

Docket Item # 12-B
MASTER PLAN AMENDMENT #2001-0003
REZONING #2001-0003
LINDSAY MOTOR CAR SERVICE

Planning Commission Meeting
December 4, 2001

ISSUE: Consideration of a request for amendment to the Fairlington/Bradlee Small Area Plan Chapter of the 1992 Master Plan to (1) change the land use designation from OC/Office Commercial to CSL/Commercial Service Low, and (2) change the zoning from RB/Residential and OC/Office Commercial to CSL/Commercial Service Low.

APPLICANT: Lindsay Motor Car Inc.
by J. Howard Middleton, Jr., attorney

LOCATION: 1601-1608 Osage Street and 1601-1609 Peach Street.
[block bounded by Kenwood Avenue, Peach Street, Osage Street, Fern Street (vacated) and Blessed Sacrament Church property]

PLANNING COMMISSION ACTION, DECEMBER 4, 2001: On a motion by Mr. Gaines, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the request. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission generally agreed with the staff analysis and the applicant represented that it would file a proffer to limit the rezoning to the specific plan proposed. As to the proposed use and development, there were two major remaining issues at the hearing: the setback of the building along Kenwood and the hours of operation for the service facility.

As to the setback, the Planning Commission concurred with staff that the residential uses needed to be visually screened from the proposed commercial building. Staff had recommended a minimum setback of 27 feet adjacent to Kenwood Street in order to retain the existing mature trees which would buffer the service facility from the majority of Kingsgate residences. The applicant argued that the trees could probably be saved with only a 23' setback and agreed to provide additional plantings to provide buffering. The Planning Commission agreed with staff that the existing trees were essential but also wanted to incorporate the applicant's proposed landscaping plan for additional plantings. To do both, the Commission approved the 23' setback but added a condition requiring, if the three existing trees die within five years of construction, replacement trees which are large (5" caliper or greater) and in an equal amount of caliper lost.

As to the issue of the hours of operation, staff, out of concern for impacts on adjacent residential uses, recommended a closing time of 9:00 p.m; the applicant requested the ability to work on cars until 12:00 midnight. At the hearing, the applicant agreed to limit the 9:00 pm to midnight operation to a maximum of four employees and to activity occurring inside the building only. With those limitations, the Commission approved the extension of hours.

The other changes made by the Commission to the staff recommendations were clarifications requested by the applicant and the community.

Speakers:

Howard Middleton, representing the applicant.

Jay Parker, landscape architect for the applicant.

David Brown, North Ridge Citizens Association, spoke generally in support of the application but noted that there has not been an official meeting of the association since the staff report was produced and therefore there is no formal final position on some of the staff recommendations. Mr. Brown requested a number of clarifications to the conditions and asked that the body shop be required to relocate earlier than prior to issuance of Certificates of Occupancy.

Fran Vogel, Kingsgate Condominium Association, spoke generally in support of the application, but only with the conditions recommended by staff. She noted their concerns about traffic, particularly with respect to the opening of Peach Street.

