

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 16, 2020

TO: COMMISSIONER BROWN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR
DEPARTMENT OF PLANNING & ZONING

SUBJECT: ISSUES REGARDING THE SAP AND MAP AMENDMENTS
701 N. HENRY STREET (DSUP2019-00028)

On June 1, 2020, ahead of the Planning Commission Public Hearing on June 2nd, Commissioner Brown submitted questions and comments to staff regarding the proposed development project at 701 North Henry Street (DSUP2019-00028). At the public hearing, the Planning Commission deferred hearing the proposed project to the June 25th meeting at the applicant's request due to several neighbor concerns. Director Moritz told Commissioner Brown that his comments would be addressed and shared with the rest of the Commission and the City Council in preparation for the June 25th meeting.

Below staff has provided Commissioner Brown's original questions and comments, followed by a staff response for the Planning Commission's consideration.

1. Commissioner Brown's Comment: The plan and map amendments, being limited to a single lot, are much more akin to opportunistic spot zoning than a well thought out and needed change to existing requirements - The 2008 Braddock Metro North Plan "SAP" singles out 17 sites in the SAP area as "Development Sites." One of these is site #11, labeled Henry Street- Site A, the 56,000 sf of the west half of the east side of Henry Street between Madison and Wythe. It is recommended for development in its existing CSL zone at .75 FAR, or 42,000 sf., with a height maximum of 40-50'. This range is readily explained by the SAP recommendation that buildings along both Madison and Wythe, deemed "walkable streets," should develop with a setback from the street of about 15' with a height of three stories or 40' as a "shoulder" to the higher portion of the building, set back another 12'. Given that only 17 sites in the SAP area received explicit attention, this cannot be seen as an accident or mistake, and it is not presented as such. Perhaps most importantly, there is not the slightest hint in the SAP that this site should undergo a process where, with or without differing ownership of the three lots comprising this site, it would make sense for the largest site to be upzoned while the other two are not. If there has been some sort of change of neighborhood circumstances to justify bifurcating the zoning of Henry Street-Site A, it is not addressed by staff. Instead, the request is to upzone two thirds of Site A, with no discussion

of the likely impact on redevelopment options for the two much smaller but aging properties on the other third of Site A.

And while it is very clear that an upzoning is needed to legitimize the intended development, the purpose of the SAP, at least in this instance, is to operate in conjunction with the zoning ordinance to plan for and define the limits of future development in a given location. If the SAP and the zoning are thereafter amended, and the primary impetus is to fulfill a property owner's development expectations, it destroys the integrity of the planning process. In my time on the Commission, I have heard many thoughtful Alexandrians express frustrated belief to the Commission, to the Council and to our local press the view that developers just have their way with us. In my experience, that view is unjustified and misinformed, and I am committed to a critical approach that will restore or maintain citizen confidence in our work.

For me, that begins with how we scrutinize requests to change existing SAP recommendations for development and zoning on existing properties. The Zoning Ordinance does not specify standards for when such requests are to be granted or denied; it is left to the discretion of the Council, which acts in light of the advice we provide. I note that SUP's ordinarily require substantial conformance with the SAP, but obviously not when the SAP itself is sought to be amended along with the grant of the SUP. I believe I can best assist the Council in these cases with a skeptical approach. I will not favorably recommend an SAP amendment/upzoning/SUP for a project unless it is manifestly obvious that, from just about every planning and zoning consideration, the project will be a truly superior outcome for the location than was originally envisioned in the SAP. I do not find this project to meet that very high bar.

STAFF RESPONSE: The proposed rezoning does not “single out a small parcel of land for a use classification that is totally different from that of the surrounding area for the benefit of the property owner and to the detriment of other owners” (The “classic” definition of spot zoning) and it is consistent with and furthers the goals of the small area plan. The applicant is requesting a rezoning to CRMU-M. The zoning allows the higher FAR necessary to invest in the public realm, architecture and underground parking to achieve the SAP goal of “walkable streets” in place of the current suburban commercial site; and provide important affordable housing units in this area of the City. With the new zone the applicant continues to meet the 50 ft height and strategic building setbacks consistent with the SAP to minimize the bulk of the building.

The CRMU-M zone is commonly found in the area, including directly west of the property across North Henry Street. The existing CSL zoning for this site was documented in the SAP as part of both Development Sites #11 and #12 along North Henry Street and are the only CSL zoned blocks identified in this area. The majority of the other Development Sites identified in the SAP have zoning districts that are either some versions of the CRMU (Commercial Residential Mixed Use) or OCM (Office-Commercial Medium).

Furthermore, per page 8 of the Small Area Plan (see graphic below), which lists the different development sites, the project Site 11 identified multiple buildings on the north and south sides along N. Henry Street. Based on this map, it appears that a single, whole-block

development was not anticipated for this site. As shown, the remaining portion of Site 11 could be developed consistent with this map and the guidelines of the SAP without impacting the site of the proposed project. Development of a single site rather than an entire block can result in organic, individualized development that helps create character for the area.



2. **Commissioner Brown's Comment: Mixed-use zoning is sought with no assurance there will ever be mixed use on the property** - Mixed-use zoning is sought in order to build 94 apartments on the property. Under the existing CSL zoning, nor more than 27 units per acre could be built, which in this case would limit development to 20 apartments, although perhaps an affordable housing bonus could increase that number to 26. CRMU-M rezoning would increase the number to 94, as planned, but no other use is required on the property. The building has an area of about 2600 sf that will be used as "lobby and amenity space," and that staff has described as "potential retail." But there is no condition that this space be exclusively retail or be converted from an apartment lobby into retail space in some limited time frame. A rezoning must at the very least be to a zone that is consistent with the purpose of the one, as specified in the Zoning Ordinance. In this case, the CRMU-M Zone is for developments that include a mixture of residential, commercial, cultural, and institutional uses in a single structure." ZO Sec. 5-201.

So far as I have been made aware, the staff's endorsement of CRMU-M zoning for the property is that the development standards for this zone will accommodate the developer's plan. In my view, that has it backwards: the appropriate zoning for a property is not driven by the developer's plan; it is the plan that must do any accommodation needed to meet the development standards of the proper zone.

STAFF RESPONSE: The building has been designed specifically to provide an opportunity for a commercial use on the ground floor of the building adjacent to the street intersection. The designated space was designed as flexible space open to the multi-family building's lobby, offices and other amenities that could be used as a work-live space by the building, but in the future could be used as retail space as this area continues to be redeveloped and activated.

Staff is in support of this idea, as retail at this location may be advantageous once the US Postal Office property to the southwest of the subject property is redeveloped as a one-acre park, a major component of the SAP. With the goal of the Braddock Metro Neighborhood to create this park, this could potentially attract more retail and commercial uses to the area, which the subject project is prepared to accommodate. Further, the design of the building with a 2-story retail space improves the pedestrian experience along Wythe Street and at the street intersection, with large, glassy windows that add an openness and increased lighting. Between the retail design of the ground floor at the intersection, increased landscaping and sidewalk improvements, the pedestrian experience is greatly improved through this proposed development.

- 3. Commissioner Brown's Comment: The SAP (at p. 119) states that a significant portion of the increase in a developer's bottom line from an increase in land value due to upzoning should be shared as public benefits. This plan falls short in such sharing -** Staff has assured me that the 30% bonus density for affordable housing is intended to be revenue neutral. In this case, the bonus is 19 units, of which 7 will be maintained as affordable at 60% AMI for 40 years. The SAP, using 2008 dollars, says that a 100,000 sf increase in allowed development should yield a land value of \$7.5 - \$10 million. If those numbers are still reliable, the increase in the economic value of property with an increased yield of 12 market rate units will be more than \$1.2 million (\$100,000 each). Presumably this is equal to or greater than the present value of the cost of the subsidization necessary to maintain the specified affordability of the affordable units. I am also advised that because of this revenue neutrality, the \$319,113 contribution to the Housing Trust Fund should be considered part of the public amenity package associated with the project, whose total value is \$719,238. So the question is whether this sum is a "significant portion" of the upzoning increase in land value.

