

EXHIBIT NO. 1

12
9-15-07

Docket Item #11
DEVELOPMENT SPECIAL USE PERMIT #2007-0021
VIRGINIA THEOLOGICAL SEMINARY

Planning Commission Meeting
September 6, 2007

REQUEST: Consideration of a request for a time extension of a previously approved development special use permit, with site plan to construct faculty housing.

APPLICANT: The Protestant Episcopal Theological Seminary in Virginia, Inc.
by Duncan Blair, attorney

LOCATION: 3737 Seminary Road

ZONE: R-20/Residential

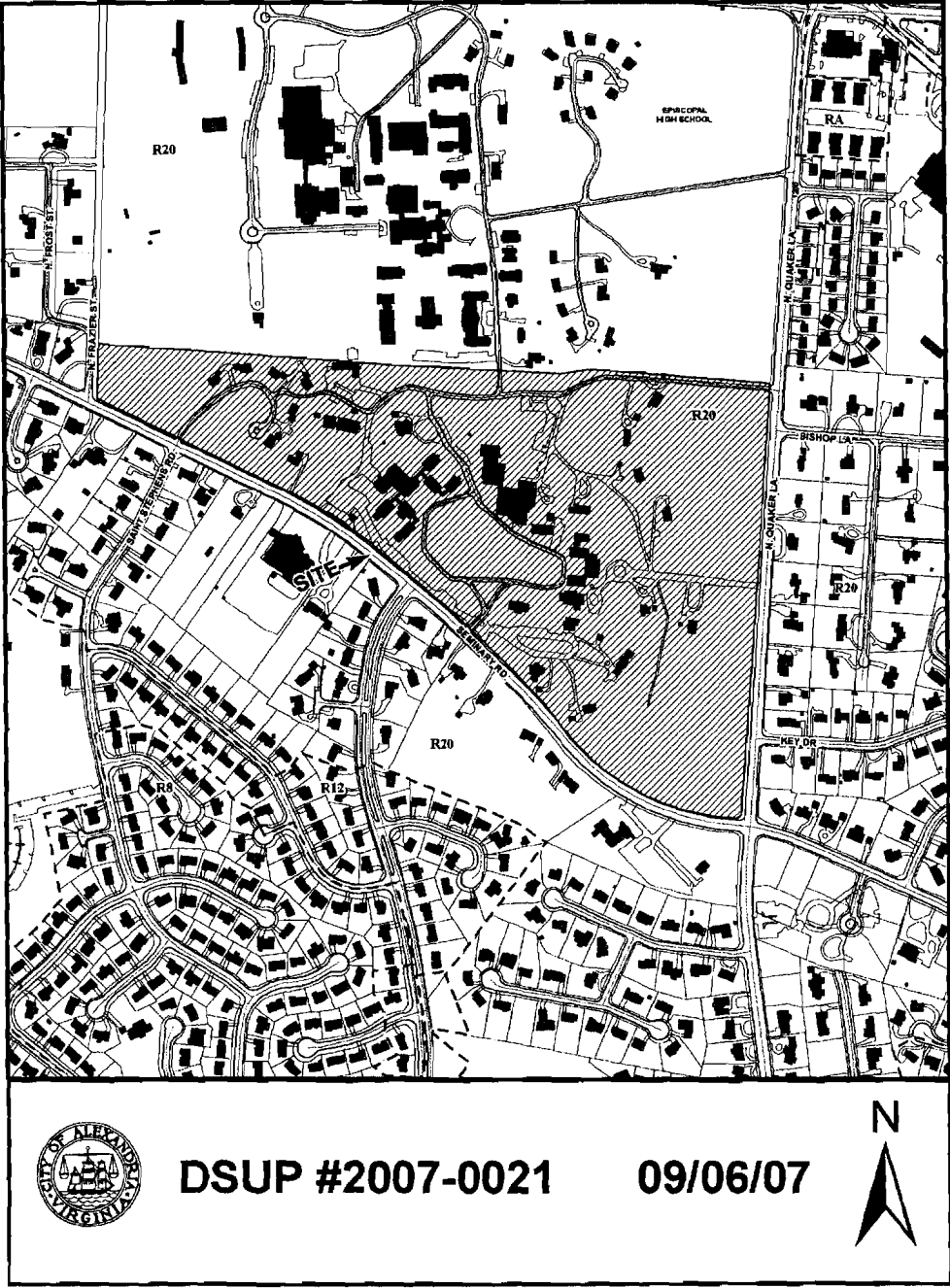
PLANNING COMMISSION ACTION, SEPTEMBER 6, 2007: On a motion by Mr. Dunn, seconded by Mr. Jennings, the Planning Commission voted to recommend approval of DSUP #2007-0021, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 0. Ms. Lyman was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Julie Crenshaw Van Fleet, 26 Wolfe Street, spoke in support of the request, but suggested that 18 months would not be long enough to review and implement green building features into the building design. She recommended the Planning Commission increase the extension to 24 months.

Duncan Blair, attorney, representing the applicant.



I. OVERVIEW

The applicant requests a five year extension of an approved development special use permit with a site plan to construct the remaining two (2) faculty dwellings of the four (4) faculty dwellings approved by DSUP 2003-0030. The first two dwellings have been constructed and are now occupied. The applicant has stated they will not be able to begin construction on the last two units within 36 months from the date of Council approval as required by DSUP 2003-0030.

II. STAFF ANALYSIS

Prior to 1992, seminaries were permitted uses in the R-20 zone. However, under the current Zoning Ordinance, seminaries are only permitted through a special use permit, thus making this use a non-complying use. Per Section 12-302, the expansion of a non-conforming use may be permitted through a special use permit.

In June 2004, the City Council approved a request for a special use permit (DSUP #2003-0030) to construct two semi-detached units for a total of four dwelling units for faculty housing. These houses were to be constructed in the northwestern portion of the site between Seminary Road and N. Frazier Street. The applicant constructed one of the two semi-detached buildings, which has been occupied since 2005. A building permit for the second semi-detached unit has not been applied for, thus necessitating the extension to the special use permit.

Per Section 11-418(A), site plan approval expires if construction is not diligently pursued within eighteen months of approval or if there is an interruption in construction activity for more than 12 consecutive months. The last construction activity at this site was December 2005, meaning the site plan approval would

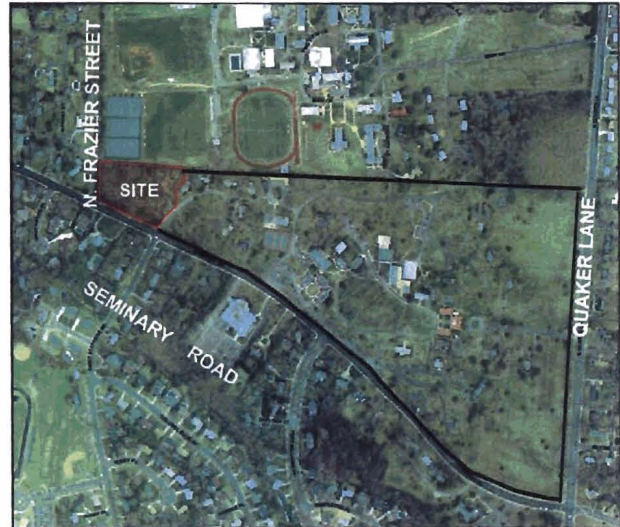


Figure 1: Aerial



Figure 3: Site Plan



Figure 2: Occupied Semi-detached Unit

have expired December 2006 since no further activity occurred. However, condition #14 of DSUP 2003-0030 states “the approval of the development special use permit shall be valid for a maximum period of 36 months from the date of approval by City Council”, which extended the validity of the approval until June 12, 2007. The applicant submitted the application for an extension to the special use permit on June 6, 2007 and is requesting a 5 year extension to the approval. At this time the additional faculty housing is not needed and the funding for construction of the building is not available. The school anticipates needing the additional faculty housing within the next few years, at which point they will move forward with budgeting for construction.