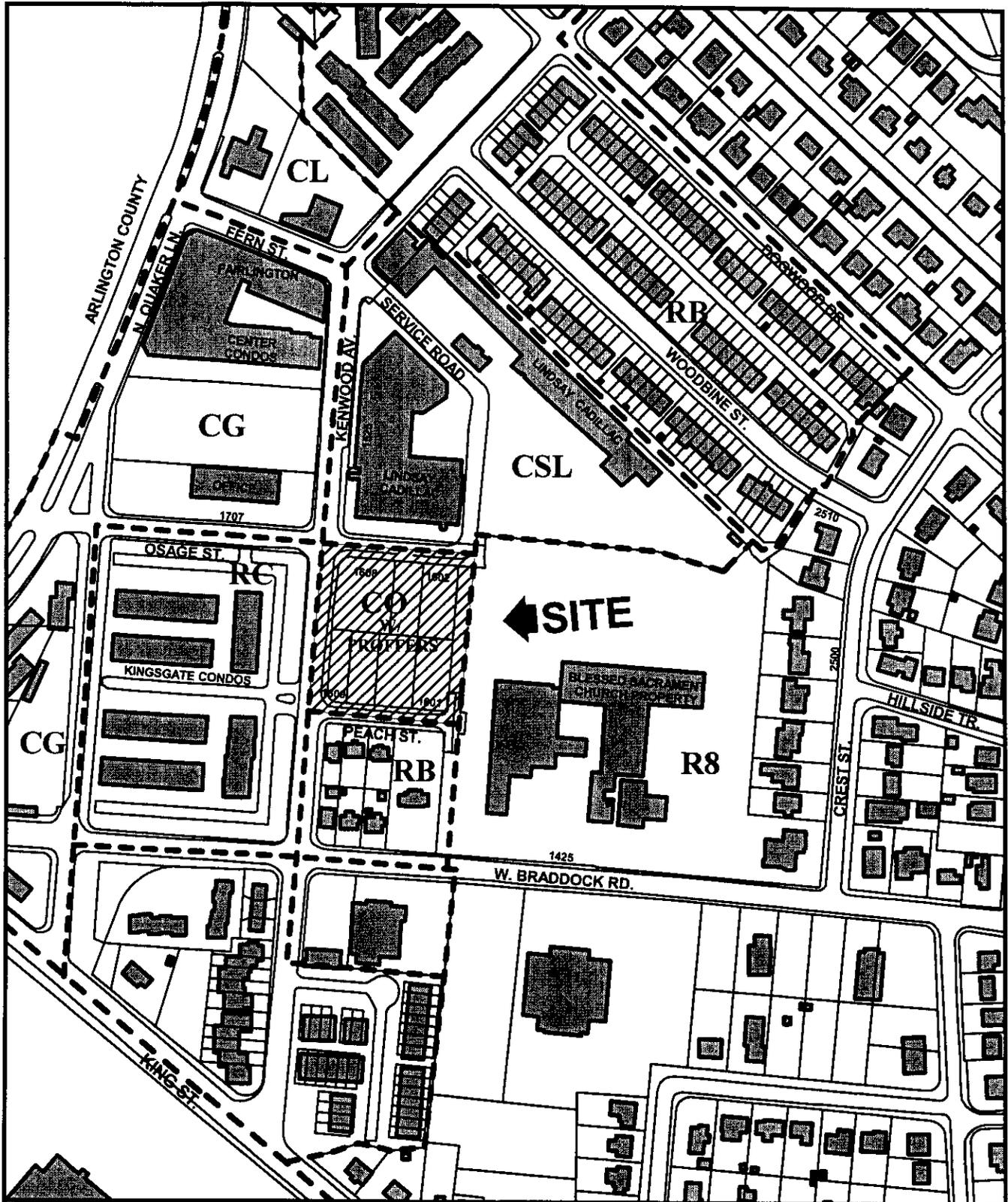
Jack Sullivan, Seminary Hill Association, indicated the association has taken no position on the application but noted a deep concern about the expansion of commercial into the residentially zoned area and the integrity of the small area plan.

Margaret Haynes, in a letter read by Kathy Holmes, expressed support for the proposal.

Steve Colantuoni, North Ridge resident and Lindsay employee, spoke in support of the proposal.

Carlyle Ring, North Ridge resident, spoke in support.

Donald Simpson, North Ridge resident, spoke in support.



MPA #2001-0003
RZ #2001-0003

12/04/01



SUMMARY:

The applicant, Lindsay Motor Car Service, requests a master plan amendment and a rezoning to remove the proffered CO zoning to allow construction of a 25,798 square foot service repair facility on the 55,030 sq.ft. (1.26 acre) block bounded by Kenwood Avenue, Peach Street, Osage Street, Fern Street (vacated), and the Blessed Sacrament Church property. The subject site is located in the Fairlington/Bradlee small area plan area. The applicant also has pending applications for a master plan amendment/rezoning (case MPA/REZ#2001-0002) for a proposed subdivision of Blessed Sacrament Church property and a development special use permit application, with subdivision (case DSUP#2001-0007), in conjunction with this case.

The subject block--bounded by Peach Street, Kenwood Avenue, Osage Street and the Blessed Sacrament property--is located within the Fairlington-Bradlee planning area, in a location where residential and commercial uses converge. To the immediate west across Kenwood Avenue are the Kingsgate condominiums, to the south across Peach Street are single family residences and to the west is Blessed Sacrament Church; residential uses and supporting institutional issues continue east down both sides of Braddock Road. To the north and northwest of the block are commercial uses: the Lindsay Cadillac and Saturn dealerships, and to the northwest, an office building and the small Fairlington shopping center.

While the city's zoning map shows the northern half of the block zoned commercial (OC/Commercial) and the southern half of the block zoned residential (RB/Residential), in fact the governing zoning on the site is a proffered plan approved by the City in 1989. The proffered plan is the only thing that can be built on the site without a rezoning. The proffered plan provides for a 45,000 square foot office building not exceeding a height of 50 feet on the northern three-quarters of the site and a row of townhouses along Peach Street not exceeding 45 feet in height. The proposed rezoning to CSL/Commercial Service Low for the entire block would eliminate the existing proffer and would allow construction of a 25,798 sq.ft. repair facility on the block, with second story parking.

