
From: Elizabeth Mulry <mmmtcm@gmail.com>

Sent: Friday, January 29, 2021 1:59 PM

To: Margaret O. Cooper <Margaret.Cooper@alexandriava.gov>; ann.horowiz@alexandriava.gov

Subject: [EXTERNAL]

Dear Ms. Cooper and Ms. Horowitz,

I am writing to request an opportunity to speak at the upcoming hearing in this matter. It is my understanding that Mr. Bannister wishes to build a "marketable townhouse dwelling" and to do so he needs exceptions to numerous zoning regulations that the city of Alexandria has in place to protect its constituents. Exceptions to the city's zoning include a substantial 22.7% reduction in the open space requirement, a substantial exception to the rear yard setback, (which backs up to my property), an exception to the percentage of a rear yard that can be used for parking, and finally an exception to the vision clearance zoning regulations. I am not sure why all of these exceptions are being made prior to the building of this townhouse. The only reason listed is that the owner, Mr. Bannister, wants to build a "marketable townhouse dwelling".

On another note, I as an adjacent property owner should have received notification that this permit was being requested. I received no such notification. As a "consent agenda item" I would think that the city would have made sure that all adjacent property owners had been notified. I am the party who is most impacted by all of the exceptions that this individual is requesting.

Please respond to this email so that I know that you have received my request to speak about the case at the hearing.

Thank you in advance for your help with this matter,

Sincerely,

Elizabeth Dunning Mulry
506 Oronoco Street
Alexandria, VA 22314
540 336 6236

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January 30, 2021

Dear Planning Commission Members,

First, I would like to thank you in advance for taking the time to read this letter. I live at 506 Oronoco Street, and the value of my property will be most adversely affected by the exceptions requested by Mr. Bannister at 428 Pitt Street. I am writing to ask you deny the special use permits for the proposed development of that property.

Mr. Bannister proposes to build a 5187 square foot house on a lot that does not have adequate space to build a house that large while respecting the zoning regulations established and enforced by the City of Alexandria. Mr. Bannister is asking for exceptions to four different aspects of the zoning law and my property which sits directly behind the proposed project will be adversely affected by all of the proposed exceptions.

Further, I did not receive notification of this public hearing, and only stumbled upon the sign posted outside my home last week. As this is a "Consent Agenda Item", I should have been notified weeks prior to this hearing.

The "modification" that most concerns me is the reduction of the rear setback. The current sidewalk measures 4.5 feet across, is bordered by a concrete wall,

and provides access to the back gates and entrances of the houses on Pitt Street as well as my neighbors on Oronoco. The plans that Mr. Bannister submitted and used to calculate the reduced setback suggests a three-and-a-half-foot private alley. I will produce a copy of my survey as there didn't seem to be a copy of the survey for 128 Pitt included in the extensive report that you received. (photos also follow)

Another issue that I have with the reduced rear setback is that the size and height of the proposed building which is substantially (25%) larger than any townhouse in a four-block radius will effectively cast my house in shadow and will pose privacy issues as it looms over my small home. Allowing a reduced setback may give additional value to Mr. Bannister's "marketable townhome" but it substantially reduces the value of my home.

Lastly, setbacks as a zoning function are to assure that homes are not built too close together. My house was built over one hundred and fifty years ago and allowing Mr. Bannister to dig out a full basement within a reduced setback distance puts my home at unnecessary risk.

Other concerns include:

- Increase in traffic accidents at an already dangerous intersection due to the line of sight exception.
- Changes to curb in front of my house that will reduce available parking for the three historic townhomes that are adjacent to me.
- Power pole that will need to be moved when curb is adjusted.
- Reduction in green space is always an issue
- More concrete than green space is always an issue

Thank you for taking the time to read this letter. I hope that you come to conclusion that the value of my property is as important as the petitioner's need to build beyond the capacity of his lot. I look forward to speaking with you on Tuesday.

