

EXHIBIT NO. 1

14
6-15-02

Introduction and first reading: 6/15/2002
Public hearing: 6/25/2002
Second reading and enactment: 6/25/2002

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Sheet No. 34.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the rear portion of the property at 2100 Mt. Vernon Avenue from R-2-5/Single and Two-Family Zone to CL/Commercial Low Zone, subject to a proffer, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2002-0002.

Summary

The proposed ordinance accomplishes the final adoption of Rezoning No. 2002-0002, to rezone the rear portion of the property at 2100 Mt. Vernon Avenue from R-2-5/Single and Two-Family Zone to CL/Commercial Low Zone, subject to a proffer requiring a landscape hedge.

Sponsor

Department of Planning and Zoning

Staff

Eileen P. Fogarty, Director of Planning and Zoning
Ignacio B. Pessoa, City Attorney

Authority

§§ 2.04(w), 9.12, Alexandria City Charter
§ 11-800, City of Alexandria Zoning Ordinance

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance

None

EXHIBIT NO. 2

14
6-15-02

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Sheet No. 34.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the rear portion of the property at 2100 Mt. Vernon Avenue from R-2-5/Single and Two-Family Zone to CL/Commercial Low Zone, subject to a proffer, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2002-0002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2002-0002, an application has been made to rezone the rear portion of the property at 2100 Mt. Vernon Avenue from R-2-5/Single and Two-Family Zone to CL/Commercial Low Zone, subject to a proffer;
2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 34.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

Rear portion of the property at 2100 Mt. Vernon Avenue (Zoning Map and Tax Map Parcel No. 34.02-02-03), comprising 2,875 square feet of land, more or less, as shown on the sketch plan entitled "The Welsh Property 2002-0002" dated April 28, 2002, attached hereto and incorporated fully herein by reference.

FROM: R-2-5/Single and Two-Family Zone
TO: CL/Commercial Low Zone

Subject, however, to the following proffer:

The property owner will install and maintain a solid green evergreen hedge directly adjacent to the western property line as a visual buffer to the adjoining property zoned R-2-5. The evergreen hedge will be no less than six feet tall, no less than two feet deep and no less than 30 feet as measured south from the northeast corner of the property.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

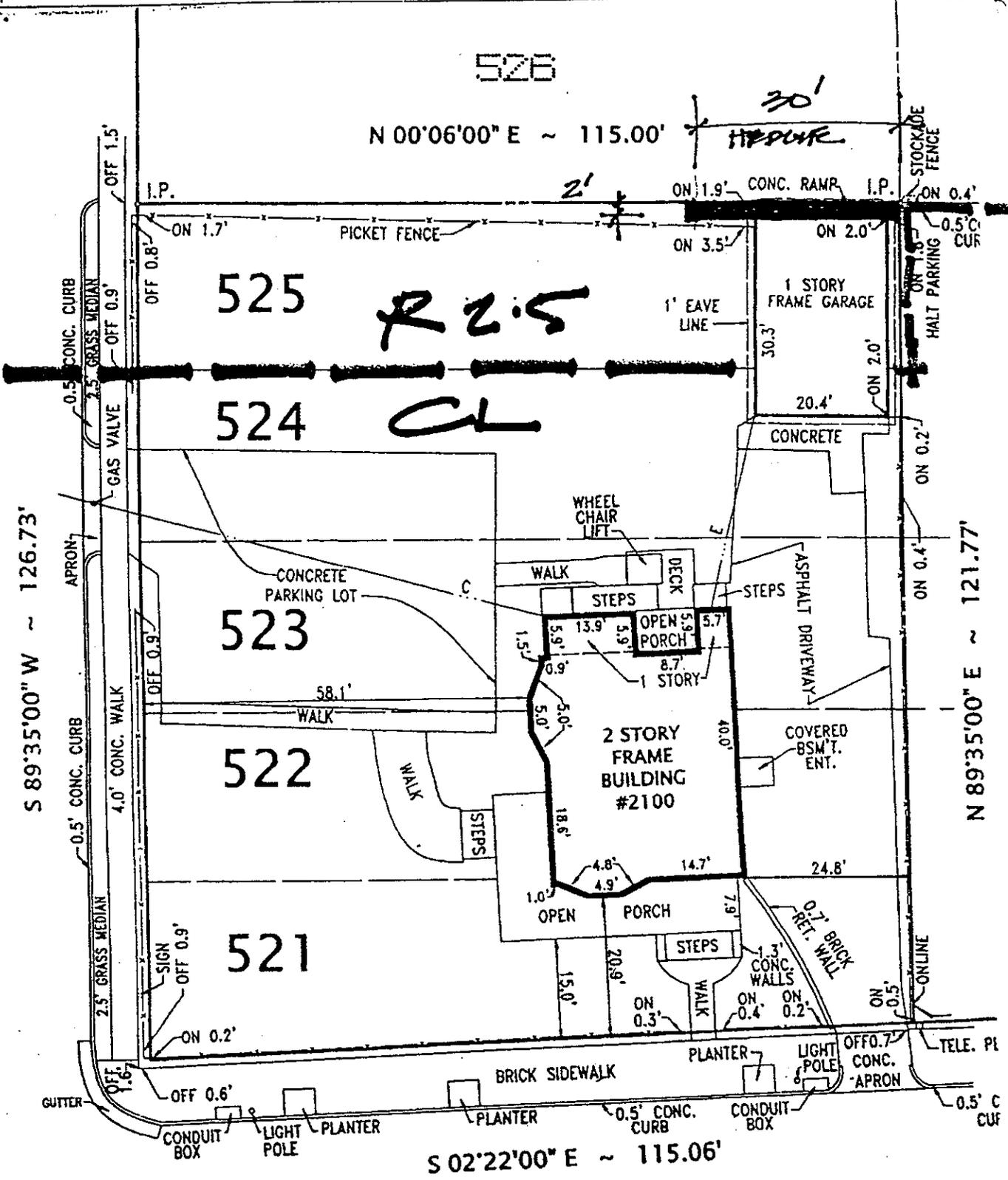
Section 3. That Sheet No. 34.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Attachment