Staff and the community initially did not support the proposed master plan amendment and rezoning because of concerns about the intensity of the proposed commercial use next to residential and because of concerns that the expansion of commercial uses over the entire block could potentially destabilize other residential uses in the area, particularly those across Peach Street, by encouraging further commercial rezoning. The North Ridge community, in particular, was concerned about the precedent that might be created by rezoning the entire block to commercial use. Staff concluded that it would be possible to support a rezoning proposal only if that proposal had:

- 1) less of an impact on adjoining residential uses than the office building and residences approved under the zoning proffer,
- 2) lessened some of the existing impacts of the adjoining commercial uses,

- 3) provided some public benefit to the adjacent residents at Kingsgate and Peach Street, and
- 4) maintained the existing residential integrity along Braddock Road, in particularly for the Peach Street and Kingsgate blocks.

With the many changes made to the plan in response to staff and community concerns, staff believes the above goals have been met and that this proposed rezoning would have significantly less of an impact than the approved proffered zoning for 45,000 sq.ft. of office space. Staff will support the master plan amendment and rezoning with the specific conditions placed on the DSUP. Major elements of the plan addressing the above issues include:

- 1) the provision of a 35' open space along the south side of the block, providing a public benefit (public open space) and creating an appropriate transition to the residential uses south of Peach Street, strengthening the residential on that block;
- 2) the provision of a 27' open space buffer along Kenwood Avenue, with significant landscaping on both sides of the street and the preservation of existing mature trees, as well as extensive landscaping on the west side of Kenwood Avenue, providing buffering to the Kingsgate residences;
- 3) redesign of the building facade to a character more consistent with the adjoining residential uses, including the provision of a gabled roof and window treatments; and,
- 4) provision of substantial parking on-site for the Lindsay operations to reduce the impact of on-street parking for the residents in the neighborhood.

With the changes made to the plan, coupled with all of the staff conditions contained in the DSUP, staff now supports the proposed master plan amendment and rezoning and the proposed development. The two neighborhood groups most affected—Kingsgate and North Ridge—also now support the proposal, subject to a number of conditions that are contained in the DSUP. Staff believes that the proposed project, with conditions, is now less intrusive than the project that could be built under the existing zoning proffer.

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STAFF RECOMMENDATION:

Staff recommends approval.

BACKGROUND:

The applicant, Lindsay Motor Car Service, is requesting a master plan amendment and rezoning for seven lots of record containing 51,712 sq.ft. for the block bounded by Kenwood Avenue, Peach Street, Osage Street, Fern Street (vacated), and the Blessed Sacrament Church property.

The subject site is located in the Fairlington/Bradlee Small Area Plan. The northern half of the property is designated by the master plan OC/Office commercial and zoned OC/Office commercial while the southern half is designated RM/Residential Medium and zoned RB/townhouse residential. Although the designations were adopted as part of the 1992 plan, City Council had previously granted approval of a proffered rezoning to CO/Commercial for this block on June 17, 1989 (Ordinance 3384). The CO proffered zoning calls for a 45,000 square foot office building not exceeding a height of 50 feet on the northern portion of the site and a row of townhouses along Peach Street not exceeding 45 feet in height. Currently, the northern portion of the site is used as a parking lot for the Lindsay operations and the southern portion, which previously consisted of four single family homes, is vacant.

The applicant's request is to amend the master plan, remove the proffered CO zoning and rezone the site CSL/Commercial Service Low. This will allow Lindsay to integrate this block into the surrounding Lindsay properties zoned CSL and permit the construction of a Lindsay Lexus service facility on this property with a special use permit. The applicant proffers to grant an easement to the City for a 6,144 square foot public park which would be 35 feet wide and run along Peach Street. In addition, the applicant will preserve a buffer area with trees along Kenwood Avenue with a minimum building setback of between 19' to 27' to provide a landscape buffer screen for the Kingsgate Condominiums, located across Kenwood Avenue from the proposed service facility.

STAFF ANALYSIS:

When this application was initially filed, staff and the community expressed serious concerns about the proposed rezoning because it allows further incursion and intensification of an automotive related use adjacent to residences. Although staff was not necessarily opposed to the applicant's proposed expansion plans, staff felt the rezoning could only be supported if the facility was 1) designed in a manner that provided appropriate transitions to adjoining residential uses, 2) did not contribute to destabilization of those residential uses, and 3) if the proposal provided some public benefit to the residents. The prior proffered rezoning to CO and the 1992 Master Plan had both affirmed a desire to have the site act as a buffer between automotive and residential areas.

One approach explored with the applicant was an alternative development scheme that shifted the new service facility--the building most likely to generate activity, noise and other impacts--from the Peach/Kenwood/Osage Street block to the main lot located on Fern Street, while placing the new parking structure on the Peach/Kenwood/Osage block. The applicant objected strenuously to this approach, citing mainly operational constraints, and indicating they could not go forward with such an alternative. In any case, residents of Kingsgate, the closest residential community, expressed a preference for having the service facility next to them rather than a parking garage.