Elizabeth Dunning Mulry
506 Oronoco Street
Alexandria, VA 22314



Photo of existing alley or walkway. It is bordered by my house on one side and a concrete footer on the other. This walkway has been four and a half feet for over twenty years. It is not a “mule or horse alley” as it has no building on the opposing side.



Marks on sidewalk indicating where Mr. Bannister would like to reduce our walkway to.



Marks on sidewalk indicating where Mr. Bannister would like to reduce our walkway to.



Power pole that will need to be moved to accommodate Mr. Bannister's requests. No mention in plans where that will go. You can also see that a substantial chunk of our curb will be taken.

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 2, 2021

TO: CHAIRMAN NATHAN MACEK
AND MEMBERS OF THE PLANNING COMMISSION

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

SUBJECT: DOCKET ITEM #4 – SPECIAL USE PERMIT #2020-00097 428 N. PITT ST.

In response to Planning Commissioners' recent comments, staff provides further analysis in this memorandum on how the SUP request meets the standards set forth in §11-416(A)(1). Because the parking reduction request for the two off-street compact parking spaces requires a Special Use Permit, §11-416(C) allows the review of minimum lot modifications, such as the proposed rear yard setback, parking in the rear yard, vision clearance and open space, as part of the SUP consideration. Section 11-416(A)(1) states that the "Planning Commission may modify the minimum frontage, yard, open and usable space, zone transition setback or other minimum requirements imposed by this ordinance for the zone or zones applicable to the land depicted in the site plan... if the planning commission determines that such modification is necessary or desirable to good site development, that specific and identified features of the site design make up for those impacts otherwise protected by the regulations for which modification is sought and that such modification will not be detrimental to neighboring property or to the public health, safety and welfare." Below, we have given more explanation on how each of the lot modification requests meets the required standards.