In this case, excluding the 30% bonus density, the FAR increase is from .75 (24,629 sf) to 2.0 (65,678 sf) or an increase of 41,408 sf. Since the project has 94 units on a gross floor area of 95,995 sf, the sf allocation for each unit is close to 1000 sf. So the 41,408 increase should yield about 41 units. If the increase is at least \$100,000 per unit, the increased land value is at least \$4.1 million. This likely understates the increase because it seems more appropriate to look at the increase in the actual number of apartments due to the upzoning. There are only 20 units allowed under CSL zoning, whereas there are 75 units (94 minus the 19 in the 30% bonus density) in the current plan, for an increase of 55 units, which translates to at least \$5.5 million. The staff report does not do the "significant portion" analysis called for by the SAP, but these approximate figures leave me very much in doubt that the SAP goal is met.

You will note that my public amenity calculation does not include any portion of the cost of underground parking. While the public surely benefits from the undergrounding of parking, I think it is a mistake, at least in this case, to monetize any of the cost as a public amenity. Here the density has more than doubled with the SUP. This does not change the parking standards; it just increases the amount required due to the density increase. This project is, by choice, at maximum FAR, which simply cannot be achieved with surface parking. It is the developer's choice to favor increased FAR over less expensive surface parking. In this case, mere compliance with the parking standards in the Ordinance is not a public amenity. Where this project is due "credit" for underground parking is in nothing that this result is in

fulfillment of an explicit goal set forth in the SAP.

STAFF RESPONSE: The proposed rezoning results in a significant increase in the amount of available housing options within a walkable, mixed-use environment that is a quarter mile from the Braddock Metro Station. As noted above, in addition to providing one level of underground parking that can accommodate both the proposed residential units as well as future commercial uses on the site, the project will be undergrounding utilities, providing improved landscaping and open-space amenities for the building tenants. As noted in the staff report, the developer is contributing to the Braddock Community Amenities Fund and Open Space Fund. Increased density results in an increase in contributions to the neighborhood funds, which will help to further the SAP goals for community parks as well as sidewalks, landscaping and other pedestrian improvements.

Furthermore, Section 7-700 results in 19,703 square feet of bonus density based on a 30% density increase on the 2.0 FAR. One third of the bonus density – 6,568 square feet – translates to seven affordable units. In addition to providing seven affordable units, the applicant is providing \$319,113 to the affordable Housing Trust Fund. This voluntary monetary contribution is based on the density up to a 2.0 FAR applying the City's Tier 1 and Tier 2 residential contribution rates.

4. Commissioner Brown's Comment: The height and bulk of the building is out of scale with its immediate neighbors, including the CRMU-M zoned property across Henry Street - The building will be surrounded on all sides by structures that are significantly lower. This is true even across Henry Street, where the CRMU-M buildings are lower, at about 40'. Henry Street is close to the outermost limit of the quarter mile walkshed for the Braddock Metro station, and nothing east of the center line of Henry Street, over to Washington Street is currently zoned CRMU-M, with the exception of the ongoing redevelopment of Ramsey Housing. Unlike here, that project is the redevelopment of an area that ran the entire block of Route 1 (northbound) from Pendleton to Wythe, and overall much more clearly qualifies as an outcome superior to what the SAP envisioned for the property.

The most dramatic height/mass contrast is with the adjacent property to the north on Henry Street, currently a low-rise aging commercial structure used for auto repair. Its owner may be untroubled by the emergence of a 5-story tall apartment building just 9.5 feet back from the property line; the record is silent on this point thus far. Regardless, the presence of a much higher apartment building, with a sea of close-by windows overlooking the adjacent property is going to significantly constrain the options for achieving there the kind of redevelopment being facilitated for its larger neighbor immediately to the south. In my view, the height and mass approval of this project will allow on part of Site A should extend either all the way to Madison or at least include this property, which will be in the apartment building's perpetual shadow.

STAFF RESPONSE: As discussed in the staff report, the project site is part of the Mid-neighborhood character area per the SAP. This character area is defined as a transition zone between the Parker-Gray Historic District neighborhood to the east and the Braddock Road

Metro Station/West neighborhood to the west. Being a transition area, development is constrained by the smaller, lower density historic development of the residential neighborhood to the east, and the higher density, urban development planned to the west. Staff believes the applicant has found a way to repurpose an underutilized, warehouse and surface parking lot with a multi-family building. The proposed building pushes the bulk of its mass away from the smaller residential buildings on the east side to the high-traffic corridor of North Henry Drive. In compliance with the SAP and the Zoning Code, the applicant is providing the required 12 foot “shoulder” setback along Wythe Street between the portions of the building that measures 40 feet and 50 feet. Per the Building Height and Massing plan on page 93 of the SAP, a portion of which is shown below, the southern side of the site indicates a 40-foot height limit, where the western portion of the block lists a 50-foot height. Based on this map, it appears that 50 feet was an anticipated building height along this portion of North Henry Street. It should be noted that the portions of the building closes to the residential properties to the east measure 30 feet in height, so the building gradual increases in height from 30 feet up to 50 feet as you move east to west and north, while the building maintains not more than 40 feet along the walking street of Wythe Street.



5. Commissioner Brown’s Comment: Of the nearly 50 recommendations in the SAP, summarized in bullet points grouped under 7 principles at pages 122-25, other than underground parking, it is difficult to see where any of them are significantly advanced by this project, and important ones are impeded by the piecemeal approach to block redevelopment.

Not advanced or not significantly advanced:

- Use “live-work units to advance neighborhood identity, vitality and diversity.
- Provide active uses on the ground floor, including retail and restaurants.
- Recruit new neighborhood-oriented businesses.
- Create true mixed-income housing: public, workforce, affordable and market rate.
- Ensure that the height and scale of new development reflects the existing scale of the Mid-Neighborhood Character Area with context appropriate transitions.

- Create building “shoulders” with a 12’ setback above 40’ along all street facades, including Henry Street.

Significantly advanced or at least in compliance:

- Undergrounding of parking.
- Landscaped sidewalks with BMP tree wells
- Crosswalks at Henry and Wythe, colonial streetlights and curb ramp improvements
- Visitor bicycle rack

STAFF RESPONSE: As discussed in the staff report, staff believes many of the items listed under the seven guiding principles can be met. Per the executive summary of the SAP, the “plan aspires to create a neighborhood that is safe, walkable, dense enough to support retail, and replete with housing opportunities for a diverse range of people at different income levels” (page 9). When considering the main topics of the guiding principles, the redevelopment of the site for multifamily housing contributes to each of these topics. The redevelopment of the site is consistent with the evolution of the Braddock Metro Neighborhood from an industrial area to an urban, mixed use neighborhood that was anticipated when the Braddock Metro station was first opened. Staff recommended locating the retail space at the corner of the building’s ground floor where visibility is greater to both vehicular and pedestrian traffic. Residential entrances were recommended along the western side of the building, central to the block, consistent with the residential character of the area and further activating the street frontage.

6. Commissioner Brown’s Comment: The FAR exclusions for bathrooms are excessive even if such exclusions are appropriate, which is doubtful, because a bathroom in a residence is not the same thing as a lavatory built in a mixed-use zone - While the plans do not disclose the layout of the bathrooms in the apartments, there does not appear to be any intention to include small guest rooms with a toilet and wash basin, or bathrooms with such areas segregated from the bath itself. In commercial zones, toilet areas lack bathing facilities and are often known as “lavatories.” In the zoning code up to 50 sf of each lavatory is excluded from floor area. In residence zones, bathrooms are included in floor area, just like any other living area (unless a false ceiling of under 7 feet is installed, which dubious exclusion is not claimed here). While these bathrooms are not in a residence zone, they are residences in a mixed-use zone, and, in this case, are the only use in the building. Hence, I do not think it appropriate for the project to get a 50 sf exclusion for each bathroom; they are bathrooms in an exclusively residential project, after all, not lavatories, and invariably greater than 50 sf. Even if the exclusion were applied, the maximum exclusion would be 4700 sf ($94 \times 50 = 4700$). The drawings in the site plan package (Sheets A-101 to A-103) claim a total bathroom exclusion of 5740 sf, which is close to 25% excessive.