Introduction: 6/15/2002
First Reading: 6/15/2002
Publication:
Public Hearing:
Second Reading:
Final Passage:



MPA 2002-0002

MOUNT VERNON AVENUE

60' R/W

WELSH THE PROPERTY
2002 - 0002
4.28.02

LARSON/KOENIG
ARCHITECTS
2107 Mount Vernon Avenue Suite 100
Alexandria, VA 22301

12 16

3

THE DEL RAY CITIZENS ASSOCIATION

12,13,14,15
6-15-02

P.O. BOX 2233

ALEXANDRIA, VIRGINIA 22301

ESTABLISHED 1954

To: Members of Alexandria City Council
Eileen Fogarty, Director, Office of Planning and Zoning

From: Amy Slack, Land Use committee Co-chair
Sarah Haut, Land Use committee Co-chair
Bill Hendrickson, President

Date: June 11, 2002

Subject: Master Plan Amendment #2002-0002, Rezoning #2002-0002 and Development Site Plan # 2002-002, 2100 Mount Vernon Avenue

At our membership meeting on June 10, 2002, we voted to support the subject requests as recommended by Planning and Zoning and as amended by the Planning Commission to limit the hours of operation to 8 AM to 8 PM.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060, and President Bill Hendrickson at 703-549-7365 (days), 703-519-9410 (evenings).

Alexandria City Council
June 15 2002 Docket
Development Special Use Permit #2002-15
2100 MT VERNON AVENUE (WELSH SITE)

12, 13, 14, 15
6-15-02

June 14, 2002

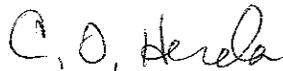
Re: The issue of zoning above named property from R-2-5/Residential (CL Pending) and CL/Commercial Low

I am a resident of one of the townhouses on East Windsor Avenue. I am concerned about the development of an industrial venture under my bedroom window and near my front door. This building/business is only 65 feet from the Methodist Ministers' bedroom window at 108 East Windsor and only about 100 feet from my bedroom window at 113C East Windsor Avenue. Mr. Tom Welsh operates his business (i.e. saws, drills and other woodworking equipment) "whenever he has time"...i.e. morning, noon and night.

Apparently, the Alexandria Planning Commission feels this is appropriate use of the residential lot which faces Windsor Avenue. However, Mr. Robinson of the Planning Commission heard my complaint about the noise and air pollution, during the meeting of 4 June 2002 and advised Mr. Welsh to use equipment that would control the air pollution. He further advised Mr. Welsh not to operate the saws, etc. at night.

I would therefore, respectfully request the hours to be set at something like 8:30 a.m. to 6:00 p.m. daily and closed on Sunday.

Thank you for your consideration.