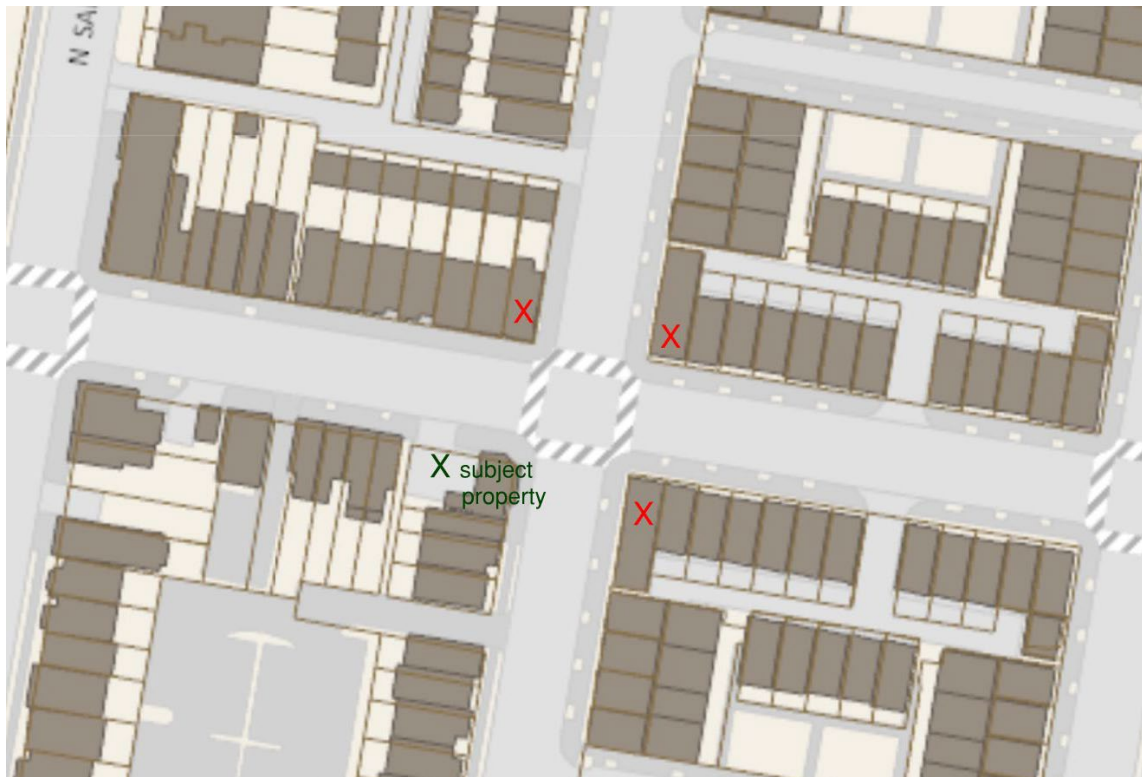
Compact Parking Spaces-

A standard-sized off-street parking space is nine feet in width by 18.5 feet in length. As the depth of the property is 36 feet, two standard-sized tandem off-street parking spaces totaling a length of 37 feet would not fit on the property. Because the request for a parking reduction to allow for two compact tandem off-street parking spaces eight feet in width by 16 feet in length would accommodate the two off-street parking spaces required by §8-200(A)(1), and as the proposed parking space location results in a narrowed curb cut, staff considers these characteristics to support good site development.

Rear Yard Setback Modification-

Staff believes the nearly three-foot rear yard setback modification meets the requirements of §11-416(A)(1) as it reflects the dense development pattern on corner lots in this neighborhood, contributing to a consistency in area site design. Two of the corner properties at N. Pitt and Oronoco Streets, constructed in 2005 in the CRMU-X zone, have no rear setbacks and the third, constructed in 2016, has a garage on the rear lot line. The RM zone, where the subject lot is located,

is the only residential zone that requires a corner townhouse unit to have a side yard and a rear yard, as all other residential uses on corner lots have two side yards that are smaller than the rear yard setbacks (properties described are identified with red X's on map below). Because the development pattern for corner lots in this area does not reflect the RM rear yard regulation and instead has buildings that cover nearly all of the property, staff believes the proposed rear yard setback represents favorable site development, consistent with the overall area development and, therefore, is not detrimental to the neighboring properties.



Parking in a Rear Yard Modification-

Staff believes the modification to Section 7-1005 (which states no more than 50% of a yard shall be used for parking the requirement for parking in a yard) meets the standards of §11-416(A)(1), as locating the two required off-street parking spaces elsewhere on the property would result in a wider curb cut, which is undesirable in this area, and overall poor site design. The proposed parking takes up 58% of the rear yard (73 square feet more than allowed), which staff believes is a reasonable modification to allow for an improved design and narrower curb cut.

Open Space Modification-

Staff believes the modification to open space to allow for 27% open space instead of 35% meets the standards of §11-416(A)(1) as the proposed open space on the second floor balcony qualifies as usable open space, and, subsequently, good site design, although it cannot be technically counted in the RM zone. Similar to the other lot modification requests, the reduced open space is consistent with the development pattern of most of the neighborhood. Aside from the historic properties to the west on Oronoco Street, the nine properties south of the subject property along N. Pitt Street constructed in 1987 have an average of 28% open space. The properties to the west,

northwest and north in the CRMU-X zone were approved through DSUPs in 2002 (northwest and west) and 2013 (north) and have less than 35% open space, however, they do have shared open space at a central location on the blocks.

Vision Clearance Modification-

Staff believes the request for modification to the vision clearance meets the standards of §11-416(A)(1), as the request is not detrimental to the neighborhood, is consistent with the existing design pattern of the three other corners, and allowing for it will result in a more desirable site and architectural design. The RM zone requires buildings to be constructed at the front property line, so it would be difficult to have a quality design that is located at the front property lines of N. Pitt and Oronoco Streets, but that does not meet at the corner.

Staff continues to recommend approval of SUP #2020-00097.