Another alternative explored with the applicant was the provision of residential units along the southern edge of the block, similar to the approach taken in the proffered plan previously approved for the site. While theoretically this approach seemed desirable, the concepts presented by the applicant showed units which were poorly designed and which provided inadequate space for open space and parking, because of the narrowness of the area available for the proposed residences. In addition, this approach placed new residential uses even closer to the automotive uses than the existing residential, increasing the potential for land use conflicts in the future. Ultimately, staff concluded that the most effective buffer and transition would be provided by open space and we worked with the applicant to reduce the size of the facility and shift the facility so that meaningful areas of green space could be provided along the southern and western edge of the site, adjacent to residential.

This extended review process allowed both North Ridge Civic Association and Kingsgate residents the opportunity to work through issues with the applicant to reach a consensus that resulted in an endorsement to support the project with recommended conditions for its approval which both groups believe are necessary for mitigating the impacts of the proposed service facility and intensification of Lindsay operations. Staff continued working with the applicant on several other issues that are discussed in greater detail in the development staff report, however the following is an outline of the remaining points upon which a recommendation of approval is based:

- Setting a portion or the entire building back further from Kenwood Avenue to ensure existing trees which provide a visual buffer for the Kingsgate residents and are designated to be saved and protected,
- Further refinement of the service center building's facade treatment so that it would be compatible with residential and pedestrian scaled.
- Additional screening and facade treatment for the Fern Street parking deck.
- Reduction to proposed hours of operation for the service center.
- Reduction/relocation for the proposed dumpster pad site to provide additional landscape buffer area along Peach Street.

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Subject to the various conditions now being recommended in the development special use permit (the development site plan), staff and the neighborhood can support approval of the master plan amendment and rezoning. Staff will not oppose amending the master plan to change the land use from Office Commercial and Residential Medium to Commercial Service Low category and to removing the proffered CO zoning to rezone the site to CSL/Commercial service low.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development;
Gregory Tate, Urban Planner;
Leslie Parrish, Urban Planner.

RESOLUTION NO. MPA 2001-0003

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City of Alexandria and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the Fairlington/Bradlee Small Area Plan section of the 1992 Master Plan was filed with the Department of Planning and Zoning on April 5, 2001 for changes in the land use designations to the parcels located at 1601-1608 Osage Street and 1601-1609 Peach Street [block bounded by Kenwood Avenue, Peach Street, Osage Street, Fern Street (vacated) and the Blessed Sacrament Church property]; and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on September 4, 2001 with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. The proposed amendment is in keeping with the character of the Fairlington/Bradlee Small Area Plan; and
2. The proposed amendment will meet the goals for the area, which include (1) preservation and maintenance of adjacent neighborhoods; (2) preservation and maintenance of neighborhood serving retail; (3) ensuring that commercial redevelopment is compatible with surrounding neighborhoods; (4) maintaining traffic circulation in the area, and (5) improving the visual appearance in the area consistent with principles of urban design; and
3. The proposed amendment is generally consistent with Planning Commission's long-range recommendations for the general development of the Fairlington/Bradlee Small Area Plan; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the Fairlington/Bradlee Small Area Plan section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

RESOLUTION NO. MPA 2001-0003

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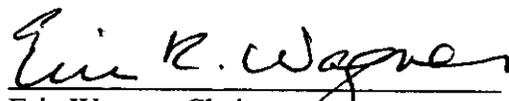
NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the Fairlington/Bradlee Small Area Plan section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

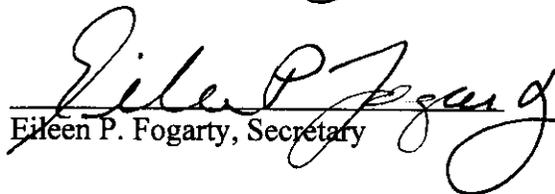
Change the designation of parcels located at 1601-1608 Osage Street and 1601-1609 Peach Street [block bounded by Kenwood Avenue, Peach Street, Osage Street, Fern Street (vacated) and the Blessed Sacrament Church property] from OC/Office Commercial to CSL/Commercial Service Low.

2. This resolution shall be signed by the Chairman of the Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED the 4th day of December, 2001.