C. O. Herda
113C East Windsor Avenue
Alexandria, Virginia
(703) 836-7318

5 June 2002

Mr. Robinson
624 South St. Asoph Street
Alexandria, Virginia 22301

Dear Mr. Robinson:

I am writing this note of thanks for your attention to the details of the agenda item #15A & B (4 June Docket) regarding the Special Use Permit for Tom Welsh's carpentry and paint shop (which is actually on Windsor Avenue although the package is identified as 2100 Mt. Vernon Avenue). I very much appreciate your telling him clearly that no woodworking should be done at night, and further that no odors or noise be projected. That was worth the 4 hours of waiting to be heard. I am sure Pastor Friend whose bedroom widow is 65 feet from that shop also appreciates your help.

It is truly frustrating to come home in the evenings and hear the "saw-mill" running. I really do believe this is an industrial venture – most growing cities do not want industrial industries within the city limits but Alexandria seems to be unique.

In 1984 and 1985 I went to City Planning with an issue for the development of a parking lot on the residential property beside my house (2010-2016 Mt Vernon Avenue). I did "win" a 65 foot long brick wall to separate the business from my property along with provisions for drainage, lighting, an 8 foot set-back from the wall, some landscaping and the provision that no auto maintenance would be performed in the parking lot. All those concessions seem to be gone in 2002, now, except the wall, a tree and bush and the drainage. I have asked Amy Slack of the Del Ray Civic Association, to help me research this to see why the agreements "Encoded" in 1985 are no longer effective from the ruling Mayor Beatley signed on. Because of this, I am concerned that the concessions agreed upon last night will only be temporary.

You have a difficult job of balancing the commercial ventures with the residential property owners, but I am grateful for your assistance in the case of Windsor Avenue.

Respectfully,



Carolyn O. Herda
113C East Windsor Avenue
Alexandria, Virginia 22301

12, 13, 14, 15
6-15-02

Received by CC, sent to
Planning

~~6/15/02 AF~~

Alexandria Planning Council
June 4, 2002 at 7:30 p.m. City Hall
Tax Map Reference 034-04-02-03

Page 1 of 4

My purpose is to direct your attention to the issue of changing the zoning of Mr. Tom Welsh's garage/workshop/lot from Residential to Commercial. This is the lot behind the Beauty Salon which Mrs. Anne Welsh operates at 2100 Mt. Vernon Avenue.

The information provided is that this business is similar to an "arts and crafts" venture like a pottery shop and therefore is a proper addition to our neighborhood in Del Ray. If you believe this, let me tell you something about this venture.

Mr. Tom Welsh introduced himself to me as a building contractor (his words). His business, building wood products, such as Cabinets, etc. is not an "arts and crafts" business. It is normally classified as light-industrial and belongs in an industrial park on Route 1 or in Shirlington. It does not belong in the backyards of this family-oriented community. Woodworking involves screeching electric saws, drills, presses, fine, misty sawdust, paints, solvents, thinners, acids, glue and other hazardous materials.

Furthermore, Mr. Walsh has been operating his business in his backyard for at least the last 1 ½ years and venting these materials out into the neighborhood. Mr. Walsh has advised me his hours are 8:00 a.m. until 8:00 p.m. However, Mr. Walsh is in business for profit, and therefore works toward his product due date. In other words he works until he finishes his task – regardless of the time or day which is normal for industry. That is another reason this business belongs in an industrial park. The reason I know these details, is because my bedroom window is across the street from the garage/workshop (approximately 170 feet) and I have the opportunity to experience the saws and other equipment morning, noon and night.



I am not the only person on Windsor Avenue who is aware of the noise and hazardous waste. The Methodist Minister and his wife have their bedroom window on the ground floor of the Parsonage, some 120 feet from the workshop. Pastor Friend has been with the Del Ray United Methodist Church for 1 ½ years and has been plagued with health problems since he moved into the Parsonage. Originally these problems were attributed to the mold which grew in the insulation under the house caused by improper drainage from the driveway. However, once the drainage problem was addressed, new insulation installed, new padding and carpeting installed, the walls cleaned and painted, the hope was that the health problems would resolve.

Unfortunately, Pastor Friend and his wife continue to have health problems. The \$30,000 that the Congregation spent on the Parsonage has relieved but not corrected the problems. They continue to have sinus infections and other issues related to immune system compromises. These conditions DO IMPROVE once they are away from this area.

Additionally, there is daily exposure of the Nursery School children in back of the Church where time is spent in the enclosed play area (around 200 ft from the workshop) and occasionally on the front lawn of the church. The after-school program, exposes the older children to the same chemical elements.

