

ORDINANCE NO. 3474

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

WHEREAS, Lawrence M. Stevens ("Applicant") has filed for the rezoning of the property described below;

WHEREAS, pursuant to due and timely notice provided by publication in a newspaper of general circulation in the City of Alexandria, by mailing and by posting, public hearings have been held before the Planning Commission and the Council of the City of Alexandria on the rezoning of the property described below, at which hearings parties in interest and citizens have had an opportunity to be heard; and

WHEREAS, the Council of the City of Alexandria has determined that the rezoning of the property described below is in the public interest; and

WHEREAS, Applicant has proffered certain conditions, hereinafter stated, to which the requested rezoning shall hereafter be subject; 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 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by changing, in the manner set forth below, the zoning of the property hereafter described:

Lot 5, Block 1, City Tax Assessment Map 60.04, known as 3681 Wheeler Avenue, having 416.65 feet of frontage on Wheeler Avenue, containing approximately 37,026 square feet (0.85 acre) of land area; as shown on the sketch marked RZ #90-1, dated May 1, 1990, attached hereto and incorporated herein by reference.

FROM: R-8 Residential zone
TO: I-1 Industrial/PUD zone, with proffer

Section 2. That the rezoning of the property described in Section 1 of this ordinance is forever subject to and conditioned upon the proffer, voluntarily offered by the Applicant and accepted by city council, that:

1. The texture of the exposed portion of the building's north wall shall be the same as the front and side walls of the building, with the preferred material being red brick.
2. Any mechanical equipment shall be located within the building, and shall not be exposed and placed on the roof, except as may be required by City Code.
3. The site plan application for this property shall be preceded by an application for the vacation of the public right-of-way located between Wheeler Avenue and the Applicant's property line, so that a decision on the vacation request shall be made either prior to or roughly simultaneously with any site plan approval. Such application shall include at a minimum all of the property's frontage on Wheeler Avenue from the western end of the property to the eastern end of the proposed parking area. In making this proffer, the Applicant does not intend that approval of a site plan be contingent upon the granting of a vacation, but rather that such application for a vacation be pursued in good faith.
4. If the vacation (described above in Section 3) is granted, the building proposed in the conceptual plan dated June 12, 1990, the original of which is contained in rezoning file RZ #90-1 in the office of the Director of Planning and Community Development, and which plan is incorporated herein by reference, shall not be expanded in size, and shall be moved as close to Wheeler Avenue as possible, taking into consideration the potential landscaping along Wheeler Avenue, the possible need for space for cars turning off of Wheeler Avenue onto the property, parking requirements, and other relevant factors that might create difficult problems or prohibitive costs in the development of the property.
5. If the vacation (described above in Section 3) is granted, the northern side of the building and retaining wall proposed in the said conceptual plan dated June 12, 1990, shall be set back at least 45 feet from the property line of the property to the north. If the vacation described above is not granted, the northern side of the building and the retaining wall proposed in the conceptual plan shall be set back at least 30 feet from the property line of the property to the north.
6. The building shall be located on the west portion of the property, with parking and undeveloped areas to the east. Neither the building plan, nor the parking plan, shall extend substantially farther eastward