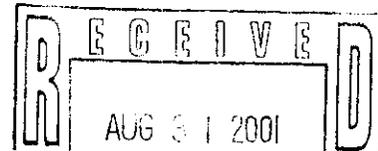

Eric Wagner, Chairman

ATTEST:


Eileen P. Fogarty, Secretary

GT

AMENDED



APPLICATION FOR:

[X] MASTER PLAN AMENDMENT

MPA # 2001-0003

[X] ZONING MAP AMENDMENT

REZ # 2001-0003

PROJECT NAME: Lindsay Motor Car Auto Sales and Service

PROPERTY LOCATION: Block bounded by Kenwood Avenue; Peach Street; Osage Street, Fern Street (vacated) and Blessed Sacrament Church property. Parcel of land, approximately 0.18260 acres, at rear of Blessed Sacrament Church property.

APPLICANT Name: Lindsay Motor Car Co. Address: 1725 Kenwood Avenue, Alexandria, Virginia 22302

PROPERTY OWNER Name: Lindsay Motor Car Co. Address: 1725 Kenwood Avenue, Alexandria, Virginia 22302 Name: Bishop, Diocese of Arlington Address: Blessed Sacrament Church, Braddock Rd., Alexandria, Virginia 22032

Interest in property: [X] Owner [X] Contract Purchaser [] Developer [] Lessee [] Other

If property owner or applicant is being represented by an authorized agent such as an attorney, a realtor, or other person for which there is some form of compensation, does this agent or the business in which they are employed have a business license to operate in Alexandria, VA: yes: If yes, provide proof of current City business license. no: If no, said agent shall obtain a business license prior to filing application.

THE UNDERSIGNED certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

J. Howard Middleton, Reed Smith Hazel & Thomas LLP

Print Name of Applicant or Agent

3110 Fairview Park Drive - 13th Floor

Mailing/Street Address

Falls Church, Virginia 22042

City and State Zip Code

Signature

703-641-4225 703-641-4340

Telephone # Fax #

August 31, 2001

Date

FOR CITY STAFF USE ONLY:

Date application received:

Fee Paid: \$

Date application complete:

Staff Reviewer:

ACTION - PLANNING COMMISSION:

ACTION - CITY COUNCIL:

LINDSAY LEXUS SERVICE FAC.

MPA # *2001-0003*

REZ # *2001-0003*

SUBJECT PROPERTY:

Provide the following information for each property for which an amendment is being requested.
(attach separate sheets if needed)

Address <u>Tax Map-Blk-Lot</u>	Land Use <u>Existing/Proposed</u>	Master Plan Designation <u>Existing/Proposed</u>	Zoning Designation <u>Existing Proposed</u>	Front-	Land
				age (ft.)	Area (acres)
1. 32.00-2-7, 8, 9, 11, 12, 13, 14	parking, resid./auto	OC/CSL	RB, OC(CO proffered plan)/ CSL	147	1.26
2 32.00-2-portion	church/auto	Inst./CSL	R-8/CSL	_____	0.18260
3					
4					

PROPERTY OWNERSHIP:

Individual Owner Corporation or Partnership Owner

Identify each person or individual with ownership interest. If corporation or partnership owner, identify each person with more than 10% interest in such corporation or partnership.

- Extent of Interest:
1. Owner: Lindsay Motor Car Co.
 - (a) Name: Charles T. Lindsay, Jr. more than 10%
Address: 1725 Kenwood Avenue
Alexandria, Virginia 22302
 - (b) Name Michael C. Lindsay more than 10%
Address: 1725 Kenwood Avenue
Alexandria, Virginia 22302
 2. Owner: Bishop, Catholic Diocese of Arlington 100%
(Blessed Sacrament Church)

MPA # 2001-0003

REZ # 2001-0003

JUSTIFICATION FOR AMENDMENT:
(attach separate sheets if needed)

1. Explain how and why any proposed amendment(s) to the Master Plan are desirable, beneficial to surrounding properties, in character with the applicable Small Area Plan and consistent with City policies:

(1) The block bounded by Kenwood Avenue on the west, Peach Street on the south, Osage Street on the north and the Blessed Sacrament Church site on the east, is presently split into two Master Plan and Zoning categories. The area from Peach Street north to the center of the block is planned RM and zoned RB; and the portion of the block from Osage Street south to the center is planned and zoned OC (office commercial). The OC-zoned portion of the property is presently utilized by Lindsay Motor Car Co. (Lindsay) for surface parking, and the southern half of the block is now vacant.

However, although the site is presently zoned OC and RB, it is still subject to a proffered plan in accordance with the CO zone. By Ordinance No. 3384 adopted June 17, 1989, Council approved a proffered plan consisting of a 45,000 sq. ft. office building at a height not to exceed 50 ft. and a row of townhouses along Peach Street at a height not to exceed 45 ft. A copy of the ordinance is enclosed. Since this plan is still in effect, the applicant is requesting the Council to release the property from the proffered plan adopted on June 17, 1989 by Ordinance no. 3384, and also to change the RB and OC zoning to CSL (commercial service low), thereby making it compatible with the Lindsay properties presently utilized for the Cadillac and Saturn auto sales and service operations.