The people at the outdoor seating area of the Thai Restaurant are being showered with these same hazardous materials as are the people at the outdoor seating area of St. Elmo's, a block away. They are all unaware of this exposure.

Many residents in the area are retirees who enjoy sitting on their porches or decks with their morning cup of coffee, reading the paper or their bibles. Many of these seniors

already have health problems and are unaware of being exposed to new ones.

If you think paint, solvents, thinners, etc. are not hazardous materials, ask yourself why would Alexandria City Officials restrict disposal of these products? You as a resident may not put them in the trash. You must wait until the designated date in the Spring and in the Fall for the city to collect them; otherwise, you must take them to the Hazardous Waste Materials site on Wheeler Avenue.

Let me make an analogy to this issue with a favorite old story by Hans Christian Anderson's "The Emperor's New Clothes", in which two strangers came to town with a proposal appealing to the Emperor's vanity for new clothes. They would weave a very fine cloth from gold and silver coins and make a very fine fabric which only wise men could see. Those who could not see this fabric were stupid or unfit for office. The Emperor was intrigued and provided the strangers with the gold and silver they wanted, along with a palace room in which to weave the wonderful cloth. The Ministers all went to see the fabric – and could see nothing – but feared this admission would indicate they were stupid or unfit for office. Therefore, they all praised the weavers for their fine work and when the Emperor put on the invisible outfit and paraded down the street to the festival, all the villagers gathered to admire the new clothes. A small child pushed forward to see and said "The Emperor is naked". The guard tried to hush up the child, but the child again said, "He has nothing on at all". The villagers nodded and whispered to one another, "Our Emperor is naked".

I am that voice among the villagers...and I am telling you...this venture is a light industrial business which uses hazardous materials. It is a FAIRY TALE to call it an "Arts and Crafts" venture.

Mr. Tom Welsh will make a considerable sum of money when he sells these two pieces of property as a commercial package. The City Treasurer will also be happy with the new tax basis they will have.

THE PUNCH LINE FOR YOU, THE RESIDENT IS...

The reason this commercial venture will affect your property values, is that people who buy a \$250,000 to \$300,000 house do not normally invest this type of money in a piece of property beside an industrial park. Ask yourself the question, "Would I buy a home in Del Ray if I knew I was exposing my family to hazardous waste?" "Would anyone else buy my home at the current rates if they were aware of this light "industrial-type" business"? THE ANSWER IS NO!

And lastly if none of this is meaningful to you, ask the folks who live near American University, (where the Army buried the experimental weapons) and where all the children have high levels of Arsenic in their blood, "how do they like their neighborhood now"?

I spent some 40 years working with the Federal Government (33 years with the Navy) and I can tell you Department of Defense DOES NOT KNOW what to do about all the toxic waste they have created. YES, they will tell you that some 25-30 years later, there is no after-effect from the weapons and other toxins buried in that area.

I AM TELLING YOU THAT IS ALSO A FAIRYTALE!

Respectfully,
C.O. Herda
113C East Windsor Avenue
Alexandria, Virginia

13414
6-15-02

- CITY SEAL -

Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber, City Hall, City of Alexandria, Virginia, on Tuesday, June 25, 2002, at 7:30 p.m., or as soon thereafter as may be heard on the hereinafter described ordinances.

TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to such master plan as Master Plan Amendment No. 2002-0002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

The proposed ordinance accomplishes the final adoption of Master Plan Amendment No. 2002-0002 to change the land use designation and proposed zoning of the rear portion of the property at 2100 Mt. Vernon Avenue from RL/Residential Low to CL/Commercial Low.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Sheet No. 34.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the rear portion of the property at 2100 Mt. Vernon Avenue from R-2-5/Single and Two-Family Zone to CL/Commercial Low Zone, subject to a proffer, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2002-0002.

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* * * * *

THE PUBLIC IS ADVISED THAT AMENDMENTS OR ADDITIONS MAY BE MADE TO PROPOSED ORDINANCES WITHOUT FURTHER PUBLICATION. IT IS RECOMMENDED THAT PERSONS INTERESTED IN ANY OF THESE ORDINANCES OBTAIN FREE FULL-TEXT COPIES FROM THE CITY CLERK AT CITY HALL. BEVERLY I. JETT, CMC, CITY CLERK

To be published in the:

Northern Virginia Journal on ~~Monday~~ ^{Tuesday}, June 18, 2002
Alexandria Gazette Packet on Thursday, June 20, 2002