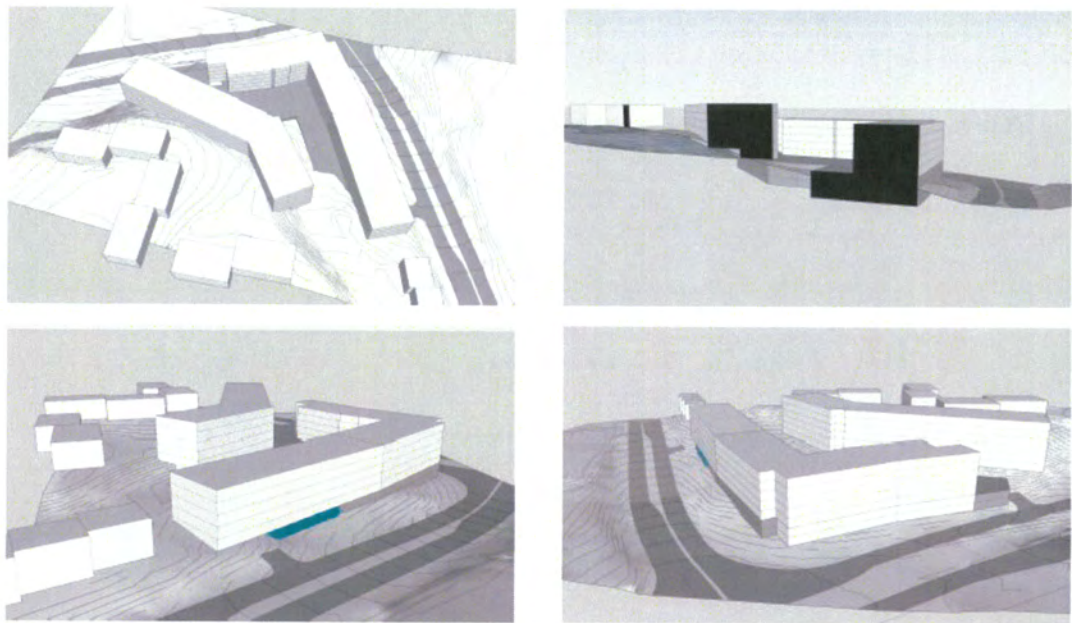
3. Concept Iteration



4. Concept Iteration



5. Iteration with Slope Stabilization Issues



3D MODEL VIEWS - SCHEME 3
NEWPORT VILLAGE
Issue Date: 06/20/18
LAD # 10879-02

KATERRA

6. High Rise Option