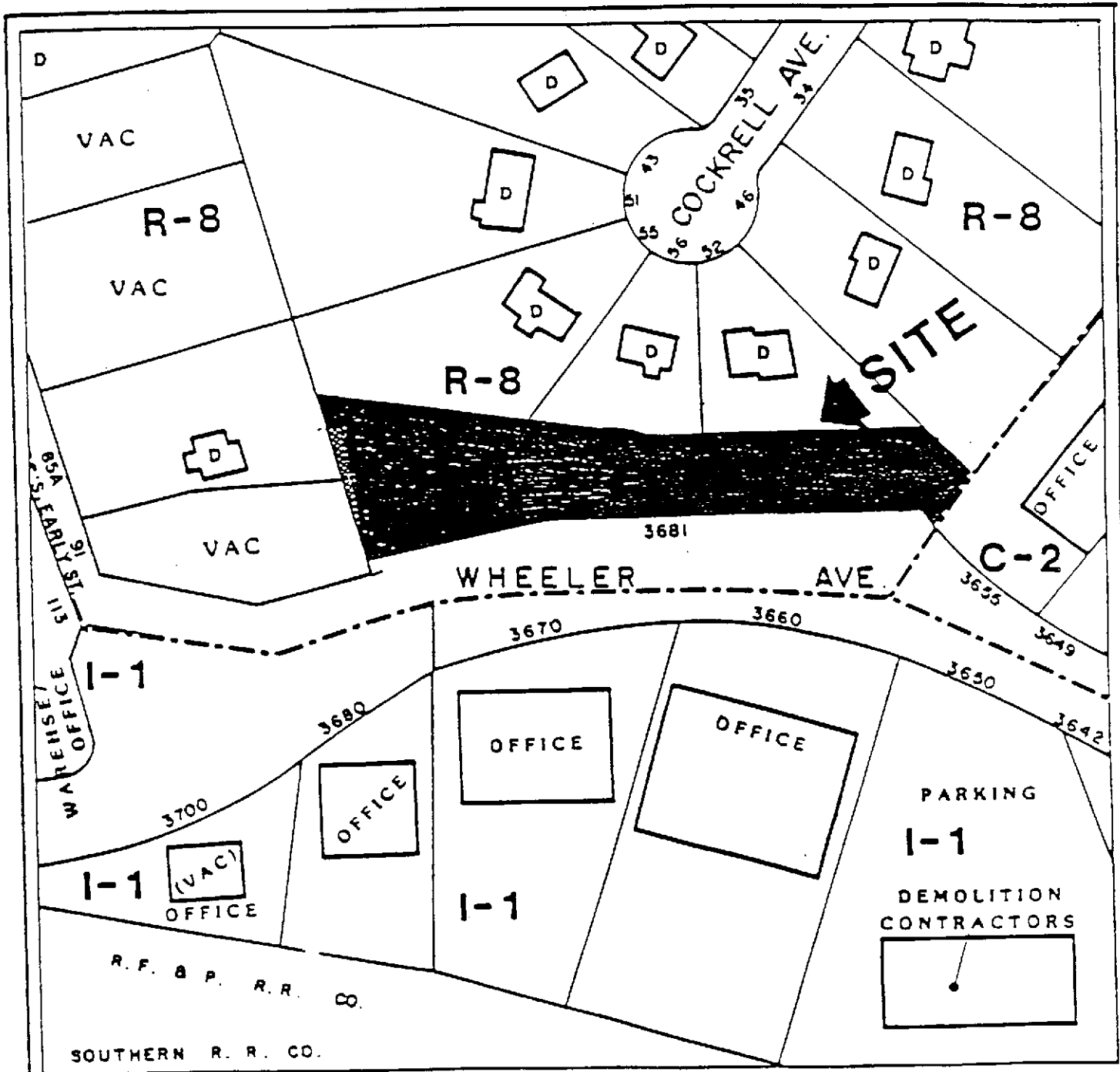
than as represented on the June 12, 1990, conceptual plan. Areas marked unimproved shall not be developed.

7. The site plan for this property shall be substantially similar to the June 12, 1990, conceptual plan, as modified by these proffers.
8. The site plan, including landscaping and screening, for the development of this property must meet with the approval of the Planning Staff.
9. All existing trees within all specified setback areas shall be protected during construction to the satisfaction of the City Arborist.
10. Before the approval of any building plans by the city and before the beginning of any construction, the soil of the site shall be thoroughly tested to determine that it is suitable for the proposed construction, pursuant to the City Code.
11. The Applicant agrees that these proffers should run with the land and be binding on the Applicant and all successors in interest. If any future master plan or zoning map should extinguish these proffers, the Applicant agrees to support the incorporation of all these proffers in any such future master plan or zoning map.
12. All proffers shall remain and convey with the property if the I-1 zoning on the property changes to CSL, unless the CSL is more restrictive, in which case the more restrictive conditions shall apply.

Section 3. That this ordinance shall be effective upon the date and at the time of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: October 13, 1990



RZ #90-1

5/1/90