STAFF RESPONSE: Per Zoning Code Section 2-145(B)(3), a building in the CRMU/M zoning district excludes from the floor area are: Lavatories of which only a maximum of 50 square feet of each lavatory can be excluded. The maximum total of excludable area for lavatories shall be no greater than of ten percent of gross floor area. Staff reviewed the building plans

and found that excluded areas do not exceed 50 square feet and the bathroom's square footage exclusion does not exceed 10 percent of the GFA.

June 22, 2020

Chair Nathan Macek
Vice Chair Maria Wasowski
Comm. David Brown
Comm. Melinda Lyle

Comm. Stephen Koenig
Comm. Melissa McMahon
Comm. John Goebel
Planning & Zoning Staff

Re: 701 North Henry Street

Dear Chair Macek, Vice Chair Wasowski, Commissioners, and Staff:

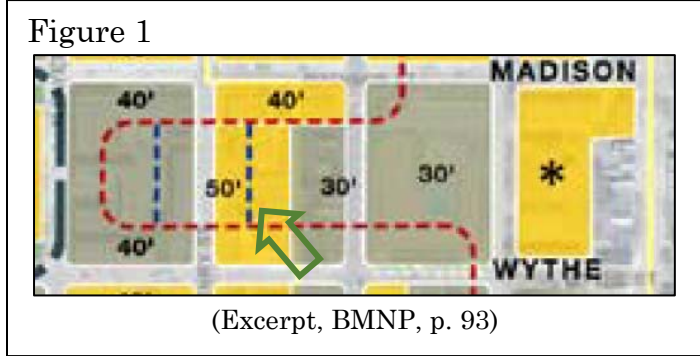
As neighbors of 701 North Henry Street, we write to share our concerns about the applicant's requests in their current form. In light of these concerns, which we have tried unsuccessfully to resolve through good-faith dialogue with the applicant, we ask you to add limits on (1) the proposed height and setback of the project and (2) the construction noise, as detailed below in sections 1 and 2 of this letter. With these limits, we would generally support the project. Without these limits, we would regretfully have to strongly oppose the applicant's requests. We also address a few miscellaneous issues in section 3 and share some concluding comments in section 4.

1. Proposed Heights and Setbacks from Adjoining Parker-Gray Historic Homes

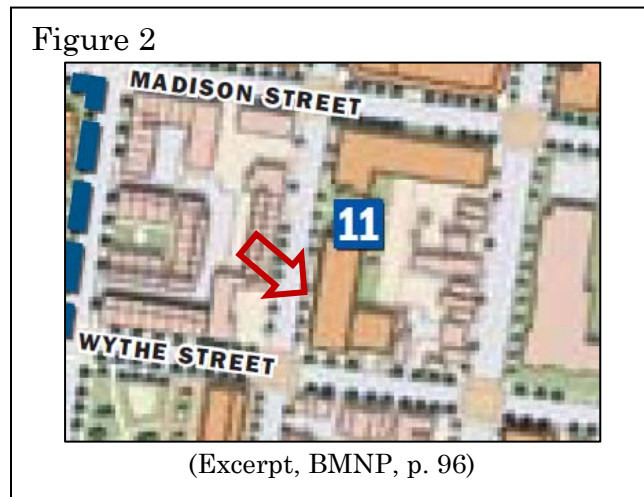
A. Issues

The applicant proposes a five-story C-shaped building where the top of the "C" juts back toward—and will tower over—adjoining two story homes in the Parker-Gray Historic District. That aspect of the proposal is particularly troubling because it displays a lack of respect for the history and character of our neighborhood. The proposed setbacks on the northeast corner of the property are shorter than the proposed building heights, resulting in an abrupt transition from our two-story homes on the east side of the block to the three- and five-story sections of the proposed building (22' setback to the 30' three-story section and 32' setback to the 50' five-story section just behind). And the proposed height of the 50' five-story section is inconsistent with the history, scale, and character of the block.

The applicant's proposed heights and setbacks are inconsistent with the Small Area Plan. As shown in Figure 1, the Braddock Metro Neighborhood Plan (BMNP) limits the height of this site to 30' for the eastern half of the site except a 40' portion adjacent to Wythe—consistent with adjoining Parker-



Gray homes that are two stories tall. The BMNP permits 50' only directly along Henry Street. In other words, as shown in Figure 2, the BMNP provided for an L-shaped building that provides appropriate setbacks and transitions from the adjoining two-story historic homes. The applicant's five-story C-shaped proposal is inconsistent with the BMNP, exceeding the "maximum height[s]" of 30' and 40' for most of the site that are necessary to "ensure transitions in scale between the two and three-story fabric" of the adjoining homes.¹



The BMNP describes the Parker-Gray Historic District as one of four "Character Areas" in the Braddock Metro neighborhood.² The BMNP recognizes that the Parker-Gray character area is "[d]efined by two- and three-story historic rowhouses"—like the two-story homes adjoining the property.³ The BMNP identifies the need for "compatibility of new buildings with scale & character of historic neighborhood."⁴ Recognizing the importance of "provid[ing]

appropriate transitions to nearby historic fabric," Principle 7 of the BMNP includes the requirement to "Ensure that *height and scale of new development reflects the existing scale and character* of the four Character Areas and *provides context appropriate transitions*."⁵ In their current form, the applicant's proposals do *not* comply with this principle. The applicant's proposed height and scale neither reflect the existing scale and character of adjoining homes nor provide context appropriate

¹ BMNP, p. 87.

² BMNP, p. 88.

³ BMNP, p. 88.

⁴ BMNP, p. 13.

⁵ BMNP, pp. 92, 125, with emphasis.

transitions. The applicant's proposed five-story building with insufficient setbacks and transitions would damage the history and character of the row of Parker-Gray homes along the Patrick Street side of the block and thus be detrimental not only to the neighboring homes but also the historic fabric of this part of the Parker-Gray Historic District

Nothing on this block is remotely five-stories tall. Our homes are two-stories tall, like the rest of the block. Nor is the applicant's proposed five-story building even consistent with other buildings immediately nearby. The townhomes across Henry Street from the property are four stories (Braddock Lofts). The townhomes across Wythe Street from the property are two to three stories. Adjacent townhomes to the south along Henry Street are two stories. And the new Ramsey Homes are four stories tall. Moreover, the new Ramsey Homes are only three stories tall directly adjacent to Wythe and Patrick Streets, with setbacks and shoulders before rising to four stories.

Figure 3

In accordance with the recommendations of the BMNP, all new development in the plan area will:

- **Provide appropriate transitions in scale and massing.** Building scale and massing have a significant impact on the perceived character of a building and its surroundings. New development should include a variety of heights, scale and setbacks to relate to the context of the neighborhood and each block frontage. New development should respect the scale of immediately adjacent residential properties. See the following section on Design Goals for additional treatment of this topic by site.

(Excerpt, Braddock East Master Plan, p. 39)

The applicant's five-story proposal—particularly the northern extension of the C-shaped building that would tower over adjoining two-story homes—does *not* follow the Design Principles for the City of Alexandria's requirement to "create scale transitions that are sensitive to the surrounding building fabric."⁶ Nor does the applicant's proposal, in current form, comply with the BMNP Design Guidelines, which provide: "New buildings *must make complementary transitions to context buildings of different height* or use. Where a new building with commercial and/or multifamily uses *abuts a single-family or attached residence, the new building shall be sensitive in vertical and horizontal scale to existing residential structures.*"⁷

⁶ BMNP, p. 143.

⁷ BMNP, p. 145, with emphasis.

B. Solutions

To solve these issues, we ask you to add limits sufficient to protect the history, scale, and character of our neighborhood. We ask you to ensure that the project complies with the BMNP's limits and principles and follows the Design Principles and Design Guidelines. Please do not approve this project without adding appropriate height and setback limits.