While staff supports the proposed extension, staff does not support a five year extension. Staff is recommending an eighteen month extension, which is consistent with other requests for extensions. Staff has also recommended three new conditions that are standard among recent projects. These conditions include (1) requiring the second building to be Earthcraft certified or comply with a green building policy if the City has adopted one at the time the building permit is applied for, (2) providing a height certification prior to issuance of an occupancy permit, and (3) providing updated As-Built plans for Phase 1 showing compliance with all applicable conditions and staff comments.

III. CONCLUSION

Staff recommends **approval** of the applicant’s request for an extension to DSUP #2003-0030, subject to Staff Recommendations below. However, rather than the five year extension requested by the applicant, staff recommends an extension of eighteen months be granted.

STAFF: Faroll Hamer, Director, Planning & Zoning;
Jeffrey Farner, Chief, Development; and
Katie Parker, Urban Planner.

IV. STAFF RECOMMENDATION

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

I. Landscaping - Open Space - Tree Protection:

1. The open space area located along Seminary Road shall remain open as depicted on the site plan, including a prohibition against the construction or placement of structures or accessory structures including but not limited to, buildings, structures and fencing. (P&Z) (RP&CA) (DSUP 2003-0030)
2. All trees shown on the site plan as to be retained shall be retained except as may be necessary for the prevention or treatment of disease, the removal of dead or damaged trees or other good husbandry practices and after consultation with the City of Alexandria Arborist and the Department of Planning & Zoning. (P&Z) (DSUP 2003-0030)
3. All underground utilities shall be routed so as to avoid trees designated to be retained on the site. Underground utilities located within the drip-line of trees designated to be preserved shall be installed by boring beneath the tree protection area. (P&Z) (DSUP 2003-0030)
4. A tree preservation plan shall be prepared by a certified arborist or other horticultural professional with a demonstrated expertise in tree preservation. The tree preservation plan shall be submitted with the submission of the final site plan. The applicant shall perform all necessary enhancements for the street trees such as watering/fertilizer, etc., that are required by the tree preservation plan prior to construction/grading of the site. The tree protection plan shall be provided for the existing trees shown in areas as outside the "limits of disturbance" to the satisfaction of the Director of P&Z and the City Arborist. A plan for tree protection shall be approved by the City Arborist and included in the final approved site plan and at a minimum shall include the following:
 - a. Tree protection for any protected tree shall be constructed of 4"x 4" wooden vertical posts installed in the ground 8' on center with 1"x 6" wooden battens mounted between them. Temporary plastic fencing may be used to define other limits of clearing. All tree protection must be shown on the final site plan, and is to be installed prior to any clearing, excavation or construction on the site. The developer must call the City Arborist for a review of the installed tree protection following its installation.
 - b. The area of limits of disturbance and clearing for the site shall be limited to the areas of disturbance and clearing as generally depicted on the site plan dated March 30, 2004.
 - c. No construction materials or equipment shall be stored or staged within the drip lines of trees designated for protection.
 - d. A note identifying these restrictions shall be provided on the Site Plan Cover, Erosion Sediment Control and Landscape Plan sheets. (P&Z) (RP&CA) (DSUP 2003-0030)

5. A final landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RC&PA. At a minimum the plan shall provide the level and quality of landscaping depicted on the preliminary landscape plan and the plan shall be revised to also provide:
 - a. An additional 10-15 native evergreen and deciduous trees shall be provided around the stormwater retention ponds. The deciduous trees shall be a minimum of 2.5-3" caliper and the evergreen trees shall be a minimum of 8 ft. tall at the time of installation.
 - b. Native species plantings shall be provided within the detention ponds to appear as natural depressions in the woodland area
 - c. The area of tree protection shall be increased for the two 16" caliper oak trees and the 10" caliper oak tree on the southern portion of unit # 1.
 - d. The two stormwater retention ponds shall be designed as gradual naturalistic swales with internal plantings surrounding the two stormwater retention ponds.
 - e. All landscaping shall be maintained in good condition and replaced as needed.
 - f. All plant materials and specifications shall be in accordance with the current and most up to date edition of the American Standard For Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C. (P&Z) (RP&CA) (DSUP 2003-0030)

II. Streets - Utility and Infrastructure:

6. Porous pavers or comparable porous paving materials shall be installed for the length of the proposed driveways to the satisfaction of the Director of Planning & Zoning. (P&Z) (PC) (DSUP 2003-0030)

III. Building and Design Conditions:

7. The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations dated January 15, 2004. In addition, the applicant shall provide additional refinements to the satisfaction of the Director of Planning and Zoning that shall at a minimum include:
 - a. The materials of the units shall be limited to brick, stone, wood or cementitious siding.
 - b. For all of the units, the width of shutters needs to equal half the width of the adjacent window.
 - c. Color architectural elevations (front, side and rear) shall be submitted with the final site plan. Each elevation shall indicate average finished grade. (P&Z) (DSUP 2003-0030)
8. **(NEW CONDITION PROPOSED BY STAFF)** The second semi-detached building shall incorporate green building technologies to be Earthcraft certified or a comparable certification method to the satisfaction of the Director of P&Z. If a green building policy and/or guideline is in effect at the time a building permit is submitted to the City for the second semi-detached unit, the building shall comply with this policy. (P&Z)

9. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes. (Police) (DSUP 2003-0030)

IV. Site Plan:

10. The existing chain link fencing located along the frontages of North Frazier Street and Seminary Road shall be removed. (P&Z) (DSUP 2003-0030)
11. Front yard fences shall be limited to a maximum height of 3.5 ft. and shall be limited to a decorative open style wood painted or stained fences to the satisfaction of the Director of P&Z. Fences shall be prohibited within the open space and tree retention area. A detail of all fences shall be provided on the final site plan. (P&Z) (DSUP 2003-0030)
12. The existing composting/storage of wood waste materials at the site shall be removed and no future composting/storage of waste materials shall be permitted on-site. (P&Z) (DSUP 2003-0030)
13. Show all utility structures, including transformers, on the final development plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or property. When such a location is not feasible, such structures shall be located and screened to the satisfaction of the Director of P&Z. (P&Z) (T&ES) (DSUP 2003-0030)
14. **(CONDITION AMENDED BY STAFF)** The approval of the development special use permit shall be extended and valid for a maximum period of ~~36 months~~ 18 months from the date of approval by City Council. (P&Z) (~~DSUP 2003-0030~~)
15. The final site plan shall include a zoning tabulation that clearly depicts the permitted and proposed net/gross floor areas and height and all other applicable zoning requirements for the faculty housing units. This information sheet shall also be attached to all building permits. (P&Z) (DSUP 2003-0030)
16. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z) (DSUP 2003-0030)
17. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with adjacent homeowners to review the hauling routes, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z) (DSUP 2003-0030)

18. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, whose property abuts the site, and to the Directors of P&Z and T&ES. (P&Z) (DSUP 2003-0030)
19. **(CONDITION AMENDED BY STAFF)** The applicant shall submit a building location survey to Planning staff prior to applying for a certificate of occupancy permit for each unit. The applicant shall submit the final "as-built" site plan for the entire project prior to applying for a certificate of occupancy permit for the last dwelling unit. The applicant shall also submit a certification of height for the building as part of the certificate of occupancy for each building(s). The certification shall be prepared and sealed by a registered architect and shall state that the height of the building complies with the height permitted pursuant to the approved development site plan and that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z) (DSUP 2003-0030)
20. **(NEW CONDITION PROPOSED BY STAFF)** Within three months of approval of this extension, the applicant shall provide updated As-Built plans for the first semi-detached building to the City showing compliance with all applicable conditions and staff comments. (P&Z) (RP&CA)
21. All driveway entrances and sidewalks in public ROW or abutting public ROW shall meet City standards. (T&ES) (DSUP 2003-0030)
22. Provide the size, computations and profiles of the driveway culverts. (T&ES) (DSUP 2003-0030)
23. Provide a pavement section for the pedestrian pathway. (T&ES) (DSUP 2003-0030)
24. Show all existing and proposed easements, both public and private. (T&ES) (DSUP 2003-0030)
25. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES) (DSUP 2003-0030)
26. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES) (DSUP 2003-0030)
27. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES) (DSUP 2003-0030)
28. All private street signs that intersect a public street shall be marked with a fluorescent green strip to notify the plowing crews, (both City and contractor), that they are not to plow those streets. (T&ES) (DSUP 2003-0030)

29. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES) (DSUP 2003-0030)
30. Any additional landscaping on North Frazier shall be low-growing plants and kept trimmed to maximum 42 inch height. (T&ES) (DSUP 2003-0030)
31. The applicant shall contribute up to \$2,500 toward the cost for installation of pedestrian signalization at the intersection of Seminary Road/St. Stephens Road/Private Access Road. (T&ES)(PC) (DSUP 2003-0030)
32. Provide pedestrian connections from the residential units to the private and public streets and pedestrian pathway. (T&ES) (DSUP 2003-0030)
33. Show roof drain locations and flow path to detention area on plans. Roof drains discharging on the surface shall be designed to be non-erosive along the entire surface flow path and shall discharge into the appropriate stormwater management detention area. Provide computations showing the flows are non-erosive. (T&ES) (DSUP 2003-0030)
34. Revise stormwater runoff calculations to use a Time of concentration (Tc) of 5 minutes. (T&ES) (DSUP 2003-0030)
35. The grading around the proposed detention areas are shown incorrectly. Show grading accurately on final plan. (T&ES) (DSUP 2003-0030)
36. Provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES) (DSUP 2003-0030)

V. Environmental:

37. Developer to comply with the peak flow requirements of Article XIII of AZO. Ensure that all impervious site area and roof drains will drain to the stormwater detention facilities. (T&ES) (DSUP 2003-0030)
38. Solid waste services shall be provided by the City. All refuse/recycling must be placed at the City right-of-way. (T&ES) (DSUP 2003-0030)
39. Show existing and proposed street lights and site lights. Provide lighting along the trail. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. (T&ES) (DSUP 2003-0030)
40. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable,

the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES) (DSUP 2003-0030)

41. Provide a narrative describing how the project will comply with the stormwater quantity and quality requirements of Article XIII of the Zoning Ordinance. (T&ES) (DSUP 2003-0030)
42. Provide pre and post development, two and ten year storm water computations for the entire site. (T&ES) (DSUP 2003-0030)
43. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES) (DSUP 2003-0030)
44. The stormwater collection system is part of the Strawberry Run watershed. All on-site stormwater curb inlets and public curb inlets within 50 feet of the property line shall be duly marked to the satisfaction of the Director of T&ES. (T&ES) (DSUP 2003-0030)
45. Provide a drainage map for the area flowing to the chosen stormwater Best Management Practices (BMPs), including topographic information and storm drains. (T&ES) (DSUP 2003-0030)
46. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES) (DSUP 2003-0030)
47. The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (T&ES) (DSUP 2003-0030)
48. For any surface-installed stormwater Best Management Practice (BMP), i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of T&ES. (T&ES) (DSUP 2003-0030)
49. Prior to approval of the final site plan, and as reviewed as part of the second final, the applicant shall execute, submit and appropriately record in the land records, a maintenance agreement with the City for the Stormwater Quality Best Management Practices (BMPs). (T&ES) (DSUP 2003-0030)

50. Prior to release of the performance bond, the applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that the existing stormwater management facility adjacent to the project and associated conveyance systems were not adversely affected by the construction and that they are functioning as designed and are in a condition similar to prior to construction began. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance performed. (T&ES) (DSUP 2003-0030)
51. The applicant shall furnish the owners with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media. (T&ES) (DSUP 2003-0030)
52. Plan does not indicate whether or not there are any known soil and groundwater contamination as required with all preliminary submissions. Should any unanticipated contamination or underground storage tanks, drums and containers are encountered at the site the applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES) (DSUP 2003-0030)
53. If fireplaces are to be included in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES) (DSUP 2003-0030)
54. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws. (T&ES) (DSUP 2003-0030)
55. All archaeological work will be carried out in accordance with the *City of Alexandria Archaeological Standards* and is subject to the approval of the City Archaeologist. (Archaeology) (DSUP 2003-0030)
56. The applicant should not allow any other metal detection to be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology) (DSUP 2003-0030)

Special use permits and modifications requested by the applicant and recommended by staff:

1. Special use permit for expansion and intensification of an institutional use in the R-20 zone.
2. Modification to required front yard set back.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Planning and Zoning:

- F-1 Correct each reference of faculty housing as **duplexes to semi-detached units** on pages 1, 4, 5, and 6 or simply state as faculty housing.

Transportation and Environmental Services:

- C-1 Bond for the public improvements must be posted prior to release of the plan.
- C-2 The sewer tap fee must be paid prior to release of the plan.
- C-3 All easements and/or dedications must be recorded prior to release of the plan.
- C-4 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C-5 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-6 All utilities serving this site to be underground.
- C-7 Provide site lighting plan to meet minimum city standards.
- C-8 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-9 The applicant must comply with the Article XIII of the City's zoning ordinance, which includes requirements for stormwater pollutant load reductions, treatment of the water quality volume default, and stormwater quantity management.
- C-10 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.
- C-11 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the new state requirement for a VPDES permit for all construction activities greater than 1 acre.

Recreation, Parks & Cultural Activities:

- F-1 Submitted proposal includes the previously approved plans (DSUP2003-0030).
- F-2 The as-built inspection for “Phase I” of this project found removed trees and trees not planted to required specifications.
- R-1 Applicant shall submit updated plans showing the current existing conditions for the site, including the portion of the site developed under the previous approval.
- R-2 All landscape requirements should be met and all as-built #1 comments must be addressed.

Code Enforcement:

- C-1 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to porches with roofs and skylights within setback distance.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-6 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-7 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.
- C-8 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1.

Health Department:

F-1 No comments

Police Department:

R-1 As stated on page 1 of the blueprints, the applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes.

Historic Alexandria (Archaeology):

- F-1 The Virginia Theological Seminary is a significant historic property which was occupied by Union soldiers during the Civil War. There were numerous military encampments in the vicinity, and the area slated for the development of the faculty housing thus has potential to yield archaeological resources which could provide insight into the soldiers' lives and activities.
- C-1 To insure that significant information is not lost as a result of the current development project, the applicant must hire an archaeological consultant to conduct documentary research and an archaeological investigation, including a metal detection survey, for an Archaeological Evaluation. Upon request, Alexandria Archaeology will prepare a scope of work for this investigation. If significant resources are discovered, the consultant must complete a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented.
- C-2 All archaeological preservation measures must be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
- C-3 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-4 The General Notes of the Preliminary and Final Site Plans must include the statements in C-2 and C-3 above so that on-site contractors are aware of the requirements. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.
- C-5 Certificates of Occupancy will not be issued for this property until the final archaeological report has been received and approved by the City Archaeologist.

- C-6 The developer will erect a historic marker on the property according to specifications provided by Alexandria Archaeology, and agreed to in concurrence with the Directors of the Office of Historic Alexandria and Recreation, Parks and Cultural Activities . The marker will highlight the historical and archaeological significance of the property.
- C-7 If warranted by the City Archaeologist, the developer will produce a booklet for the public on the history and archaeology of the property, according to specifications provided by Alexandria Archaeology.

Virginia American Water Company:

1. Hydraulic calculations will be completed to verify the main sizes upon final submittal of the site plan. Profiles will be required for hydraulic calculations.
2. On sheet 4 of 7, please change the “Utility Ownership Note” to reflect the following for Water:
 - VAWC owns the existing water main in N. Frazier St.
 - The existing water main in the Private Access Road is privately owned.
 - VAWC does not own or maintain any fire hydrants in the City of Alexandria.