The vacant and deteriorated houses along Peach Street were demolished. The result of the proposed Master Plan and zoning change will be to consolidate a substantial portion of the

block from Peach Street to Osage Street fully into the Lindsay operations for use as a Lexus service facility. An area of land 35 ft. deep along Peach Street will be proffered as public park area, thereby providing a park for the neighboring residents and bolstering the residential character from Peach Street to Braddock Road. The block from Peach Street to Braddock Road would remain residential both by Master Plan and zoning as well as use. In addition, a 19-ft. area including significant tree preservation will be preserved along Kenwood Avenue and will provide a buffer for the Kingsgate development on the west side of Kenwood Avenue.

The change will be compatible with the Fairlington/Bradlee Small Area Plan, which calls for commercial, institutional and residential uses existing side-by-side. Goals for the area in the Small Area Plan are met, and in some cases, enhanced by the proposal, such as:

- improve traffic circulation
- improve visual appearance of the area consistent with sound principle of urban design
- facility will be completely self-contained
- cars will be removed to structured parking
- as part of this application, the collision repair operations will be moved out of the neighborhood.

The Lindsay operations have for three generations been compatible with the mixed use nature of the Fairlington/Bradlee community, and this change will allow it to continue its high quality operations. Lindsay will remain the linchpin of the business community for the Fairlington area; and Alexandria's image as a true mixed use community is enhanced by the presence of the Lindsay Lexus auto business. It is one of a small select group of Lexus dealership sites and the most sought after franchise in the Nation.

(2) In addition, a small parcel of land (approximately 7,954 sq. ft.) presently bordering the Saturn parking area is proposed to be rezoned to CSL. This triangular shaped area presently owned by the Bishop of Arlington for the Blessed Sacrament Church is to be conveyed to Lindsay in accordance with a land exchange contract. The land conveyance will even the property line between Lindsay and the Church property and be utilized for the proposed Lindsay parking deck.

2. Explain how and why the proposed amendment to the Zoning Map(s) is consistent with the proposed amendment to the Master Plan, or, if no amendment to the Master Plan is being requested, how the proposed zoning map amendment is consistent with the existing Master Plan:

This application proposes to change the zoning of this area from RB and OC to CSL, which would be consistent with the Master Plan Amendment requested. The new zoning would integrate this block of land into the CSL zoning of the Lindsay property utilized by the Cadillac and Saturn dealerships. The purpose of the rezoning application is to enable the owner to apply for a special use permit to operate a service facility on the block. The service facility would primarily be utilized to service Lexus cars but could also be utilized by other Lindsay operations in the vicinity. As mentioned above, for three generations the Lindsays have operated their auto sales and service businesses at this site in a manner compatible with other businesses, institutional uses such as the Church and nearby lodge as well as the residential uses in the area. This change would enable Lindsay to consolidate its operations, provide a public park along Peach Street and still leave the block of Braddock Road frontage residentially zoned.

The rezoning of the small triangular shaped parcel to CSL will conform to the Master Plan Amendment and create a more reasonable property line between the rear of Church property and the Lindsay operations.

MPA 2001 - 0003
R62 2001 - 0003

3. Explain how the property proposed for reclassification will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire, drainage structures, refuse disposal, water and sewers, and schools.

The property which consists of one city block of land will be served adequately by existing public facilities and services. Access to the site will be by Osage Street but the block is also serviced by Kenwood Avenue and Peach Street. These local streets are, of course, served by Braddock Road, King Street and Quaker lane. The facility will enable the owner to create a greater number of off-street parking spaces which not only will serve the Lindsay auto operations but also create more flexible parking opportunities in the neighborhood.

The new parking deck area will be accessible from Osage Street and Fern Street (vacated) and provide additional off-street parking.

4. If this application is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinance, identify all proffered conditions that are to be considered part of this application (see Zoning Ordinance Section 11-804 for restrictions on conditional zoning):

The applicant proffers to:

1. Grant an easement to the City for public park purposes over area of land along Peach Street extending 35 ft. from the property line, as shown on the development site plan.
2. Preserve a buffer area with trees along Kenwood Avenue extending a variable distance up to 19 ft. from the property line.