It is imperative to limit the height of the eastern half of the property to 30' (except the 40' portion directly adjacent to Wythe Street), as provided in the BMNP. We recognize that the BMNP envisioned a 50' portion along Henry Street only, running back less than halfway across the property. *We do not believe five stories are appropriate anywhere on the property*—particularly because surrounding development in the area has been four stories (e.g., the Ramsey Homes and

Braddock Lofts), and the applicant is proposing to split the BMNP's Henry Street Site A in a way that renders any 50' section inappropriate to the surrounding context.

Figure 4

for this neighborhood. Participants confirmed that the height of any new building should be sensitive to the scale of adjacent development. It was suggested that new buildings should be generally no more than one-story higher than adjacent buildings (with greater height permissible further away). New buildings should also incorporate shoulders along sensitive edges, to transition taller buildings to smaller context of adjacent properties.

(Excerpt, Braddock East Master Plan, p. 3)
This excerpt regarding a community "design charette" confirms our community's support for sensitive, gradual height transitions.

If five stories are to be permitted anywhere on the site, however, then (1) the extra height should be limited to the area immediately adjacent to Henry Street and (2) shoulders and transitions should be required with a gradual rise from 20'-30' on the eastern half to a 40' portion just over halfway, and only then the 50' portion. In other words, if 50' is

permitted along Henry Street, there should be an intervening 40' portion with shoulders to create appropriate transitions and privacy from our adjoining two-story historic homes. The eastern half of the property, with the exception of the Wythe-adjacent portion, should be limited to 30'.

Moreover, setbacks along the eastern half of the property should be *no less* than the adjacent height, which would be more consistent with the BMNP's vision of an L-shaped building. In other words, with a C-shape (or an O-shape to increase density while lowering height), there could be a 20' tall section at a setback of no less than 20', rising to 30' tall at a setback of 30'. Simply put, the new building should

transition to a smaller building mass that *matches* the adjacent historic homes (i.e., starting with 20' before gradually rising). These setbacks and gradually rising heights would provide aesthetically pleasing, context-appropriate, historically sensitive, and respectful transitions from our adjoining homes, preserving the character of the neighborhood.

2. Construction Noise

A. Issues

The project will involve significant excavation and construction directly adjacent to historic homes in a largely residential area. The applicant informed us that this construction would last at least 1.5 to 2 years. The noise and vibrations will be highly disruptive and detrimental, particularly given that many neighbors must continue to work from home for the foreseeable future as a result of the COVID-19 pandemic and individual health conditions that place us in a category of increased risk even as reopening occurs. Moreover, several of us neighbors have jobs with evening and nighttime hours, necessitating sleep schedules that require us to sleep until at least 9:00 a.m.

High levels of noise and vibration threaten public health, both physical and mental.⁸ As the Washington Post explained last year, “Exposure to loud noise can certainly damage your hearing. But increasingly, scientists are finding that too much noise can take a toll on our health in other ways.”⁹ High noise levels cause “direct and cumulative adverse effects that impair health and that degrade residential, social, working, and learning environments with corresponding real (economic) and intangible (well-being) losses.”¹⁰ “Studies have shown that people who live . . . in loud environments are particularly susceptible to many alarming problems, including heart disease, high blood pressure, low birth weight, and all the physical, cognitive, and emotional issues that arise from being too distracted to

Figure 5



(Excerpt, BMNP, p. 145)

⁸ Mathias Basner, MD, et al., *Auditory and Non-Auditory Effects of Noise on Health*, Lancet (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3988259/>; Knvul Sheikh, *Noise Pollution Isn't Just Annoying – It's Bad for Your Health*, BrainFacts.org (2018), <https://www.brainfacts.org/thinking-sensing-and-behaving/diet-and-lifestyle/2018/noise-pollution-isnt-just-annoying-its-bad-for-your-health-062718>.

⁹ *The Negative Health Effects Of Too Much Noise Go Well Beyond Hearing*, Washington Post (2019), https://www.washingtonpost.com/national/health-science/the-negative-health-effects-of-too-much-noise-goes-well-beyond-hearing/2019/06/07/21807198-863d-11e9-a491-25df61c78dc4_story.html.

¹⁰ Lisa Goines, RN, and Louis Hagler, MD, *Noise Pollution: A Modern Plague*, Southern Medical Journal (2007), <https://sma.org/southern-medical-journal/article/noise-pollution-a-modern-plague/>.

focus on complex tasks and from never getting enough sleep,” including “increased anxiety, depression, . . . and stroke.”¹¹ Underlying health conditions only exacerbate these risks. Particularly worrisome amid the current pandemic is the fact that high noise levels are immunotoxic, increasing susceptibility to disease and weakening our immune systems.¹²

Disappointingly, in our discussions, the applicant pointedly declined to provide any noise mitigation beyond minimal compliance with citywide construction hours (starting at 7 a.m.) that are not specifically tailored to a major construction project in the middle of a residential area. In response to our suggestion to erect temporary construction noise barriers—which we have observed at many construction sites—the applicant questioned whether such barriers exist.

B. Solutions

To solve these issues, we ask you to add conditions to limit the noise pollution generated by the project’s construction. Specifically, we ask you to (1) limit construction hours on the site to weekdays from 9:00 a.m. to 7:00 p.m., with no noise-producing construction activities on weekends or holidays, (2) require the applicant to maintain a noise construction barrier at least 16 feet tall around the site throughout the construction, and (3) obtain and follow a professional construction noise mitigation plan ensuring that sound levels reaching adjacent residential properties are below 85 decibels.

First, limiting the construction hours to weekdays from 9:00 a.m. to 7:00 p.m. is necessary because the applicant proposes a massive construction project directly adjacent to our homes. Most of us neighbors are not even separated by an alley from the construction site. For many of us, because of our jobs, being awoken before 9:00 a.m. for two years by construction right next to our homes would be highly damaging to our physical and mental health, preventing sufficient sleep and increasing the risk of numerous health issues. Moreover, given the anticipated length of the construction, it is essential to our health, sanity, and wellbeing to have a respite from the construction noise on the weekend. That is particularly true for those of us with underlying health concerns amid the current pandemic, which is likely to continue to limit our ability to leave our homes and escape the noise. Note that the focus of these limits is on external noise-producing construction, which is

¹¹ David Owen, *Is Noise Pollution the Next Big Public-Health Crisis?*, The New Yorker (2019), <https://www.newyorker.com/magazine/2019/05/13/is-noise-pollution-the-next-big-public-health-crisis>; Sheikh, note 8.

¹² Deepak Prasher, *Is There Evidence That Environmental Noise is Immunotoxic?*, Noise & Health Journal (2009), <http://www.noiseandhealth.org/article.asp?issn=1463-1741;year=2009;volume=11;issue=44;spage=151;epage=155;aulast=Prasher>.

noise pollution that would impact the neighborhood. Once the building is fully enclosed, internal construction that does not create external noise pollution could be permitted outside the 9:00 a.m. to 7:00 p.m. weekday limits.

Second, contrary to the applicant's claim to us that temporary noise barriers were not viable, we know that such barriers exist as we have seen them widely used for construction in residential areas. A quick Google search reveals a plethora of temporary construction noise barriers that provide "an economical and effective method of reducing noise generated by equipment, pumps, generators or other processes and are exposed to the elements," and common applications for these barriers specifically include "Any type of building construction in a residential area."¹³ Various types of "temporary noise control barriers are used across the nation and worldwide, eliminating nuisance by reducing noise pollution by up to 97%."¹⁴ These barriers should be used here to reduce the noise pollution emanating from the applicant's proposed construction site.

Third, given the applicant's surprising unfamiliarity with noise mitigation issues, it seems clear that consultation with noise mitigation professionals (acoustic engineers) would be appropriate. It is difficult for us, as

Figure 6



Examples of temporary construction noise barriers.