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2007-0021

PROJECT NAME: **Faculty Housing – Virginia Theological Seminary**

PROPERTY LOCATION: **3737 Seminary Road, Alexandria, Virginia**

TAX MAP REFERENCE: **40.001 03 01**

ZONE: **R-20**

APPLICANT NAME: **The Protestant Episcopal Theological Seminary in Virginia, Inc.,
a Virginia nonstock corporation**

ADDRESS: **3737 Seminary Road
Alexandria, Virginia 22314**

PROPERTY OWNER NAME: **The Protestant Episcopal Theological Seminary in Virginia, Inc.,
a Virginia nonstock corporation**

ADDRESS: **3737 Seminary Road
Alexandria, Virginia 22314**

SUMMARY OF PROPOSAL: **Request for extension of the validity of SUP 2003-0030.**

MODIFICATIONS REQUESTED: **NONE.**

SUP's REQUESTED: **Development Special Use Permit with Site Plan to expand existing Seminary, an existing noncomplying use governed by Special Use Permit No. 2641, to construct faculty housing.**

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of Title 7, Chapter 5 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

**Land, Clark, Carroll, Mendelson & Blair, P.C.
Duncan W. Blair, Esquire**

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dlbair@landclark.com

E-mail:

Alexandria, Virginia 22314

City and State

Zip Code

June 6, 2007

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____

Received Plans for Completeness: _____

Fee Paid & Date: \$ _____

Received Plans for Preliminary: _____

Legal Advertisement: _____

Property Placard: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

Development Special Use Permit with Site Plan (DSUP) # 2007-0021

All applicants must complete this form.

Supplemental forms are required for childcare facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (*check one*) the Owner Contract Purchaser
 Owner Contract Purchaser
 Lessee or Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

The Protestant Episcopal Theological Seminary in Virginia, Inc. is a Virginia nonstock Corporation and is also referred to as VTS and the Virginia Theological Seminary.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

2. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The Protestant Episcopal Theological Seminary in Virginia, Inc., a Virginia nonstock corporation (“VTS”) is requesting a five (5) year extension of Development Special Use Permit DSUP 2003-0030, approved by the Alexandria City Council on June 12, 2004 (“DSUP 2003-0030”), to expand the existing Seminary by constructing the remaining two (2) faculty dwellings of the four (4) new faculty dwellings approved by DSUP 2003-0030. VTS will not be in a position to commence construction of the second building within the time requirement of the ordinance and DSUP 2003-0030.

Development Special Use Permit with Site Plan (DSUP) # 2007-0021

3. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

No change from SUP 2641 and DSUP 2003-0030.

4. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

No change from SUP 2641 and DSUP 2003-0030.

5. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

No change from SUP 2641 and DSUP 2003-0030.

6. Please describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

No change from SUP 2641 and DSUP 2003-0030.

- B. How will the noise from patrons be controlled?

No change from SUP 2641 and DSUP 2003-0030

7. Describe any potential odors emanating from the proposed use and plans to control them:

No change from SUP 2641 and DSUP 2003-0030.

8. Provide information regarding trash and litter generated by the use:

- A. What type of trash and garbage will be generated by the use?

No change from SUP 2641 and DSUP 2003-0030.

- B. How much trash and garbage will be generated by the use?

No change from SUP 2641 and DSUP 2003-0030.

Development Special Use Permit with Site Plan (DSUP) # 2007-0021

C. How often will trash be collected?

No change from SUP 2641 and DSUP 2003-0030.

D. How will you prevent littering on the property, streets and nearby properties?

No change from Sup 2641 and DSUP 2003-0030.

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. What methods are proposed to ensure the safety of residents, employees and patrons?

No change from SUP 2641 and DSUP 2003-0030.

ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

Two (2) parking spaces for each dwelling unit for a total of eight (8) required spaces.

B. How many parking spaces of each type are provided for the proposed use:

 8 Standard spaces
 Compact spaces
 Handicapped accessible spaces
 Other
 8 Total

C. Where is required parking located? On-site off-site (*check one*)

If the required parking will be located off-site, where will it be located?

No change from SUP 2641 and DSUP 2003-0030.

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **PARKING REDUCTION SUPPLEMENTAL APPLICATION**.

14. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the Zoning ordinance? **No change from SUP 2641 and DSUP 2003-0030.**

B. How many loading spaces are available for the use?

No change from SUP 2641 and DSUP 2003-0030.

Development Special Use Permit with Site Plan (DSUP) # 2007-0021

C. Where are off-street loading facilities located?

No change from SUP 2641 and DSUP 2003-0030.

D. During what hours of the day do you expect loading/unloading operations to occur?

No change from SUP 2641 and DSUP 2003-0030.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

No change from SUP 2641 and DSUP 2003-0030.

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

No change from SUP 1641 and DSUP 2003-0030.

Attachment

Docket Item #24
DEVELOPMENT SPECIAL USE PERMIT #2003-0030
VIRGINIA THEOLOGICAL SEMINARY

Planning Commission Meeting
June 1, 2004

ISSUE: Consideration of a request for a development special use permit, with site plan, for construction of faculty housing units.

APPLICANT: Virginia Theological Seminary
by Duncan Blair

LOCATION: 3737 Seminary Road

ZONE: R-20/Residential

CITY COUNCIL ACTION, JUNE 12, 2004: City Council approved the Planning Commission recommendation.

PLANNING COMMISSION ACTION, JUNE 1, 2004: On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the development special use permit subject to all applicable codes and ordinances and staff recommendations, with amendments to Conditions #6 and #30 and deletion of Condition #8. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission generally agreed with the staff analysis.

Speakers:

Mr. Duncan Blair, attorney, representing the applicant.

I. EXECUTIVE SUMMARY:

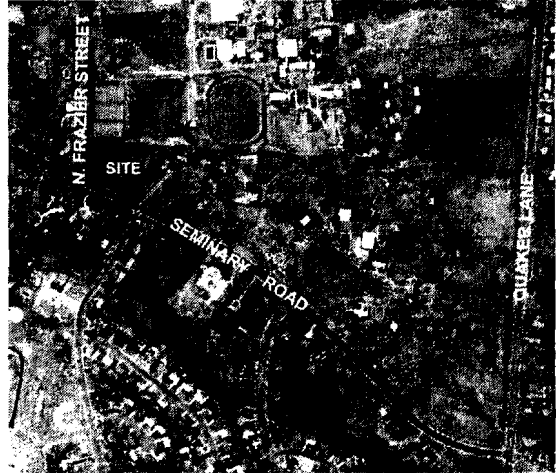
A. Overview:

Staff recommends approval of the proposal to construct two new faculty buildings on an approximately 4 acre portion of the Virginia Theological Seminary campus on Seminary Road. The proposal is a special use permit to expand a non-complying use, as discussed in more detail below.

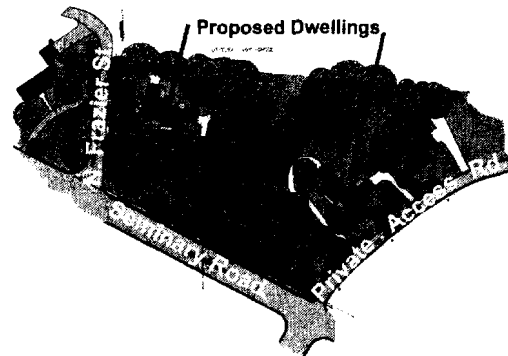
The two semi-detached dwelling units will be located at either end of the site connected by a pedestrian pathway. Access to the homes will be provided from North Frazier Street to the west and a private access road to the east. The proposed location of the homes and limited building footprints enables the retention of the existing trees on the site and wooded buffer along Seminary Road. The site is currently used as a composting and wood storage area for the Seminary.

Staff recommends approval of the proposal for the following reasons:

- The homes and internal driveways have been located to minimize loss of trees and site grading;
- The proposal retains a significant amount (91%) of the site area in its natural state;
- Retains the wooded buffer on Seminary Road;
- The open space and trees on the site will have long-term protection;
- The proposal limits impervious areas through the use of porous paving materials; and
- The building footprints and design are consistent with the character of the neighborhood.