February 1, 2021

Dear Planning Commission Members,

I would like to raise the following concerns, and urge that the commission deny recommendation of the Special Use Permit and its exceptions, as the design is not necessary and detrimentally impacts neighboring properties, public health, safety and welfare. The proposed house is 5187 square feet. A house with slightly reduced square footage would avoid requiring these exceptions. Among my concerns:

1. 17% reduction in street parking spots on the south side of Oronoco stretching from Asaph to Pitt. This street regularly fills up with Trader Joe's, Nail salon, Dentist, Olde Towne School for Dogs and other business traffic. We are a one-car family yet it is not uncommon for us to not be able to find a nearby spot, and patrons/employees will have difficulty as well. This is not addressed in the report.
2. Reduced access to the alley. For the neighbors on Oronoco, this is their only legitimate access to take their garbage and recycling to the curb for pickup. Neighbors on Pitt also have alley access. This was not addressed in the report.

3. Reduction in open space in our Eco-City, which is committed to environmentally sound development.
4. The intersection of Pitt and Oronoco, proximate to the GW Parkway, is the site of frequent vehicle accidents. The proposed plan and requested exception would reduce visibility in this area.

Thank you for considering my point of view as a longtime resident in this neighborhood.

Sean Dwyer

Ashley Leichner
508 Oronoco Street
Alexandria, VA 22314

Dear Planning Commission,

Thank you for the opportunity to hear from residents regarding February 2 2021 DOCKET ITEM #4 Special Use Permit #2020-00097 428 North Pitt Street Parking Reduction and Lot Modifications. As neighbors on this block, we were only made aware of the docket item through posted signs at the end of January. Through review of the report, discussion with neighbors and review of the site – **we urge the planning commission to deny recommendation of the special use permit and its exceptions as such modification is NOT necessary or desirable to good site development, that specific and identified features of the site design do NOT make up for those impacts otherwise protected by the regulations for which modification is sought and that such modification WILL be detrimental to neighboring property or to the public health, safety and welfare, per zoning regulation 11-416 (1)(A). Detail of the impact on the neighboring property is listed below, some of which were mostly omitted from the staff report and therefore not discussed prior to this meeting with the planning commission members. We would have liked the opportunity to meet with staff weeks ago.**

It is requested that the owner submit plans to design and build a home within the planning, development and zoning guidelines, a task easily achievable within the 2,160 square feet of lot area at 428 North Pitt Street. Simple reductions in the townhome design footprint, for instance 200sqft less would allow plans to meet the existing requirements. Essentially the question is, can a townhome be built on this site without the use of a SUP and additional exceptions? The answer is yes, and with only minor modifications to the proposed development plan and with a very positive impact on neighboring properties.

1. The exceptions requested for the proposed three-story home of 5,187 square feet begin with an exception to the requirements for two standard off-street parking spaces.
2. The owner is then leveraging the request for compact parking spaces approval, to make additional exception requests which 1) directly impact neighboring residents' on-street parking (which is their only parking option, reducing on street parking from three spots to two spots – the staff reports fails to address this); 2) hinder access to neighboring residents' own backyards (again their only option – the staff report fails to address this), 3) impact the environment, safety and neighboring homes through the lack of required open space and property line space rear yard set back, and 4) fail to address affects to existing utilities (electric pole).
3. **The exceptions and current plans fail to meet:** 1) Requirements for Parking (planning for two compact spaces rather than the required standard spaces, and separately requesting that 8% more of the rear yard be used for parking than allowed, and also separately moving the driveway curb opening 3.17 feet to the west, meaning away from the proposed townhouse and towards neighbors' homes, towards the on-street parking and private alley, in result reducing their on-street parking and access to their homes, while lacking to address where the existing electrical pole at that current site will be moved to, 2) Requirements for Open Space (by planning for 23% less than required), 3) Requirements for Set back on the Property Line (planning for a structure 19% closer than allowed by-right, 4) Requirements for Vision Clearance (encroaching 4 square feet into the vision clearance at the corner of N. Pitt Street and Oronoco, resulting in safety risks for pedestrians and drivers, an intersection common to vehicle accidents and crossing risks).