¹³ eNoise Control, Outdoor Sound Curtains, <https://www.enoisecontrol.com/products/outdoor-sound-curtains/>; eNoise Control, Temporary Construction Sound Barrier Wall Fence, <https://www.enoisecontrol.com/temporary-construction-sound-barrier-wall-fence/>. Other examples include: <http://www.echonoisecontrol.com/sound-barrier-wall-products/>; <https://www.echobarrier.com/construction-noise-barriers/>; <https://allnoisecontrol.com/construction-noise/>; <https://www.steelguardsafety.com/industrial-noise-control/temporary-construction-noise-barriers-construction-noise-control/>.

¹⁴ Echo Barrier, Construction Barriers, <https://www.echobarrier.com/construction-noise-barriers/>.

laypeople, to identify all of the noise mitigation tools that should be deployed for this site located amid a residential area with historic homes. However, it is clear that noise levels “that reach 85 decibels or higher can harm a person’s ears.”¹⁵ Higher noise levels quickly cause even more serious harm to hearing.¹⁶ Thus, as a condition of approval, the applicant should be required before beginning construction to obtain and follow a professional noise mitigation plan that will ensure construction noise consistently remains less than 85 decibels along the residential property lines surrounding the site.¹⁷

3. Miscellaneous Comments

A. *Utility Lines and Poles*

There are above-ground utility lines running along the east side of the property supplying power, cable, and telephone service to several of our properties and others further north on the block. Based on our discussions with the applicant, it appears that these utility lines have not received much attention. The applicant suggested that they are on our properties and would remain accessible. The applicant appears mistaken. There is no alley to access the utilities. The poles are on the applicant’s side of fences along the eastern side of the property, and utility providers access the lines and poles (including for recent maintenance) through the property using large lift trucks. These trucks would not fit through any of our homes, and the location of the poles and lines would make it difficult, if not impossible, for utility providers to access them under the applicant’s current plan.

¹⁵ National Geographic, *Noise Pollution*, <https://www.nationalgeographic.org/encyclopedia/noise-pollution/>; National Institutes of Health, *Too Loud. Too Long.*, <https://www.noisyplanet.nidcd.nih.gov/parents/too-loud-too-long> (“Any sound at or above 85 dBA is more likely to damage your hearing over time.”); Ashley Welch, CBS News, <https://www.cbsnews.com/news/wearing-earplugs-to-concerts-may-prevent-hearing-loss/> (“85 dBA is considered the cut off between safe and potentially unsafe loudness levels,” Sharon A. Sandridge, Ph.D, Director of the Audiology Clinical Services Head and Neck Institute at Cleveland Clinic, explained.”).

¹⁶ CDC, *What Noises Cause Hearing Loss?*, https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html (explaining that 95 decibels can damage hearing after 50 minutes of exposure and 100 decibels can cause hearing loss after just 15 minutes).

¹⁷ For example, a quick Google search reveals numerous acoustical engineers who could assist the applicant to develop and implement a construction noise mitigation plan: <https://phoenixnv.com/acoustic-services/construction-noise-vibration-management/>; <https://www.akrf.com/service/acoustics/>; <https://www.enoisecontrol.com/services/acoustical-consultant/>. For additional information, see Federal Highway Administration information on construction noise mitigation (https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm) and other resources on noise mitigation planning: <https://www.greenroads.org/files/102.pdf>.

Leaving the utilities in their current state while redeveloping the property is concerning because it will jeopardize the utility providers' ability to maintain the lines or repair storm damage. Moreover, leaving the current poles and lines will plainly interfere with any trees we or the applicant may wish to grow along the shared property line to enhance privacy and increase greenery. We believe the applicant should be required to work with staff and the utility providers to ensure that these utility lines are properly considered and addressed. As far as we can tell, the only viable solution—particularly given the expectation of future development on the rest of the BMNP Henry Site A—seems to be for the applicant to arrange, at its expense, to bury these utility lines and supply lines to the adjoining homes.

B. Prevention of Construction-Related Damage to Adjoining Homes

We expressed concerns to the applicant about the risks of construction-related damage to adjoining homes, particularly given that many are historic and may be especially susceptible to vibration-related risks. The applicant was receptive to these concerns and raised the possibility of having a professional survey conducted of adjoining homes before and after construction to identify and remedy any damage the construction may cause. We appreciate the applicant's approach on this issue. Accordingly, we ask that this approach be incorporated into the conditions of approval by requiring the applicant to provide a professional assessment of adjoining homes before and after construction and obtain insurance sufficient to remedy any damage the construction may cause.

C. Rodent and Pest Mitigation

The applicant indicated to us a willingness to implement a professional rodent and pest mitigation plan to prevent construction-related rodent and pest problems that often result from large-scale excavation. For example, the applicant mentioned providing rodent and pest control services, at its expense, on adjoining properties to provide a rodent/pest control perimeter around the construction site. We appreciate the applicant's comments in this regard. Accordingly, we ask that the conditions for approval include a requirement that the applicant implement a professional mitigation plan for rodents and pests (including insects) before construction begins and continuing throughout the construction.

4. Concluding Comments

Finally, we would like to express great appreciation for Commissioner Brown's thoughtful comments to staff. His comments give us cautious hope that you will act in the public interest of our neighborhood and community, even if doing so may slightly reduce profits for a well-heeled corporate developer. We strongly agree with

Commissioner Brown that “The height and bulk of the building is out of scale with its immediate neighbors, including the CRMU-M zoned property across Henry Street” and that the project does not advance the Small Area Plan’s recommendation to “Ensure that the height and scale of new development reflects the existing scale of the Mid-Neighborhood Character Area with context appropriate transitions.”¹⁸ While not a focus of our preceding comments, we also share Commissioner Brown’s concern that the project, in its current form, “falls short on [public-benefit] sharing.”¹⁹ In light of all the detailed issues we have identified but that the applicant and staff have not sufficiently addressed, unfortunately we must also agree with Commissioner Brown’s general concern that the project—at this time and in its current form—does *not* reflect “a well thought out and needed change to existing requirements.”²⁰

We would like to support the applicant’s redevelopment of the property, but at this time several issues remain troubling and unresolved. We have tried our best to identify these issues and offer solutions from our perspective as neighbors who have lived here for years to decades. Given our unique familiarity with this neighborhood, it is natural that we can readily see issues that may not have been apparent to the applicant or staff. While we appreciate that the applicant requested a deferral to start engaging with us for the first time, we wish that the applicant had started this engagement sooner so that we could have meaningfully contributed to their planning process. We remain disappointed that staff has not engaged with us, much less addressed in their report the unique context challenges associated with a site that directly adjoins—without even an alley of separation—two-story homes in the Park-Gray Historical District. Nonetheless, we remain committed to identifying positive solutions for our neighborhood, and we would be delighted to engage constructively with the applicant and staff to refine the redevelopment plan in light of the issues and solutions we have identified. This project represents an important opportunity to showcase Alexandria’s commitment to redevelopment that is well-thought out and provides appropriate transitions between the Braddock Road metro station and the Parker-Gray Historical District. We remain optimistic that you, as members of the Planning Commission, can encourage thoughtful revisions to the applicant’s proposals that will ultimately result in a project that we can enthusiastically support as a context-appropriate, transitional redevelopment that enhances—rather than detracts from—our adjoining historic neighborhood.

Thank you for considering our comments.

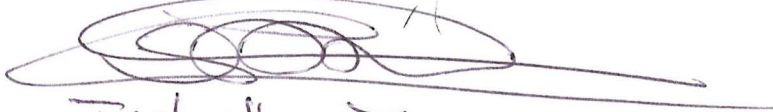
¹⁸ June 16, 2020 Memo to Commissioner Brown and Members of the Planning Commission, pp. 5, 6.

¹⁹ June 16, 2020 Memo to Commissioner Brown and Members of the Planning Commission, p. 3.

²⁰ June 16, 2020 Memo to Commissioner Brown and Members of the Planning Commission, p. 1.

Sincerely,

On June 22nd, 2020.