*Figure 1
Aerial View of Site*



*Figure 2
Proposed Site Plan*



*Figure 3
View Looking Northeast*

2
24

B. Background - History:

The applicant initially approached the City several months ago, stating that they had recently sold two properties located just west of North Frazier Street at 4101 and 4103 Seminary Road. The single-family homes were sold to consolidate faculty housing onto the campus and to provide for more appropriately sized dwelling units for the faculty members.

The initial concept proposal (*Figure 4*) was to construct a new internal road and three buildings (six units), which would have resulted in the removal of approximately 80 trees that ranged in caliper sizes from 14 to 40 inches. The applicant contended that the road was necessary to allow faculty to be connected with the adjoining Seminary campus. Staff agreed that it was important to have connectivity to the adjoining campus, but encouraged a pedestrian connection. The other concern was the considerable loss of trees that resulted from the third semi-detached dwelling unit.

In the current proposal, the applicant agreed to eliminate the third building and the internal street to provide an internal pedestrian connection, increase the amount of open space and retain a substantial amount of trees on the site.

C. Open Space -Trees:

Staff believes that the proposed plan is consistent with the intent of the Open Space Plan by retaining a significant amount of the existing mature tree canopy along the frontage of Seminary Road. The proposed plan also retains a substantial portion (91%) of the site in its natural state.

D. Community Comments:

The Seminary Hills Association (SHA) expressed unanimous support for the proposal, but did inquire about various aspects of the project:

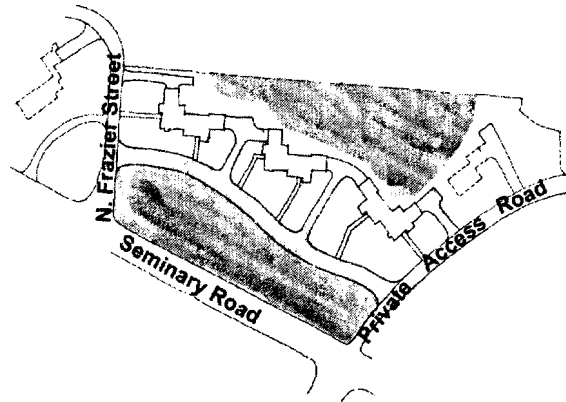


Figure 4
Original Proposed Site Plan

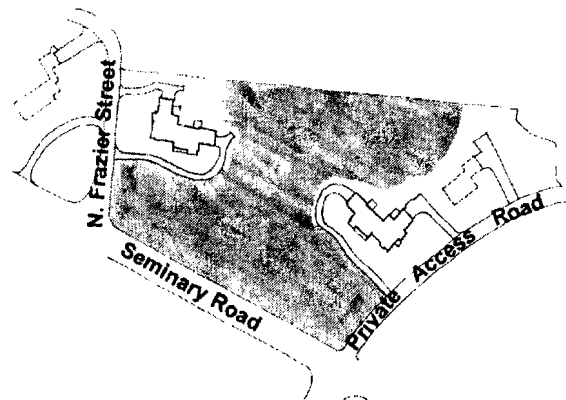


Figure 5
Current Proposed Site Plan

- Semi-detached housing in the R-20 zone;
- Visibility of the proposed houses and retention of the wooded buffer along Seminary Road;
- Elimination of compost/wood storage on the site;
- Water run-off and drainage;
- Elimination of existing chain link fence on Frazier Street; and
- Quality of building materials on dwelling units.

The Seminary Hill Association expressed its appreciation of the ongoing efforts of the Seminary to be a good civic neighbor, including the openness and access to the campus for use by the general public.

E. Conclusion:

Staff recommends **approval** with the conditions of approval as outlined in the staff report.

II. BACKGROUND:

The applicant proposes to develop an approximately 4 acre portion of the 80 acre Virginia Theological Seminary (VTS) property at the corner of Seminary Road and North Frazier Street with two semi-detached faculty housing units for a total of four dwelling units. The wooded site is currently vacant, but does host a large wood lot and storage area for the institution. The site is zoned R-20/Residential and is situated among single-family homes and institutional uses, including both VTS and the Episcopal High School, which is also zoned R-20.

Prior to the adoption of the Zoning Ordinance on June 24, 1992, the Seminary was a permitted use rather than the current special use permit. Upon adoption of the Zoning Ordinance, the Seminary became a noncomplying use. A special use permit is required to expand, enlarge or intensify a noncomplying use.

The initial proposal by the applicant resulted in extensive tree removal and loss of open space as illustrated in *Figure 7*. A significant portion of the site would have been devoted to paving and driveways offering little public benefit for preservation of the woodland scenic character of the site. In addition, the layout and character of the dwelling units would not have been consistent with the pattern of housing found along Seminary Road. Staff encouraged the applicant to eliminate the third building and internal street in order to reduce the proposal's impact on open space and tree retention. The current plan has eliminated one of the semi-detached units as well as the proposed internal private street.



Figure 6
Aerial View of Seminary Campus

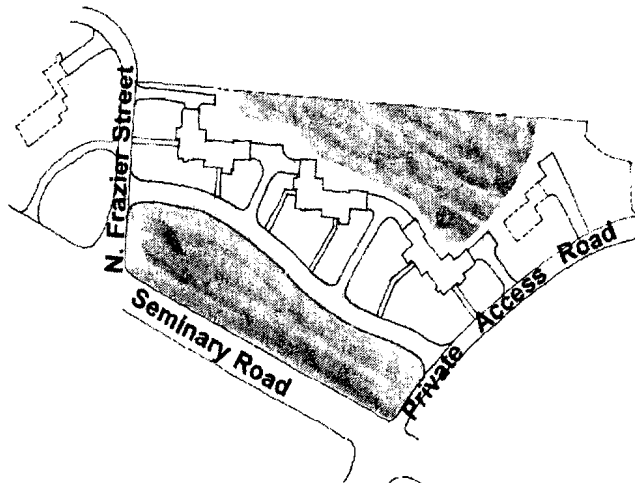


Figure 7
Original Proposed Site Plan

III. SITE AND PROJECT DESCRIPTION:

The Virginia Theological Seminary is one of the oldest institutions for the education of priests in the ministry of the American Episcopal Church. The Seminary's core of early buildings reflect the architectural styles and characteristics of the 19th century. The focal point of the complex, Aspinwall Hall (*Figure 8*), is designed by noted antebellum architect, Norris G. Starkweather. The grounds are the only documented example in Virginia of the work of A. J. Downing, the noted landscape architect and theorist.

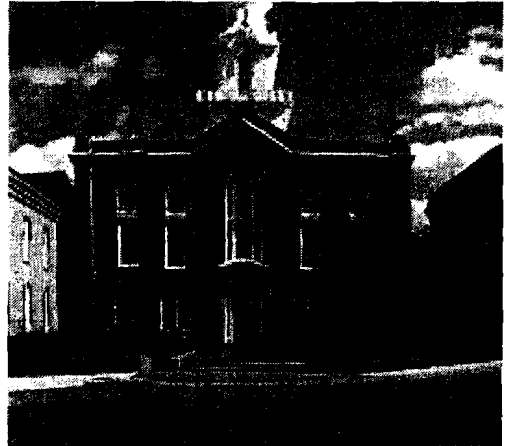


Figure 8
Aspinwall Hall

The site is at the corner of Seminary Lane and North Frazier Street and is located in the Seminary Hill/Strawberry Hill Small Area Plan section of the City's Master Plan. The approximately 80 acre campus encompasses more than 50 buildings, including;

- 3 classroom buildings (with a 600 seat auditorium);
- 6 dormitory and guest-facility buildings;
- a dining hall and kitchen;
- 3 buildings housing administrative and faculty offices;
- a library housed in two buildings;
- 1300 seat chapel, and an historic small chapel;
- maintenance shop and boiler house;
- child care facility with playground;
- gymnasium and outside tennis courts;
- post office; and
- 28 residences for faculty and maintenance staff.

Always known as a residential community, approximately 27 faculty/staff and their families reside on campus, and approximately 55 students reside in dormitories during the academic year from September until May. Faculty are required to live on campus; however, at present VTS does not have enough space for all faculty to do so.