Residents ask that you thoroughly consider the existing requirements, which we also support, and recommend to the owner that design and development plans which meet the standards of these requirements are created and submitted for review. Simple reductions in the size of the proposed townhouse by a few hundred square feet, of the proposed 5,187 sqft size, would allow for development within the existing requirements without exceptions. **Please make a recommendation to city council that the Special Use Permit #2020-00097 request and additional exceptions are NOT approved.**

Thank you,
Ashley Leichner

Please see details below for further background on this position –

- **Impact neighboring residents' on-street parking** – This block is home to residents and businesses, this block and the small surrounding neighborhood is zoned for District - 2 on-street parking. At my residential address we DO NOT HAVE OFF STREET PARKING, or any options for parking other than on the street in District 2. That is the case for a number for residents and business in the neighborhood. Two years ago, residents on this block spoke with members of this planning commission regarding the request of Chatham Square HOA in their request to reverse the DSUP conditions that restrict their eligibility for District 2 on-street parking permits. That request was again coming from owners whose developers has failed to plan for standard parking spaces, leaving owners with compact spaces which they say they were unable to fit their cars into their own garages. Again, we do not want to see an owner/developer aim to create something that again is impractical with further disruption and stress on the limited on-street parking of this area. Given that two off-street standard parking spaces are required for the development of this townhome, we already foresee that any exception will result in us again discussing also allowing for on-street parking permits and other waivers, reversals, and exceptions down the line. Please let's avoid this altogether.
- **Access to neighboring residents' own backyards and reducing on-street parking** – a request to move the driveway entrance 3.17 feet to the west, meaning away from the proposed townhouse and towards neighbors' homes will result in 1) the reduction of width of a private alley frequently used by residents for access to trash, recycling, utilities and their own backyards; 2) reducing on-street parking 3) required move of an existing electrical pole and existing brick sidewalk. The staff report fails to address these issues.
- **Impact the environment, safety and neighboring homes through the lack of required open space and property line space set back** – The current plans are requesting for a 23% reduction in open space, that should be a red flag for all members and residents. If it is common, or even allowed once, in a new development projects which requests an exception for a 23% reduction in open space, a 19% encroachment on property line set back and 4 square feet encroachment on vision clearance in order to build larger structures, then how can we be a city that is committed to an Eco-City Alexandria strategy to achieve sustainability commitment and be an environmentally, economically and socially healthy city, while very clearly overlooking the public health and safety of residents.

FW: [EXTERNAL]428 N. Pitt St. Special Use Permit Application

Margaret O. Cooper <Margaret.Cooper@alexandriava.gov>

Mon 2/1/2021 9:54 PM

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

Hi Patrick,

Here is another email we got regarding 428 N Pitt.

Maggie Cooper

Urban Planner III

Department of Planning and Zoning

City of Alexandria, Virginia

-----Original Message-----

From: Ann Horowitz <ann.horowitz@alexandriava.gov>

Sent: Sunday, January 31, 2021 5:08 PM

To: Catherine Hess <catherinehess@msn.com>; Margaret O. Cooper

<Margaret.Cooper@alexandriava.gov>; Megan Oleynik <Megan.Oleynik@alexandriava.gov>

Cc: petehirshman@msn.com

Subject: RE: [EXTERNAL]428 N. Pitt St. Special Use Permit Application

Hello Catherine,

Changes to on-street parking restrictions are accomplished separate of the Special Use Permit process. Megan Oleynik, copied on the note, from the Department of Transportation and Environmental Services can let you know how to proceed with the request.

Thank you.