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ORDINANCE NO. 3384

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

WHEREAS, Lindsay Cadillac Company ("Applicant") has filed for the rezoning of the property described below;

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

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the "FIFTH REVISED ZONING MAP" described and referred to in Section 7-6-3 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by changing, in the manner set forth below, the zoning of the property hereafter described:

All of Lots 7 through 9 and Lots 11 through 14, Block 2, on City of Alexandria Real Estate Assessment Map 32.00, having frontage on Peach Street of 208.71 feet, on Kenwood Avenue of 253.64 feet and on Osage Street of 203.57 feet, known as 1601, 1603, 1607 and 1609 Peach Street and 1602, 1604, 1606 and 1608 Osage Street and containing approximately 55,029 square feet (1.26 acres), subject to certain conditions proffered by the Applicant and accepted by the city, to-wit:

1. The townhouse residential portion of the site shall consist of approximately 20,000 square feet of land along Peach Street and extending north from Peach Street approximately 100 feet toward the center of the site. The floor area ratio on this townhouse residential portion of the site shall not exceed .75.

- 2. The office/commercial portion of the site shall consist of approximately 35,000 square feet of land area along Osage Street and extending south from Osage Street approximately 150 feet toward the center of the site. The total floor area for the office/commercial portion of the site shall not exceed 45,000 square feet. The floor area ratio for this office/commercial portion of the site shall not exceed 1.50.
- 3. The height of the residential units on the townhouse residential portion of the site shall not exceed 45 feet.
- 4. The height of the buildings on the office/commercial portion of the site shall not exceed 50 feet.

FROM: R-8 residential
 TO: C-O commercial office

Section 2. That the rezoning of the property described in Section 1 is forever subject to and conditioned upon the proffers voluntarily offered by the Applicant and accepted by city council.

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

JAMES P. MORAN, JR.
 Mayor

Introduction: 6/13/89
 First Reading: 6/13/89
 Publication: 6/16/89
 Public Hearing: 6/17/89
 Second Reading: 6/17/89
 Final Passage: 6/17/89

MPA 2001-0002
MPA 2001-0003

To The Members of the Planning Commission

May 10, 2001

Re: Lindsey Cadillac's Proposal to seek rezoning of 4 lots on Peach Street from R-4 to Commercial

Please take into consideration that this areas already is inundated with traffic form Lindsay's existing facilities on Kenwood, Fern, Quaker and Osage streets. In addition to that traffic we also have diverted traffic form Quaker Lane onto Fern St then to Kenwood in order for individuals to turn east onto Braddock Rd or King Street. We also have TC Williams High School students parking and driving in this area. There is also traffic from the Saturn automobile dealer and service center that they operate.

The traffic is very heavy in the morning and evening rush hours. It can be difficult to make a left hand turn onto Kenwood form Kingsgate Condos. Also many times the vision is blocked to make a right hand turn onto Kenwood form Kingsgate Condos. Adding rezoning for Lindsey will escalate an already congested area.

Our neighborhood shopping center has turned into a highly congested area with hardly any parking so many people park on all of the side streets and cause traffic problems in the area.

Please advise the Zoning Board that we do not need more commercial traffic in our residential neighborhood. I have already had no many near misses!

Catherine Call
1736 Kingsgate Court
Alexandria, VA 22302

703.931-5332

Items 12 A-B-C
distributed to PC 12/4/01

TESTIMONY

OF

DAVID W. BROWN,

ZONING COMMITTEE CHAIRMAN
NORTH RIDGE CITIZENS ASSOCIATION

ON

MASTER PLAN AMENDMENT 2001-0002
MASTER PLAN AMENDMENT 2001-0003
DEVELOPMENT SPECIAL USE PERMIT 2001-0007

BEFORE THE

ALEXANDRIA PLANNING COMMISSION

December 4, 2001

I am David W. Brown, Zoning Committee Chairman, North Ridge Citizens Association (NRCA). I am pleased to be here to supplement the views of the Association on the three Lindsay Lexus docket items. The Association's conditional support of the Lindsay development was set out in an October 2001 letter to the Commission from Association President Joe Bowman. Our recommendations preceded those prepared by the Staff. To the extent that the Staff recommendations differ from or enlarge upon our own, the Commission should not infer that our silence implies any lack of support for any of the Staff proposals. The NRCA Board will not have an opportunity to consider the differences until its next meeting, Monday, December 10, 2001. Our supplementary views on the Staff recommendations, in light of whatever action is taken here tonight, will be communicated to the City Council before its hearing on this matter later this month. Overall, I am confident the Board will report to the City Council that it is very pleased with the hard work reflected in the Staff's comprehensive assessment.

In the limited time I have available tonight, rather than repeat any of the views expressed in our letter to the Commission, I want to identify the areas we expect to be considering at our December meeting. The NRCA Zoning Committee worked with Staff and with Lindsay on this project over the past year or so. Based on that experience, I am happy to offer my personal views on where I think the NRCA Board is likely to come out on these issues, so long as you understand I am not able to express any new views of the Board or change any of its current recommendations on my own.