The two proposed semi-detached units are two-story dwellings with basements and will be accessed by individual driveways and each of the units will have a two-car garage. Each building will be approximately 6,000 gross sq.ft., or 3,000 gross sq. ft per dwelling unit. A pedestrian path is proposed to connect the two buildings and has been located so as not to require the removal of any trees.

The current proposed plan is for two semi-detached dwelling units (*Figure 11*) located on the western and eastern portion of the site with access from Frazier Street and the private access road. A pedestrian trail connection is to be provided between Frazier Street and the private access road by way of the proposed driveways. The units are oriented towards the adjoining streets with separate driveways accessing a two-car garage. The dwelling units and driveways were located to minimize tree loss and disturbance.

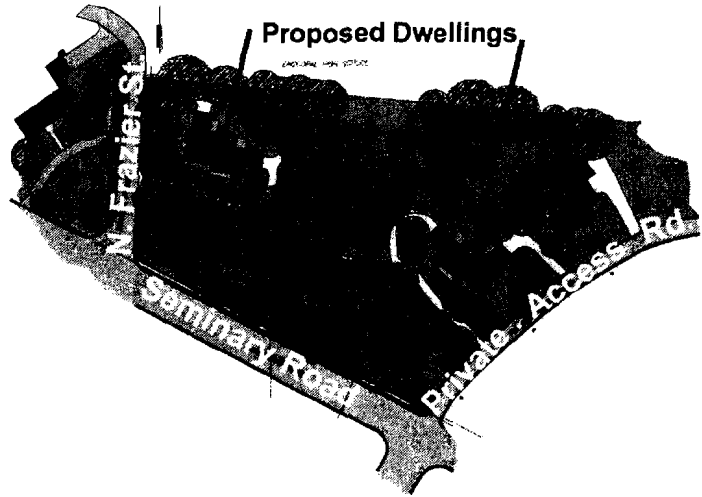


Figure 9
Proposed Site Plan

IV. ZONING:

VIRGINIA THEOLOGICAL SEMINARY		
Property Address:	3737 Seminary Lane	
Total Site Area:	Campus: 80 acres/Subject Site: 3.89 acres (This table refers to the subject site only)	
Zone:	R-20	
Current Use:	Vacant	
Proposed Use:	Semi-detached faculty residences	
	<u>Permitted/Required</u>	<u>Proposed</u>
Floor Area	43,362 s.f. (DSUP Area)	12,348 s.f.
FAR	0.25	0.073
Yards	Front: 70 ft. (Seminary Rd.) Front: 70 ft. (N. Frazier St.) Side: 25 ft. (1:2) Rear: 25 ft. (1:1)	135 ft. and 153 ft. 44 ft. (modification requested) 35 ft. and 143 ft. N/A
Height	40 ft.	29 ft.
Open Space	None required	91%
Parking	2 spaces/unit	2 spaces/unit (garage)*
*Additional visitor parking spaces provided in driveways.		

V. STAFF ANALYSIS:

Staff is recommending approval of the two proposed buildings that are compatible in mass, scale and design with the remainder of the campus and the adjoining single-family homes. The proposal enables retention of a significant amount (91%) of the site in its natural state and retains the existing wooded buffer adjacent to Seminary Road.

The Open Space Plan identifies the Virginia Theological Seminary as a valuable open space and woodland resource for the City. The Open Space Plan does not advocate public access or use of these open space areas, rather the retention of these areas that contribute visual open space and “openness” for the public. Staff believes this has been achieved with this proposal.

The applicant has worked with staff to retain a substantial amount of the natural woodland area along the frontage of this site as well as retaining a significant portion in its natural woodland state. The Seminary is required to have special use permit approval for expansion and intensification regarding the physical characteristics and operations at the facility because of its classification as a noncomplying use. Therefore, the trees and open space to be retained are part of the special use permit approval for this application.

The proposal enables the Seminary to develop faculty housing that is more appropriately sized and situated for their uses and needs, to accommodate this use that has been located at this site since 1822. One of the two-unit buildings replaces the two single-family homes that were recently sold by the Seminary and the second building provides housing for two additional faculty members.

The primary issues raised by the application are the retention of open space along Seminary Road, tree retention, the intensification of a non-complying use, semi-detached dwellings and stormwater management. These are discussed in more detail below.

Open Space - Tree Retention:

The applicant has worked with staff to retain the existing trees on the site. The proposed plan also retains the wooded buffer along the frontage of Seminary extending generally back to the area adjacent to the proposed driveways and pedestrian trail. The proposal retains approximately 300 of the 330 existing trees on the four acre portion of the



Figure 10
View Looking Northwest

campus that consist of varying species and sizes. The proposed plan is consistent with the intent of the Open Space Plan by retaining a significant amount of the existing mature tree canopy along the perimeter of the site along Seminary Road.

The Open Space plan places great importance on streets such as Seminary Road, where the trees and wooded character of the streets are defining elements of the neighborhoods and contribute to the adjoining open space. This plan also encourages the retention of tree canopy where possible. Staff believes this proposal accomplishes both tasks by retaining approximately 300 trees on the site and retaining the existing wooded buffer adjacent to Seminary Road. Retention of the existing wooded buffer area is consistent with the recent efforts of the City for recent development cases to retain existing tree canopy and open space through special use permit conditions, easements or dedication of property as depicted in *Figure 11*.

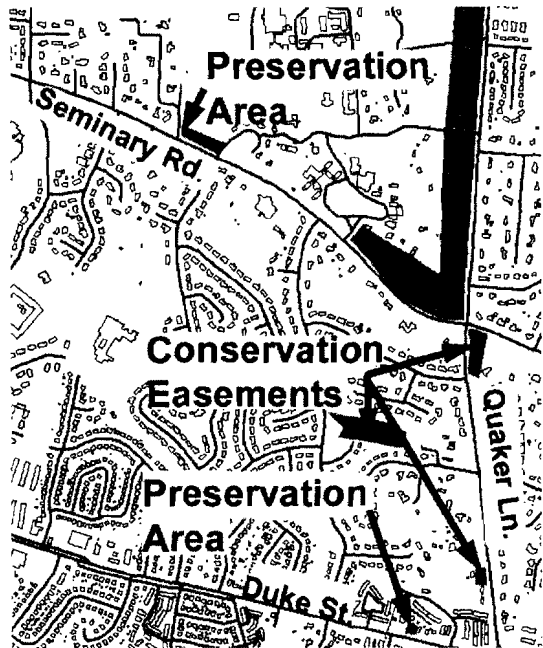


Figure 11
Open Space Preservation Plan

Intensification of A Non-Complying Use:

Although the application proposes to construct two semi-detached dwelling units for faculty housing, the applicant is not requesting an increase in the number of students on campus which has ranged between 200 to 250 students over the past 14 years. There are currently 18 full-time and 26 part-time faculty members. It is the school's policy that faculty reside on campus, but not all faculty can currently do so because of limited faculty housing. The Seminary has indicated that other than the proposed faculty housing expansion, no other major expansions or building projects are currently planned or anticipated for the next 10 years.

Semi-Detached Dwelling Units:

This form of housing is permitted as faculty housing as an institutional use with a special use permit. The design of the dwelling units is quite modest by today's standards where units are typically 35 ft. to 40 ft tall containing well over 3,000 to 5,000 sq. ft. of living space. These units will be slightly less than 30' tall, with approximately 2,500 net sq.ft. (3,000 gross sq.ft.)



Figure 12
Typical Building Elevation

10
30

of living space on two levels. The homes are designed to appear as separate attached dwellings each facing on to a street with individual driveways and two-car garages and are to be constructed of quality building materials consisting of brick and wood siding accents. The houses will be setback at least 135 ft from Seminary Road and be relatively screened from view by the dense woodland buffer along Seminary Road. The eastern building will be partially visible along Seminary Road at the intersection with the private access road.