Ann

-----Original Message-----

From: Catherine Hess <catherinehess@msn.com>

Sent: Saturday, January 30, 2021 10:38 AM

To: Margaret O. Cooper <Margaret.Cooper@alexandriava.gov>; Ann Horowitz

<ann.horowitz@alexandriava.gov>

Cc: petehirshman@msn.com

Subject: [EXTERNAL]428 N. Pitt St. Special Use Permit Application

Dear Ms. Cooper and Ms. Horowitz:

Peter Hirshman and I are the owners of 426 N. Pitt St., next door to the property at 428 for which a special use permit has been requested. We wanted to ask if this is the appropriate time and venue to request a change in the parking restrictions in front of the properties on N. Pitt. When we bought our house in 2007, there were a number of parking spots for residents immediately in front of our property; now there are none. One was removed to allow for better sight lines from the parking lot of some adjacent town houses further toward Princess St. Then at some point, the remaining 2-3 spaces were changed to two hour spots with no exception for residents, we presume to accommodate customers of

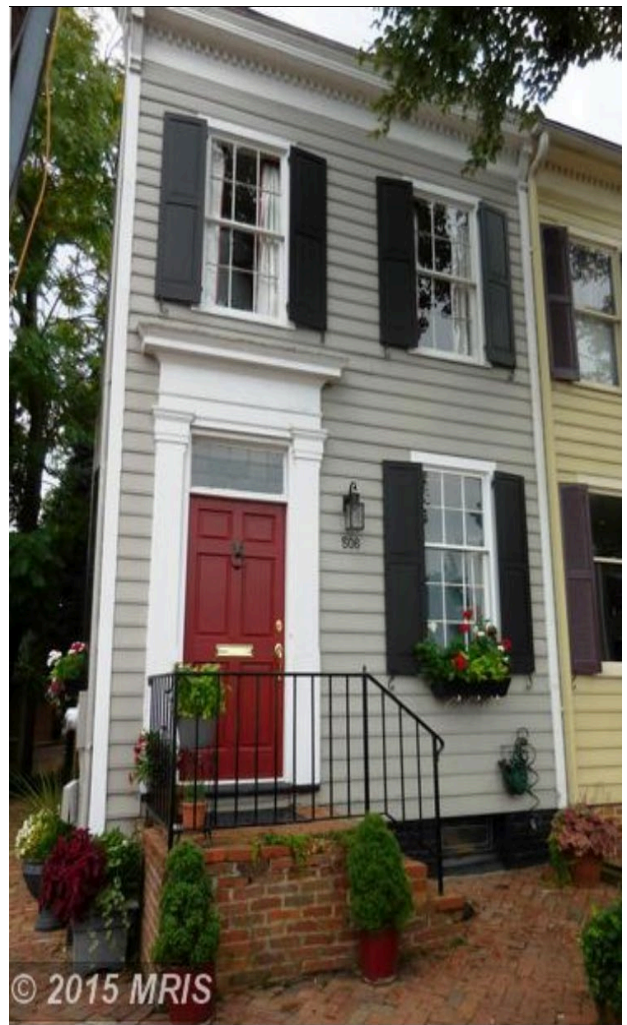
the Ginger Beef restaurant at 428. This was done without notice or input, and has inconvenenced us, especially as the parking across the street is subject to street cleaning restrictions on Tuesdays.

We appreciate any information you can provide about the status of these parking spots if the special use permit is approved, and a new townhouse constructed, likely bringing visitors needing parking beyond the two spots that will be created.

Thank you,

Catherine A. Hess
202-262-2619

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Photos of 506 Oronoco Street





CHINESE
RESTAURANT

N PITT

STOP

4-WAY

P

NO
PARKING
BETWEEN
SIGNS

TAX ASSESSMENT MAP NUMBER: 064.02-10-10
PLAT SUBJECT TO RESTRICTIONS OF RECORD
INST. #200036740
TOTAL SITE AREA = 2,160 SF OR 0.0496 AC

