

ORDINANCE NO. 3219

AN ORDINANCE to amend Section 7-6-3, Article A, Chapter 6, Title 7 of The Code of the City of Alexandria, 1981, as amended; which Title 7 relates to PLANNING AND DEVELOPMENT, which Chapter 6 relates to ZONING, which Article A relates to GENERAL PROVISIONS and which Section 7-6-3 relates to ZONE BOUNDARIES; ADOPTION OF ZONING MAPS.

WHEREAS, pursuant to due and timely notice of the time and place of hearing published in a newspaper of general circulation published in the City of Alexandria, Virginia, by mailing and by posting, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the "FIFTH REVISED ZONING MAP" described and referred to in Section 7-6-3, Article A, Chapter 6, Title 7 of The City Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended in the particulars following so that the property hereinafter described is changed to the zone specified subject to the conditions proffered by the applicant and set forth below:

All of Lot 1, City of Alexandria Real Estate Assessment Map 06.04 within the old WO&D right-of-way (the latter designated parcel 2 on Map 06.01), in the resubdivision of the Underwood property and having frontage on West Glebe Road of approximately 35.36 feet and containing 0.7162 acres (31,197 square feet), subject to certain conditions proffered by the applicant and accepted by the city, to-wit:

1. The Beverly Crest development shall consist of 10 townhouse units as described in plans for the Beverly Crest Development (700 block of West Glebe Road, Alexandria, Virginia), dated February 20, 1987, prepared by RC Fields and Associates and filed with the city by or on behalf of Brookwood Associates and/or its assigns ("Plans").

a. The above-mentioned Plans are hereby incorporated into and shall become part of this proffer. There shall be no deviation from the measurements and dimensions of these Plans except for the amendments specified in section 2 of this proffer.

b. This proffer is entered into for the purpose of obtaining changes in height

restrictions, zoning reclassification and special use permit for the development of Beverly Crest. The landowner, builder, developer, general contractor, and subcontractor (hereinafter collectively referred to as "Developer"), as well as their heirs, agents, successors and assigns shall not deviate from said Plans, including all measurements and dimensions contained therein, without the express prior written consent of the adjacent residents of Tennessee Avenue or their authorized representative (hereinafter "Residents").

2. The amendments set forth below shall supercede the provisions and descriptions found in the Plans and Landscape Plan.

a. Height of buildings. Units shall have a maximum height of 31 feet 6 inches as measured from the grade to midpoint between the eave and ridge of the roof.

b. Siding. Front and end walls shall be brick. Rear walls shall have beaded siding. Colors of rear siding and trim shall be selected by the project designer. There will be no bright colors. The color scheme shall be included in the Housing Association's documents and may not be altered by said Association.

c. Air conditioning. All air conditioning units and heat pumps shall be located at the front of all units. Air conditioning units for units 10, 9 and 8 shall be moved from their present position on the Plans to the front of said units.

d. Lighting. All site lighting shall be located in front of the units in the locations specified in the Landscaping Plan by William E. St. Clair & Associates revised as of March 14, 1987 (lights are located in front of units 3 and 4, 7 and 10). Lighting shall consist of 3 General Electric High Pressure Sodium lights (Model No. C721N715). Any additional lighting, including lighting required by the City of Alexandria, shall not be installed without the prior written consent of the Residents. Developer shall use its best efforts to ensure any and all lighting of Beverly Crest does not shine into Residents' back yards.

e. Fencing. A 6-foot fence shall be constructed along the entire south (rear) boundary along the east (left side) boundary around the 45 feet by 15 feet parcel along the north (front)

boundary and across the north (front) boundary to the end of the existing apartments.

(1) The fence along the south (rear) boundary shall have brick pillars as described in the rear boundary fence detail of said Plans and be no less than 6 feet 3 inches high, columns at 9 feet on center. Wood fence panels for this fence shall be solid panels of 6 feet high rough sawn with a 2 inch by 4 inch cap as per landscape plan. Opening between the grade and the panels to be 3 inches to allow natural drainage to flow. This fence, along the rear boundary, shall be completed prior to commencing construction on the units. If it appears that construction of said fence will significantly impair the construction of the project, then the Developer and Residents shall meet and discuss the possibility of alternative arrangements.

(2) Fencing along the remainder of the boundaries shall be no less than 6 feet high, rough sawn double faced cedar with 2 inch by 4 inch caps and 4 inch by 4 inch posts.

(3) A fence not less than 6 feet high shall be constructed between units 8 and 9. Said fence to be constructed of 6 feet high rough sawn cedar panels and be 16 feet in length so as to block any headlights from the proposed turnaround. Additional fencing, screening or gates may be installed, as appropriate, after consultation of Residents.

(4) Developer shall include in the Home Owners Association's documents language requiring the Association to use its best efforts to maintain and repair all fencing. Developer shall use its best efforts to maintain and repair all fencing prior to the Association assuming control of the project.

f. Landscaping. Developer agrees to provide at a minimum the landscaping and planting shown of the Unit Planting Plan. The developer shall:

(1) Provide screening along the southern (rear) boundary in accordance with the Unit Planting Plan.

(2) Upon mutual agreement between the Residents and the Developer, mature trees and screening shall be planted in the common area

between units 8 and 9 so as to screen out all headlights.

(3) Existing trees as detailed on the Plans and Landscape Plan, including those abutting the Beverly Crest Development, are to be protected during construction consistent with the requirements of the City of Alexandria.

g. Drainage. All drainage systems shall comply with all relevant codes. The Developer will ensure that water run off and drainage of abutting properties will not be impaired. Developer will correct and repair any damage caused by drainage problems.

h. Miscellaneous prohibitions. Developer shall include in the Home Owners Association's documents provisions prohibiting all outdoor antennas and satellite dishes. The documents shall also include prohibitions against the construction of sheds, common trash containers, and/or storage facilities of any kind on the property. All areas between the units and the Residents' back yards shall remain free of materials such as boats, trailers, and automobiles.

3. The applicants for the rezoning have agreed to the above-stated proffers. Developer, while in legal control of the project, will use its best efforts to ensure that the project and all matters relating to the Beverly Crest project and the apartment building shall promote the residential use of the surrounding area.

4. Work hours. Developer shall be allowed to work on site from 7:00 a.m. until 6:00 p.m. weekdays. On Saturday, the Developer may work on site from 9:00 a.m. to 5:00 p.m. The Developer will not work on site on Sundays. Developer may be allowed to work at other times with the express consent of the Residents.

FROM: RA residence and R-8 residence
TO: RB residence, with proffers

Section 2. Copies of any matter incorporated in this ordinance by reference, including but not limited to the "FIFTH REVISED ZONING MAP," as amended, and any other map referred to in this ordinance, may be examined in the city hall of the City of Alexandria, Virginia, at the citizens assistance office, room 1900, at the city clerk's office, room 2300, at the information desk in the main lobby of the King Street entrance to city hall,

and also at the department of planning and community development, room 2100, phone 838-4666.

Section 3. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective on the date of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: June 13, 1987