Stormwater Management Requirements:

The applicant is proposing two stormwater detention areas. One detention area is located midway along the frontage of Seminary Road and the other is located at the corner of Seminary Road and the Private Access Road. The stormwater facilities are essentially depressed areas that will be periodically occupied by water as detention for stormwater runoff. As part of the plan evaluation, staff requested the applicant explore other options that were less intrusive and destructive to the woodland features of the site. However, upon further analysis it was determined that other viable options would produce far more clearing and disturbance, including the removal of additional trees to accommodate the equivalent volume capacity of the two retention areas. To minimize the visual impact of the detention areas, staff is recommending that the applicant plant a significant number of additional native trees, landscaping and understory to restore and screen the areas of the retention areas on these portions of the site.

This enables a water treatment solution that will be consistent with the natural wooded setting of the site and will also provide enhanced landscaping and screening for the adjoining homes. To further improve water quality and reduce the amount of impervious surface, staff is recommending that driveways be constructed of decorative porous pavers. These pavers are a relatively new product that has been approved recently for projects such as Pickett's Ridge and Cooper Dawson.

Front Yard Setback Modification:

The R-20 zone requires a front yard setback of 40 ft. for residential uses and 70 ft. for commercial uses. In this case, one of the units adjacent to N. Frazier St. is proposed with a building setback of 42 ft. While technically a non-residential use, these buildings will function as residential use. Therefore, staff believes the proposed modification is appropriate and consistent with the character of the single-family neighborhood.

VI. STAFF RECOMMENDATION:

Staff believes that the proposed development plan addresses the most critical issues of limited tree removal, open space retention and compatible building design, while limiting density and preserving the areas' woodland character. Staff recommends approval.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffrey Farner, Chief, Development;
Gregory Tate, Urban Planner;
Laura Durham, Urban Planner.

VII. STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

I. Landscaping - Open Space - Tree Protection:

1. The open space area located along Seminary Road shall remain open as depicted on the site plan, including a prohibition against the construction or placement of structures or accessory structures including but not limited to, buildings, structures and fencing. (P&Z) (RP&CA)
2. All trees shown on the site plan as to be retained shall be retained except as may be necessary for the prevention or treatment of disease, the removal of dead or damaged trees or other good husbandry practices and after consultation with the City of Alexandria Arborist and the Department of Planning & Zoning. (P&Z)
3. All underground utilities shall be routed so as to avoid trees designated to be retained on the site. Underground utilities located within the drip-line of trees designated to be preserved shall be installed by boring beneath the tree protection area. (P&Z)
4. A tree preservation plan shall be prepared by a certified arborist or other horticultural professional with a demonstrated expertise in tree preservation. The tree preservation plan shall be submitted with the submission of the final site plan. The applicant shall perform all necessary enhancements for the street trees such as watering/fertilizer, etc., that are required by the tree preservation plan prior to construction/grading of the site. The tree protection plan shall be provided for the existing trees shown in areas as outside the "limits of disturbance" to the satisfaction of the Director of P&Z and the City Arborist. A plan for tree protection shall be approved by the City Arborist and included in the final approved site plan and at a minimum shall include the following:
 - a. Tree protection for any protected tree shall be constructed of 4"x 4" wooden vertical posts installed in the ground 8' on center with 1"x 6" wooden battens mounted between them. Temporary plastic fencing may be used to define other limits of clearing. All tree protection must be shown on the final site plan, and is to be installed prior to any clearing, excavation or construction on the site. The developer must call the City Arborist for a review of the installed tree protection following its installation.
 - b. The area of limits of disturbance and clearing for the site shall be limited to the areas of disturbance and clearing as generally depicted on the site plan dated March 30, 2004.
 - c. No construction materials or equipment shall be stored or staged within the drip lines of trees designated for protection.

- d. A note identifying these restrictions shall be provided on the Site Plan Cover, Erosion Sediment Control and Landscape Plan sheets. (P&Z) (RP&CA)
5. A final landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RC&PA. At a minimum the plan shall provide the level and quality of landscaping depicted on the preliminary landscape plan and the plan shall be revised to also provide:
- a. An additional 10-15 native evergreen and deciduous trees shall be provided around the stormwater retention ponds. The deciduous trees shall be a minimum of 2.5-3" caliper and the evergreen trees shall be a minimum of 8 ft. tall at the time of installation.
 - b. Native species plantings shall be provided within the detention ponds to appear as natural depressions in the woodland area
 - c. The area of tree protection shall be increased for the two 16" caliper oak trees and the 10" caliper oak tree on the southern portion of unit # 1.
 - d. The two stormwater retention ponds shall be designed as gradual naturalistic swales with internal plantings surrounding the two stormwater retention ponds.
 - e. All landscaping shall be maintained in good condition and replaced as needed.
 - f. All plant materials and specifications shall be in accordance with the current and most up to date edition of the American Standard For Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C. (P&Z) (RP&CA)

II. Streets - Utility and Infrastructure:

6. Porous pavers or comparable porous paving materials shall be installed for the length of the proposed driveways to the satisfaction of the Director of Planning & Zoning. (P&Z) (PC)

III. Building and Design Conditions:

7. The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations dated January 15, 2004. In addition, the applicant shall provide additional refinements to the satisfaction of the Director of Planning and Zoning that shall at a minimum include:
 - a. The materials of the units shall be limited to brick, stone, wood or cementitious siding.
 - b. For all of the units, the width of shutters needs to equal half the width of the adjacent window.
 - c. Color architectural elevations (front, side and rear) shall be submitted with the final site plan. Each elevation shall indicate average finished grade. (P&Z)

8. Condition deleted. (PC)
9. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes. (Police)

IV. Site Plan:

10. The existing chain link fencing located along the frontages of North Frazier Street and Seminary Road shall be removed. (P&Z)
11. Front yard fences shall be limited to a maximum height of 3.5 ft. and shall be limited to a decorative open style wood painted or stained fences to the satisfaction of the Director of P&Z. Fences shall be prohibited within the open space and tree retention area. A detail of all fences shall be provided on the final site plan. (P&Z)
12. The existing composting/storage of wood waste materials at the site shall be removed and no future composting/storage of waste materials shall be permitted on-site. (P&Z)
13. Show all utility structures, including transformers, on the final development plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or property. When such a location is not feasible, such structures shall be located and screened to the satisfaction of the Director of P&Z. (P&Z) (T&ES)
14. The approval of the development special use permit shall be valid for a maximum period of 36 months from the date of approval by City Council. (P&Z)
15. The final site plan shall include a zoning tabulation that clearly depicts the permitted and proposed net/gross floor areas and height and all other applicable zoning requirements for the faculty housing units. This information sheet shall also be attached to all building permits. (P&Z)
16. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z)

17. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with adjacent homeowners to review the hauling routes, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)
18. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, whose property abuts the site, and to the Directors of P&Z and T&ES. (P&Z)
19. The applicant shall submit a building location survey to Planning staff prior to applying for a certificate of occupancy permit for each unit. The applicant shall submit the final "as-built" site plan for the entire project prior to applying for a certificate of occupancy permit for the last dwelling unit. (P&Z)
20. All driveway entrances and sidewalks in public ROW or abutting public ROW shall meet City standards. (T&ES)
21. Provide the size, computations and profiles of the driveway culverts. (T&ES)
22. Provide a pavement section for the pedestrian pathway. (T&ES)
23. Show all existing and proposed easements, both public and private. (T&ES)
24. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
25. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
26. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
27. All private street signs that intersect a public street shall be marked with a fluorescent green strip to notify the plowing crews, (both City and contractor), that they are not to plow those streets. (T&ES)
28. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)

29. Any additional landscaping on North Frazier shall be low-growing plants and kept trimmed to maximum 42 inch height. (T&ES)
30. The applicant shall contribute up to \$2,500 toward the cost for installation of pedestrian signalization at the intersection of Seminary Road/St. Stephens Road/Private Access Road. (T&ES)(PC)
31. Provide pedestrian connections from the residential units to the private and public streets and pedestrian pathway. (T&ES)
32. Show roof drain locations and flow path to detention area on plans. Roof drains discharging on the surface shall be designed to be non-erosive along the entire surface flow path and shall discharge into the appropriate stormwater management detention area. Provide computations showing the flows are non-erosive. (T&ES)
33. Revise stormwater runoff calculations to use a Time of concentration (T_c) of 5 minutes. (T&ES)
34. The grading around the proposed detention areas are shown incorrectly. Show grading accurately on final plan. (T&ES)
35. Provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES)