Isabelle Dossro
722, N. Patrick Street
Alexandria, VA
22314

Stephanie M. Johnson *Stephanie M2*
720 N. Patrick St
Alexandria, VA 22314

Khal Fani Carr
720 N. Patrick St
Alexandria, VA 22314
Khal F. Carr

Patricia Turner
716 N. Patrick St.
Alex. VA. 22314
Patricia Turner

Xuan He
716 N Patrick St
Alexandria VA 22314

ON JUNE 22nd, 2020



Ronald D. Carter
722 N. Patrick St
ALEXANDRIA, VA 22314

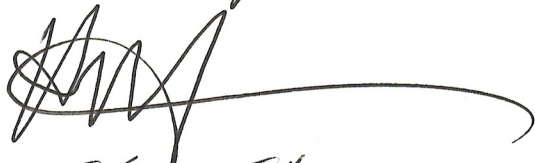
Jarrel Rendell
JARREL RENDELL
718 N. PATRICK ST.
ALEXANDRIA, VA 22314

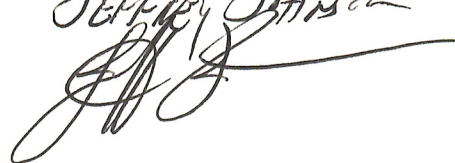
Xiaowen He
Xiaowen He
716 N Patrick st
Alexandria, VA 22314

Wayne Zhong
Wayne Zhong
716 N Patrick St
Alexandria, VA. 22314

Sincerely,

Timothy & Kristen Hardence
1008 Wythe St
Alexandria, VA 22314



Jeffrey Johnson 720 N Patrick St


Sincerely,

NADIA NEGASH
702 N. PATRICK ST.
ALEXANDRIA VA 22314

Mod. J. f.

DAVE
710 NORTH PATRICK
STREET ALEXANDRIA
VA 22314


Ernest D. White
LP ~~~~~

706 N. Patrick St.
Alex. Va. 22314

Sincerely,



Anita K. Sachariah
1012 Wythe St
Alexandria, VA 22314



Arun Srinivasan
1012 Wythe St.
Alexandria, VA 22314



JONATHAN PUEBLA
704 N. PATRICK ST
ALEXANDRIA, VA 22314


Sincerely,



Eric Heintz

617 N Henry

Alexandria VA 22314

 Ozan Sari

718 N Henry

sarozan@gmail

IAN TISDALE → 712 N. HENRY ST



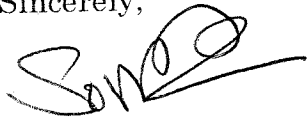
Neighbor Comments Re: 701 North Henry Street

Sincerely,

A handwritten signature in black ink that reads "A Denny". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Andrea Denny
1005 Wythe St
Alexandria, VA 22314

Sincerely,

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

SOPHEA NUTH
700 N. Patrick St.
Alexandria, VA 22314

Isabelle Zorro
722 North Patrick Street
Alexandria, VA 22314

June 23, 2020

Planning Commission
Planning & Zoning Staff
City of Alexandria
PlanComm@alexandriava.gov

Re: 701 North Henry Street

Dear Commissioners and Staff,

As a member of this neighborhood for decades (approaching 30 years in my home at 722 North Patrick Street), I completely join and share in our neighborhood comments about the proposal for 701 North Henry. These comments were the result of great efforts by neighbors working together under tough circumstances because of the need for social distancing, and made even more difficult by the limited time available to us because of the developer's failure to notify us or engage sooner. I am sending these additional comments to highlight differences I have observed between the developer approach to this project and a recent project that also involved nearby residences.

The developer's proposal to put my historic two-story home in the shadow of a five-story building led me to wonder if this type of activity has been permitted in other recent developments in Alexandria. I explored the area and noticed the current construction at 400 North Washington Street. I was struck by the fact that the building there is next to **three-story** homes, in contrast to our neighborhood's **two-story** homes, and the 400 North Washington rises only to **four stories**, only **one-story higher** than the neighboring homes. That one-story height increase seems appropriate to me. On the other hand, what the developer wants here is a **three-story height increase** over our two-story homes. That is shocking and very disrespectful to our homes and the Parker-Gray Historic District where we live.

Even worse, the developer wants to have this three-story height increase with virtually no transition. The five-story section goes close to our property lines, with only a small three-story section in between. Plus, that three-story section is already a story higher than our homes. This also represents a major contrast with 400 North Washington, where (starting north to south) there is first a setback/side yard, then a section that **matches** the neighboring building heights with similar roof elements that add a nice sense of transition, and only then a **one-story rise** to the tallest section of the new building. Further, because of the tall chimney and roofline on the brick building to the

north, the one-story rise does not look out of place. 400 North Washington does not put its neighbors in its shadow.

I took a photo of the construction at 400 North Washington to demonstrate:



I also looked at the Planning Commission materials for 400 North Washington Street:
<https://www.alexandriava.gov/uploadedFiles/planning/info/masterplan/MPA20170005.pdf>

These materials reinforced my disappointment about the disrespect shown to our neighborhood with the proposal for 701 North Henry, both in the proposed height/design and the rushed process without real neighborhood engagement. For 400 North Washington, in contrast to this project, I observed that the Staff report had a thorough and detailed analysis that addressed neighborhood concerns and ensured that the building was appropriate to the context. Unlike here, the North Washington developer and Staff carefully addressed the residential context (page 7):

Key issues that were considered in the staff analysis of this proposal, and which are discussed in further detail in this report, include:

- Mass, scale, height and articulation of the building
 - Consideration of the appearance and context for development along N. Washington Street and adjacent residential development, and compliance with the Washington Street Standards
- Location and supply of parking and loading facilities
- The impact of development and site operation on adjacent residences

For 400 North Washington, the developer and Staff worked to ensure that the height and transitions were appropriate to the residential context and did not overshadow nearby homes. In fact, the developer refined its proposal by increasing setbacks and lowering heights (page 11):

N. Columbus Street frontage. In order for staff support for the rezoning, staff asked that the applicant address the following:

- The general height, scale and mass of the western wing of the building should be compatible with the townhouse and two-story buildings on the block face.
- The property would maintain side yards on either side of the property to maximize the green space buffer between the property and adjacent residential buildings.
- This portion of the building would be used for general residential purposes (assisted living units) and more commercial and institutional oriented uses in the building would be placed along the N. Washington Street wing of the building.

The applicant has addressed these issues through successive submissions. The building was narrowed in its western wing to increase the side yards, and the amount of window coverage on the side facades was increased. The N. Columbus Street façade was improved with architectural features that relate to the late 19th and early 20th century buildings on the block face, and the height lowered to three (3) stories, which is compatible with neighboring buildings on the block.

Ultimately, the North Washington developer's proposal was supported because it had mass, scale, and height that was comparable to neighboring homes – **not three stories taller** like here (page 12):

The proposal is consistent with Braddock Road Metro Station Small Area Plan. The building section located in the area of the site to be rezoned will maintain a mass, scale and height that is comparable to neighboring properties, and will contain memory care

Equally important, the North Washington developer engaged with neighbors **well in advance** of going to the Planning Commission and **made proper changes to address neighbor concerns**, including **reducing height and increasing setbacks** (page 8):

Since Sunrise Senior Living submitted a Concept I in fall 2016, the applicant has been working with City staff and adjacent neighbors on refining building and site design elements that are compatible with the context of the neighborhood. Changes have included:

- Building massing
 - Reduction of building width and height to three (3) stories along the western wing that extends to N. Columbus Street
 - Reduction in roof height and a shifting of the portion of the building fronting Princess Street away from the shared property line with 711 Princess Street
 - Eliminating the proposed garage exit along N. Columbus Street, and providing garage ingress and egress on Princess Street
 - Variety in architectural expression of the building components
- Open space
 - Linear open space and landscaped buffers between the proposed building and neighboring buildings

In fact, the North Washington developer engaged with neighbors early so that they could participate in the design process, and the developer took neighborhood feedback into account. Further, for 400 North Washington, the Staff also talked with neighbors, especially about issues of height and transition, and neighbor's input resulted in proper changes to the height and context of the building (page 29):

V. COMMUNITY

The applicant contacted neighborhood residents early in the conceptual design process and has held several community meetings to receive neighborhood feedback. These meetings were held

Staff and the applicant talked with neighborhood residents via email, phone and in person relating to potential impacts related to the development, including the building scale and mass, parking and traffic impacts, and open space. Input from neighbors helped to reduce the massing of the building on the Princess Street frontage and the entire western wing, and address parking

Unsurprisingly, following this process of real neighborhood engagement, the residential neighbors expressed support for the final 400 North Washington proposal. Neighbors to 400 North Washington said, for example:

- They "have been very pleased with the efforts that [the developer] has made to work with the neighborhood" (page 85)
- "The developers have been most accommodating in their design and sensitive to the fact that they will be operating in a residential neighborhood" (page 86).

