

Ordinance No. 810

AN ORDINANCE adopting a Community Unit Plan for a parcel of land containing 119.27 acres, more or less, located in the City of Alexandria, Virginia, now or formerly known as the lands of J. W. BALDWIN, W. B. ROMAINE, J. B. HUTT, JR., J. B. HUTT, SR., R. J. FLEMMING and C. M. RANDOLPH, authorizing the issuance of building permits and certificates of occupancy therefor, setting forth the details and requirements of the Community Unit Plan, and providing penalties for violation; all by virtue of the provisions of Section 35-44 through Section 35-55, inclusive, Article VIII, Chapter 35, of the Code of the City of Alexandria, Virginia, 1953, as amended.

WHEREAS, a Community Unit Plan has been submitted for consideration by the City, the City Planning Commission has made a report to the City Council concerning said Community Unit Plan, and public hearings have been held in relation thereto, at which hearings parties in interest and citizens had an opportunity to be heard.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

1. That a Community Unit Plan for a parcel of land containing 119.27 acres, more or less, located in the City of Alexandria, Virginia, bounded on the south by Holmes Run, on the west by the Shirley Memorial Highway, on the north by the extension of a road known as Polk Avenue, and on the east by the extension of North Pegram Street, and being that land now or formerly known as the lands of J. W. BALDWIN, W. B. ROMAINE, J. B. HUTT, JR., J. B. HUTT, SR., R. J. FLEMMING and C. M. RANDOLPH, comprised of apartment units, detached single family units, and uses allowed in the "C-1 Commercial Zone," with an average lot area per family, exclusive of the area occupied by streets and alleys, of not less than the weighted average of the lot areas per family as specified in Article III, Chapter 35, of the Code of the City of Alexandria, Virginia, 1953, as amended, for the zones which are included in the area comprising the Community Unit Plan, and with a floor area ratio of all buildings on the site not greater than the weighted average of the floor area ratios specified in Article III, Chapter 35, of the Code of the City of Alexandria, Virginia, 1953, as amended, for the zones which are included in the area comprising the Community Unit Plan, be, and the same hereby is, adopted and authorized as shown on a preliminary plan of "COMMUNITY UNIT PLAN, BROOKVILLE, ALEXANDRIA, VIRGINIA," dated December 2, 1953, and The Architectural and Building Construction Plans for apartments, dated March 23, 1953, The Architectural and Building Construction Plans for single family houses, dated December 2, 1952, as amended January 7, 1954, and The Architectural and Building Construction Plans for "C-1 Commercial Zone" uses, dated November 5, 1953, which plans are on file in the office of the Planning Commission, which plans are hereby made a part of this ordinance, and which said plans and all notations, appendages, references and other data shown thereon are by this reference made a part hereof to the same extent as if the information set forth on said plans were fully described and incorporated herein.

2. That the issuance of building permits and certificates of occupancy for the use of said land and the building of, location of, and use of structures thereon is hereby authorized, provided first: That all the details of the plans as hereinabove set forth are followed by the pro-

ponent of said Community Unit Plan and his heirs, successors or assigns, that all conditions, regulations or requirements hereinafter set forth are followed, and all other pertinent ordinances and laws, including but not limited to the Building Code, Electrical Code, Fire Prevention Code, Plumbing Code, Health Code, and the Code of the City of Alexandria, Virginia, 1953, as amended, are complied with.

3. That, except as hereinafter expressly provided for as to the main parkway road and a bridge, the cost of any or all public improvements required by the City of Alexandria, Virginia, for said Community Unit Plan, including but not limited to curb and gutter, sidewalks, street paving, alley paving, driveway entrances, border and service roads, median strips, sanitary sewers, storm sewers, and all grading incident to the above, be borne by the developer or his heirs, successors or assigns, and that satisfactory guaranty of payment for such cost in each section thereof be submitted to the City Manager prior to the issuance of building permits. The City shall have sole and final determination as to what improvements are required.

The City will pay, at such time as it is done, for the paving and grading of the main parkway road going through the southern portion of said Community Unit Plan, and which is located to the south of the south side of the median strip separating the main parkway road from the border road.

4. That the final plats of said subdivision of said Community Unit Plan be approved by the City Planning Commission, pursuant to Sections 29-14, 29-16 and 29-17, Article II, Chapter 29, of the Code of the City of Alexandria, Virginia, 1953, as amended.