V. Environmental:

36. Developer to comply with the peak flow requirements of Article XIII of AZO. Ensure that all impervious site area and roof drains will drain to the stormwater detention facilities. (T&ES)
37. Solid waste services shall be provided by the City. All refuse/recycling must be placed at the City right-of-way. (T&ES)
38. Show existing and proposed street lights and site lights. Provide lighting along the trail. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. (T&ES)
39. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)

40. Provide a narrative describing how the project will comply with the stormwater quantity and quality requirements of Article XIII of the Zoning Ordinance. (T&ES)
41. Provide pre and post development, two and ten year storm water computations for the entire site. (T&ES)
42. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)
43. The stormwater collection system is part of the Strawberry Run watershed. All on-site stormwater curb inlets and public curb inlets within 50 feet of the property line shall be duly marked to the satisfaction of the Director of T&ES. (T&ES)
44. Provide a drainage map for the area flowing to the chosen stormwater Best Management Practices (BMPs), including topographic information and storm drains. (T&ES)
45. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 1. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 2. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES)
46. The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (T&ES)
47. For any surface-installed stormwater Best Management Practice (BMP), i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of T&ES. (T&ES)
48. Prior to approval of the final site plan, and as reviewed as part of the second final, the applicant shall execute, submit and appropriately record in the land records, a maintenance agreement with the City for the Stormwater Quality Best Management Practices (BMPs). (T&ES)
49. Prior to release of the performance bond, the applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that the existing

stormwater management facility adjacent to the project and associated conveyance systems were not adversely affected by the construction and that they are functioning as designed and are in a condition similar to prior to construction began. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance performed. (T&ES)

50. The applicant shall furnish the owners with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media. (T&ES)
51. Plan does not indicate whether or not there are any known soil and groundwater contamination as required with all preliminary submissions. Should any unanticipated contamination or underground storage tanks, drums and containers are encountered at the site the applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)
52. If fireplaces are to be included in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
53. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws. (T&ES)
54. All archaeological work will be carried out in accordance with the *City of Alexandria Archaeological Standards* and is subject to the approval of the City Archaeologist. (Archaeology)
55. The applicant should not allow any other metal detection to be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology)

Special use permits and modifications requested by the applicant and recommended by staff:

1. Special use permit for expansion and intensification of an institutional use in the R-20 zone.
2. Modification to required front yard set back.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Planning and Zoning:

- F-1 Correct each reference of faculty housing as **duplexes** to **semi-detached units** on pages 1, 4, 5, and 6 or simply state as faculty housing.

Transportation & Environmental Services:

- C- 1 Bond for the public improvements must be posted prior to release of the plan.
- C- 2 The sewer tap fee must be paid prior to release of the plan.
- C- 3 All easements and/or dedications must be recorded prior to release of the plan.
- C- 4 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C- 5 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C- 6 All utilities serving this site to be underground.
- C- 7 Provide site lighting plan to meet minimum city standards.
- C- 8 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C- 9 The applicant must comply with the Article XIII of the City's zoning ordinance, which includes requirements for stormwater pollutant load reductions, treatment of the water quality volume default, and stormwater quantity management.

- C- 10 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.
- C- 11 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the new state requirement for a VPDES permit for all construction activities greater than 1 acre.

Code Enforcement:

The following are repeat comments from a review on 2/2/04. Updated comments noted in **BOLD**.

- C-1 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property. **Acknowledged by applicant.**

The following requirements have been met the applicant, but are retained to insure compliance.

- F-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Add note to plans. **Shown as Note 13 on Sheet 1.**
- F-2 Add one hydrant on west side of private access road just prior to the driveway to Unit 2. **Hydrant added.**
- C-2 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to porches with roofs and skylights within setback distance. **Note added to building code analysis.**
- C-3 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. **Note added to Sheet 1.**

- C-4 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. **Note 29 added to Sheet 1.**
- C-5 A soils report must be submitted with the building permit application. **Shown as Note 38 on Sheet 1.**
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems. **Shown as Note 40 on Sheet 1.**
- C-7 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection. **Shown as Note 42 on Sheet 1.**
- C-8 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0. **Shown as Note 22 on Sheet 1.**

Health Department:

No comments

Police Department:

As stated on page 1 of the blueprints, The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes.

Historic Alexandria (Archaeology):

- F-1 The Virginia Theological Seminary is a significant historic property which was occupied by Union soldiers during the Civil War. There were numerous military encampments in the vicinity, and the area slated for the development of the faculty housing thus has potential to yield archaeological resources which could provide insight into the soldiers' lives and activities.
- C-1 To insure that significant information is not lost as a result of the current development project, the applicant must hire an archaeological consultant to conduct documentary research and an archaeological investigation, including a metal detection survey, for an Archaeological Evaluation. Upon request, Alexandria Archaeology will prepare a scope of work for this investigation. If significant resources are discovered, the consultant must

complete a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented.

- C-2 All archaeological preservation measures must be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
- C-3 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-4 The General Notes of the Preliminary and Final Site Plans must include the statements in C-2 and C-3 above so that on-site contractors are aware of the requirements. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.
- C-5 Certificates of Occupancy will not be issued for this property until the final archaeological report has been received and approved by the City Archaeologist.
- C-6 The developer will erect a historic marker on the property according to specifications provided by Alexandria Archaeology, and agreed to in concurrence with the Directors of the Office of Historic Alexandria and Recreation, Parks and Cultural Activities . The marker will highlight the historical and archaeological significance of the property.
- C-7 If warranted by the City Archaeologist, the developer will produce a booklet for the public on the history and archaeology of the property, according to specifications provided by Alexandria Archaeology.

Va. American Water Company:

1. Hydraulic calculations will be completed to verify the main sizes upon final submittal of the site plan. Profiles will be required for hydraulic calculations.
2. On sheet 4 of 7, please change the "Utility Ownership Note" to reflect the following for Water:
 - VAWC owns the existing water main in N. Frazier St.
 - The existing water main in the Private Access Road is privately owned.
 - VAWC does not own or maintain any fire hydrants in the City of Alexandria.

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2007-0021

PROJECT NAME: Faculty Housing – Virginia Theological Seminary

PROPERTY LOCATION: 3737 Seminary Road, Alexandria, Virginia

TAX MAP REFERENCE: 40.001 03 01 ZONE: R-20

APPLICANT NAME: The Protestant Episcopal Theological Seminary in Virginia, Inc.,
a Virginia nonstock corporation

ADDRESS: 3737 Seminary Road
Alexandria, Virginia 22314

PROPERTY OWNER NAME: The Protestant Episcopal Theological Seminary in Virginia, Inc.,
a Virginia nonstock corporation

ADDRESS: 3737 Seminary Road
Alexandria, Virginia 22314

SUMMARY OF PROPOSAL: Request for extension of the validity of SUP 2003-0030.

MODIFICATIONS REQUESTED: NONE.

SUP's REQUESTED: Development Special Use Permit with Site Plan to expand existing Seminary, an existing noncomplying use governed by Special Use Permit No. 2641, to construct faculty housing.

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of Title 7, Chapter 5 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Land, Clark, Carroll, Mendelson & Blair, P.C.
Duncan W. Blair, Esquire



Print Name of Applicant or Agent

Signature

524 King Street (703) 836-1000 (703) 549-3335 dlbair@landclark.com
Mailing/Street Address Telephone # Fax # E-mail:

Alexandria, Virginia 22314 June 6, 2007
City and State Zip Code Date

===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: _____ Received Plans for Completeness: _____
Fee Paid & Date: \$ _____ Received Plans for Preliminary: _____
Legal Advertisement: _____ Property Placard: _____

ACTION - PLANNING COMMISSION: by unanimous consent, recommended approval 9-6-07
ACTION - CITY COUNCIL: 9/15/07- CC approved PC recommendation 7-0