And adjoining neighbors on Washington noted that "the applicant was accommodating to their requests for the location of the building in the north side yard" (page 3).

The same cannot be said here of neighborhood engagement or support. As shocked as I have been by the developer's approach, I also very surprised to learn that the Staff report for 701 North Henry claims we are "generally supportive" of the proposal. Our neighborhood is not. I do not know how that could even be said given that Staff has not talked with us and we did not even learn about the proposal until the week after Memorial Day.

Please do not approve the developer's current proposal. Instead, I ask you to encourage the developer and Staff to work with neighbors, as occurred with 400 North Washington, to result in a building that is respectful to residential and historic context of our neighborhood. Thank you.

Sincerely,

Isabelle Zorro

Stephanie Johnson
720 N. Patrick St.
Alexandria, VA 22314

June 24, 2020

Planning Commission
Planning & Zoning Staff
City of Alexandria
PlanComm@alexandriava.gov

Re: 701 North Henry Street

Dear Commissioners and Staff:

This neighborhood has been my home for over 50 years. This is where I grew up. My parents struggled for this house, 720 North Patrick Street, and I am proud to live here where they succeeded in becoming homeowners in the 1960s. Our neighborhood has important history that I remember personally, back to a time even before it was officially recognized as the Parker-Gray Historic District. Our neighborhood's history must be preserved, not erased by a massive building that is not appropriate to context or history of the neighborhood.

I totally join our neighborhood comments about the proposal for 701 North Henry Street. Because the developer did not even notify us about the proposal until late last month, we overcame the difficult challenge of working together despite the pandemic to quickly prepare comments reflecting the neighborhood's shared perspectives and concerns.

I am sending these additional comments to share my personal perspective with you. I am not opposed to redevelopment in general, but I believe that it must be done in a way that preserves and enhances our history. The proposed building does not do that. The building is too tall and massive for this location. Our historic homes should not be put in the shadow of a five-story building blocking the sun and breeze in our backyards. We should not be put on display at the bottom of a C-shaped building towering above us like an amphitheater. Any development of 701 North Henry should be required to preserve our privacy with ample green space, distance, and transitions. There should not be a five-story building rising directly behind and overshadowing our historic street front. The building should be not be permitted to be taller at any point than its setbacks, and the maximum height should be limited to four stories.

I also believe that the current proposal falls far short in providing sufficient affordable housing. As I understand it, the developer is proposing to make just 7% of units "affordable" at a family income of over \$70,000 (60% AMI), and would only keep those units "affordable" for 40 years. That does not do enough for the community. I believe the

developer should be required to guarantee more affordable units with a range of 40-60% AMI, and that these units should be guaranteed for as long as the building exists. The developer should not be permitted to turn anyone out of their home in 40 years by terminating the affordable status of their unit.

Please stand up for our neighborhood, our history, and our community. Thank you.

Sincerely,

Stephanie Johnson

[EXTERNAL]Comments on 701 North Henry redevelopment

Andrea Denny <andrea.denny@gmail.com>

Wed 6/24/2020 4:28 PM

To: PlanComm <PlanComm@alexandriava.gov>

Dear Commission Staff:

I completely join in our neighborhood comments about the proposal for 701 North Henry Street. Because the developer provided very short notice about the project, we have had to overcome the difficult challenge of working together despite the pandemic to quickly prepare comments reflecting the neighborhood's shared concerns. I am also sending these additional comments to address my personal perspective about the project.

My property (1005 Wythe St) directly borders the development site, and my home is very close to the property line. As such, I am very concerned about the disruption to my property and my quality of life during construction and afterwards. I appreciate that the developer has (if I understand the plans correctly) included a lower building height near my home, and I would encourage that if changes are made to the design, the portion closest to my home remain at a lower height so as not to tower over my existing home.

In addition to concerns about construction noise mitigation already expressed in our joint letter, I have strong concerns about construction related property damage/impact especially because of my proximity to the construction. For example, I understand that the builder intends to remove the existing 8 foot cinderblock wall along the property line and replace it with a 6 foot high fence with a pedestrian walkway on the other side. This represents a significant loss of privacy and I would support a higher fence if possible. In addition, they intend to remove additional fencing at the front of the property and a large tree on the property line which currently provides shade to my property. I ask that they be required to provide reimbursement to repair or replace damage to existing landscaping and patio that is likely to occur during removal of these items. The mechanism to apply for damage reimbursement needs to be clearly provided to all neighboring properties as others are likely to experience similar damage.

Finally, I would like to reiterate the recommendation that the utility lines running along the property lines be moved underground. In addition to being a display of good faith for the developer, it would also benefit them as it would approve the appearance of their own property and proposed courtyard space. If this is not done at this time, it will be virtually impossible to do it later. This will also reduce the need for line maintenance/access that is a key concern for the neighboring properties served by these utility lines.

Thank you for your consideration of these comments.

Andrea Denny
1005 Wythe St
Alexandria, VA 22314



Braddock Metro Citizens' Coalition

Working for a Greater Northwest Old Town | www.braddockmetro.org

1122 Madison Street, Alexandria, VA 22314 | bmcc@braddockmetro.org

June 25, 2020

Chairman Nathan Macek
Vice Chairwoman Maria Wasowski
Comm. David Brown
Comm. Melinda Lyle

Comm. Stephen Koenig
Comm. Melissa McMahon
Comm. John Goebel

Re: Support for Approval of 701 N Henry Street.

Dear Chairman Macek, Vice-Chairwoman Wasowski and Members of the Planning Commission,

I am writing on behalf of the Braddock Metro Citizens Coalition (BMCC) in support 701 N Henry Street. We spoke with the applicant, and they made some changes in response to the concerns stated in our letter on June 1, 2020. We believe the adjustments are an improvement and alleviate our issues, and we would like to offer our support for the project.

Warm Regards,

Abbey Oklak, Treasurer
Braddock Metro Citizen's Coalition

Cc: BMCC Board; Karl Moritz, Director, Planning & Zoning; Catharine Puskar

701 North Henry Street

Jariel A. Rendell
718 N. Patrick St.
Alexandria, VA 22314
jariel.rendell@outlook.com

June 25, 2020

Via Email

Planning Commission
Planning & Zoning Staff
City of Alexandria
301 King St., Room 2400
Alexandria, VA 22314
PlanComm@alexandriava.gov

Re: June 25, 2020 Planning Commission Hearing on 701 North Henry Street

Dear Planning Commissioners and Staff:

I write regarding the requests for 701 North Henry Street (“the Property”), Docket No. 11, Master Plan Amendment #2020-00002 Rezoning #2020-00001 Development Special Use Permit #2019-00028 Transportation Management Plan Special Use Permit #2020-00009 (collectively, “the requests”).

My home is 718 North Patrick Street and adjoins part of the east side of the Property. Let me begin by emphasizing that I fully join our neighborhood’s joint comments submitted earlier this week. Our neighborhood comments are the product of a joint effort by neighbors under challenging circumstances, and I strongly agree with my neighbors that the proposed height is excessive, the proposed setbacks and transitions are inadequate, the noise pollution of the construction must be limited, the utility lines most likely need to be undergrounded, and other construction-related issues need to be proactively mitigated. I only write separately to share a few additional observations.