5. Public utility easements shall be provided along all rear lot lines subject to the approval of the Director of Public Works.

6. That the names of all streets in the Community Unit Plan shall be designated pursuant to Article III, Chapter 28, of the Code of the City of Alexandria, Virginia, 1953, as amended.

7. That the tot lots and other recreation areas shown on the Community Unit Plan submitted as reserved by the developer, be so outlined on the final plats of subdivision; and that said tot lots and recreation areas be equipped and maintained by the developer and, where those areas abut thoroughfares, that a safety fence of suitable material be constructed along the street lines.

8. That the parking courts shown on said Community Unit Plan be held in ownership by the developer and his heirs, assigns and successors, and be surfaced and maintained by them so as to be of use to parkers pursuant to and under the conditions prescribed by the Director of Public Works and the Director of Traffic.

9. That the 14.54 acres of land shown on the Community Unit Plan as reserved for a school site, but which has not been dedicated, shall stay reserved for a public school site until July 1, 1955, or until such time as that portion of the Community Unit Plan may be amended, as hereinafter provided, whichever event first occurs. The City of Alexandria, Virginia, and/or the School Board of the City, shall have the right to purchase or enter into a contract for the purchase of said acreage at any time prior to July 1, 1955, provided that the settlement date under any such contract shall be on or before December 31, 1955. The price of such purchase shall not exceed the sum of \$3,500.00 per acre, plus such interest on the first trust and taxes as may become due and payable on said 14.54 acres for the period between July 1, 1955, and settlement date.

If the 14.54 acres of land so reserved is not purchased or under

contract of purchase for a school site, or if the Community Unit Plan for said acreage is not amended, by July 1, 1955, then the said 14.54 acres as shown on the Community Unit Plan shall be free and clear of the Community Unit Plan and shall be considered and treated as zoned "R-20," effective July 1, 1955.

10. That minor structural modifications in any building designated on said Community Unit Plan may be permitted by unanimous approval of the Director of Planning, the Director of Public Works, and the Director of Construction and Inspections, in cases where, due to soil conditions and the like, strict adherence to the construction plans would cause undue hardship on the developer or would cause the erection of a building not in conformity with good construction practice.

11. That the proponent of said Community Unit Plan, or his successors or assigns, shall have fully complied with all of the requirements hereinbefore mentioned and shall have completed footings on 40% of the buildings in said project within twelve (12) months' time from the date of the final passage of this ordinance or said Community Unit Plan shall be null and void and all permits issued to said proponent, or his successors or assigns, shall be revoked and no further permits shall be issued, and the land contained in said plan shall be considered free of said Community Unit Plan.

12. That a true copy of this ordinance, signed by the Mayor, attested to by the Clerk of the Council, with the official seal of the City of Alexandria, Virginia, affixed thereon, together with a true copy of the preliminary plan of "COMMUNITY UNIT PLAN, BROOKVILLE, ALEXANDRIA, VIRGINIA," dated December 2, 1953, and The Architectural and Building Construction Plans for apartments, dated March 23, 1953, The Architectural and Building Construction Plans for single family houses, dated December 2, 1952, as amended January 7, 1954, and The Architectural and Building Construction Plans for "C-1 Commercial Zone" uses, dated November 5, 1953, and all notations, appendages, references and other data shown thereon, signed by the City Director of Planning, be filed in the office of the said Director of Planning and made available for inspection by the public.

13. That no amendment to said Community Unit Plan be made without again applying to the Director of Planning and following the procedure set forth in Article VIII, Chapter 35, of the Code of the City of Alexandria, Virginia, 1953, as amended.

14. Any person violating any of the provisions of this ordinance shall, upon conviction, if the offense be not wilful, be punished by a fine of not less than \$10.00 nor more than \$100.00, and if the offense be wilful, by a fine of not more than \$250.00, and in every case \$10.00 for each day after the first day that such violation shall continue. Violations of the provisions of this ordinance may also be restrained, prohibited or enjoined by appropriate action.

15. That this ordinance shall be published in a newspaper of general circulation 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 Clerk of the Council 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 the date of its final passage.

MARSHALL J. BEVERLEY
Mayor

Final Passage: February 23, 1954