A. The Current Proposal Fails to Provide Enough Affordable Housing to Justify the Applicant’s Requests

I am personally troubled by the applicant’s insufficient affordable housing proposal. By my (admittedly rough) calculations, the applicant is asking our city—a democratic institution that ought to act in the public interest of its citizens rather than the private interests of a single developer—to authorize a 370% increase in density (74 extra units over the current 20 allowed) yet committing just 9% of the increase to affordable housing (and only 7% of the total units). Even worse, the applicant would take away those few units of affordable housing in 40 years. The requested increase in density is not going to disappear in 40 years. Neither should the affordable housing units. I see no reason why the affordable units should not be deeded to ensure they exist for as long as the building. Moreover, I believe 15-20% of whatever density increase is ultimately authorized should be committed to affordable housing.

B. The Current Proposal Involving Retail Use Fails to Consider the Zone Transition Line Setback Requirement (Zoning Ordinance § 7-900)

Exemplifying the rushed, insufficiently refined nature of the Requests in their current form, the applicant and staff have not addressed the interplay between the property's proposed setbacks, the property's proposed retail use, and the zone transition line setback requirement.

The applicant seeks approval for the following proposed use: "Multi-Family Residential *with Retail*." (Staff Report 1 (emphasis added).) More specifically, the applicant seeks both rezoning to CRMU-M for mixed residential and retail use and a DSUP "with site plan to construct a multifamily residential building *with ground floor retail*." (Staff Report 5 (emphasis added).) This "building with ground floor retail" would, under the applicant's proposal, be five-stories tall with a height of 50 feet to the roof, plus a 3-foot parapet, for an actual height of 53 feet. (Site Plan 25.)

Yet any retail use in the proposed building would result in a violation of the zone transition line setback requirement, Zoning Ordinance § 7-902. The applicant's proposed setback from the adjoining residential zone along the eastern property line is as low as 17 feet at the southern end and approximately 22 feet at the northern end. That is much lower than the 50-foot setback required for a 50-foot tall building containing retail use adjoining a residential zone. Under Section 7-902(A), "No commercial building shall be located within a distance from the nearest residential zone line *equal to the height* of such commercial building *or* 25 feet, *whichever is greater*." (Emphases added.) Here, the nearest residential zone line runs along the entire eastern side of the property. (See Alexandria Zoning Map.) The proposed building height is 50 feet. (See Site Plan 25; Zoning Ordinance § 2-154 (defining "height of building").) And the applicant's building would be a "commercial building" under the Section 7-902 because "a commercial building shall mean a building *containing retail . . . uses* regardless of the zone in which the building is located." (Zoning Ordinance § 7-902(A)(1) (emphasis added).)

It is troubling that neither the applicant nor staff has addressed this issue, particularly because the promise of retail use serves as the basis for the applicant's CRMU-M rezoning request, and the staff report's justifications for the project rely heavily on the promised retail use. (See, e.g., Staff Report 7, 8, 12-13.) If there were no retail use, then the property would be purely residential and rezoning to CRMU-M would hardly be justified. Moreover, if the property is to be purely residential, then it ought to be scrutinized in light of residential zoning requirements, including front, side, and rear yard setback requirements.

To be sure, Section 7-903 of the Zoning Ordinance authorizes modifications to the zone transition line setback requirement of Section 7-902. But the applicant failed to request such a modification. (See Staff Report 1 (listing only one, different modification request).) Staff has not analyzed whether such a modification would be appropriate—indeed, the staff report does not even mention the issue. And there has been no compliance with notice and other requirements to seek such a modification. Under these circumstances, and particularly amid substantial and thoughtful neighborhood concern over the applicant's proposed height and setbacks, it would be highly improper for the Planning Commission to consider such a modification *sua sponte* at this evening's hearing for the first time. These issues should be considered with appropriate deliberation and careful analysis.

It is also important to remember that the zone transition line setback requirement's "intent [is] . . . to provide for increased setback requirements where commercial . . . buildings are proximate to residential zones *in order that property in the residential zone shall not be adversely affected.*" (Zoning Ordinance § 7-901 (emphasis added).) The applicant's current proposal would adversely affect our homes in the residential zone. And it would adversely affect the Parker-Gray Historic District by not only failing to provide an appropriate transition but also overshadowing contributing homes in the district. The applicant's materials and the staff report barely acknowledge the fact that the property is surrounded by much lower homes and that many of those homes are in the Parker-Gray Historic District. Indeed, the staff report refers just once to the Parker-Gray Historic District, with a passing note that the property is in a "transition zone." (Staff Report 7.) In fact, this property is not simply "in" a transition zone from Parker-Gray. This property *is* the transition zone, directly adjoining Parker-Gray and its historic homes. The property's important location as a gateway to Parker-Gray calls for *more* thought and consideration than usual, not less. Yet in contrast to other recent redevelopment projects in Alexandria that have greatly improved through timely, meaningful engagement between the developer and adjoining property owners, this redevelopment proposal is neither thoughtful nor well considered. In its current form, to be blunt, it is generic, overly tall, inappropriate for its location, and damaging to neighborhood history.

* * *

Thank you for reviewing these additional comments. I ask you to take all possible steps to encourage or require the applicant to step back and engage with the neighborhood—as has occurred in a positive way with other recent redevelopment projects—to refine its redevelopment proposal in response to thoughtful neighborhood concerns. I do not reflexively oppose redevelopment efforts. To the contrary, I support *well-thought out* and *context-appropriate* redevelopment in our neighborhood. Unfortunately, the applicant's current proposals fall far short of that reasonable metric.

I remain optimistic that this redevelopment can be refined and would earn neighborhood support if the applicant is willing to engage the neighborhood in a meaningful process, as occurred with the 400 North Washington project that my neighbor Isabelle has highlighted. I would be pleased to engage with the applicant to identify solutions, as I have tried to do so far. For example, just on Tuesday the applicant's counsel sent me information that the height of the Braddock Lofts homes along Henry Street, across from the property, are 35 feet with a step back to 45 feet. While I cannot speak for the neighborhood on this issue because the information was provided too recently for us to discuss, I would likely be able to support a redesigned proposal that matches the Braddock Lofts heights along Henry Street, as would neighbors in the Braddock Lofts to whom I have spoken. Thus, rather than steamrolling ahead with the applicant's proposal in their current form without neighborhood engagement, a reasonable pause is needed to engage the neighborhood and give more careful thought to the importance of this property as a gateway to the Parker-Gray Historic District. Let us avoid unnecessary acrimony, particularly now as all of us are experiencing the difficult and stressful circumstances affecting our entire country.

Sincerely,

Jariel A. Rendell

[EXTERNAL]701 N Henry Street

Ginger Court <gingcourt@gmail.com>

Thu 6/25/2020 4:07 PM

To: Anh Vu <Anh.Vu@alexandriava.gov>; Judy Noritake <jnoritake@nka-arch.com>; Abigail Harwell <Abigail.Harwell@alexandriava.gov>; Nancy Williams <Nancy.Williams@alexandriava.gov>; PlanComm <PlanComm@alexandriava.gov>

Cc: Peter Courtney <pcourt@pobox.com>

City of Alexandria Planning Commission,

I am writing in regards to the new development at 701 North Henry St. This development is across the street from me and while I generally welcome new developments as the city grows, I have specific concerns about this project.

Notably, the planning team is considering increasing density and changing the landscaping guidelines. Also, I noticed in the plans that the section of the development that faces N Henry has very little green space. I would like to see grass connecting the tree wells. This exists one block north of the proposed development in front of ARHA housing and is continued on the right side of the road heading north on Rt 1 before south of the Target. There are currently two strips of grassy space between the road and the sidewalk and between the parking lot and the sidewalk in front of the Alexandria Lighting company. I would like to see the same amount of grassy space when the project is done. This idea continues the streetscape that exists north of the 701 development bringing it further south.

Thank you for considering,

Ginger Courtney

720 N Henry Street

(412) 417-5457

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