1. **Preservation of Existing Trees Along Kenwood Avenue**

NRCA did not have a recommendation on tree preservation because it was our understanding that the Lexus building would be voluntarily set back enough to preserve all significant trees along Kenwood, particularly in light of special construction techniques that would be employed. If it turns out that more setback is necessary, it is likely that NRCA would favor trees over service bays. Otherwise, NRCA would be deferential to Lindsay with respect to election between the two alternative means to save the trees, as outlined in the Staff Report (p.5) and Staff Recommendation 1(A). If some compromise acceptable to both the Staff and Lindsay is worked out tonight, we will consider it next Monday.

2. **Hours of Operation**

NRCA did not disapprove of the requested midnight closure, so long as customer dealings end at 9:00 pm. Nevertheless, NRCA is not likely to vote to openly disagree with

Staff concerns about late evening noise (Staff Report p.6). Staff proposes closure at 9:00 pm, not just stopping customer visits at that time. NRCA will most likely take a position consistent with any that Kingsgate takes on this issue. Not on the table tonight, but in a very important related vein, NRCA strongly supports strict enforcement of the current requirement that Saturn paint and body shop operations (directly adjacent to Woodbine Street residences) not be allowed to continue past 9:00 pm.

3. **Traffic Calming**

Traffic calming devices such as speed tables are a new issue in North Ridge, and opinions on their efficacy are still in the formative stages. Some have concerns about their utility; others are strongly supportive. Decisive in this case may be Kingsgate's expressed desire for them and the funding proposed in Staff Recommendation 7.

4. **Opening of Peach Street**

The issue of opening Peach Street was never brought to the attention of NRCA until after the Board considered and voted upon the Lindsay application in October. NRCA understands that Kingsgate has significant reservations about the opening of the street, given what that community considers to be an already congested traffic situation. While NRCA has not evaluated this issue as yet, NRCA is not likely to take a strong position on this issue at odds with our Kingsgate neighbors. If Kingsgate is willing to have this issue decided separately from the matters up for recommended decision tonight--see Staff Recommendation 45--I believe NRCA would likely endorse that approach as well.

5. **Building Design Changes**

This is an area where NRCA was pleased to rely on the expertise of consultants hired by the Staff to assist in evaluating the project. As a result, NRCA is likely to endorse any and all building design changes recommended by the Staff. See Staff Recommendations 1 & 2.

6. **Open Space Buffer**

To conform to the NRCA recommendation, Staff Recommendation 3 should be clarified to establish that Lindsay will fund the development of the open space, to include amenities such as paths and benches (in addition to plantings). In addition, the City-Lindsay-Citizen Liaison Committee contemplated for design and creation of the open space should be as permanent as the open space, so that minor adjustments, repairs or improvements can be discussed and agreed upon as necessary over time.

7. **Landscaping and Lighting**

NRCA will likely defer to the expertise of the Staff on ensuring the best, neighborhood compatible solution as to these elements of the Lindsay plan. See Staff Recommendations 4 & 6. This assumes that Kingsgate is satisfied that its lighting and landscaping concerns have been adequately addressed.

8. **Construction, Stormwater and Environment**

NRCA is strongly supportive of construction, stormwater and environmental safeguards and standards, as recommended by the Staff. This includes Staff Recommendations 5, 14, 15, 16, 19-21, 24-30, 37-41, 43, 46. I expect the Board to defer to Staff expertise in this area.

9. **Timing of Saturn Body Shop Removal**

The NRCA believes that the Saturn body and paint shop is an intrusive use that should be removed from the neighborhood at the earliest practicable time. Indeed, prompt removal was an important factor in NRCA endorsement of the Lexus Service Center at all. Our recommendation as to time of removal is when the Service Center Plans are released. Staff Recommendation 10 would add to this time frame the entire construction period (apparently about 9 months) as extra time for Lindsay to effectuate the relocation. Our Board's position was influenced by NRCA residents complaining of noise and paint fumes from this facility, very often later in the evening than the approved closing time. The Board has not been presented with good reason to believe that Lindsay will need more time to move this facility to Fairfax County than we proposed. NRCA is unlikely to support the extension Staff suggests, and certainly not in the absence of a clear demonstration that the extra time is likely to be needed to avoid a lengthy shutdown of the Saturn facility, due to constraints beyond Lindsay's control out in the County. Lindsay has been invited to our December 10th Board meeting to make a presentation on this.

10. **Parking and Vehicle Movement**

The promise of a final solution to long-standing neighborhood parking problems associated with Lindsay cars for sale (on the street or on truck trailers on the street), for service, and for employees is a major factor in the NRCA endorsement of the Service Center and adjacent parking facility. This history leaves NRCA less than completely confident that the new parking structure adjacent on the Cadillac/Saturn property, coupled with the rooftop Lexus Center parking, will solve all parking and vehicle movement problems. NRCA thus recommended, as a condition of approval, that Lindsay maintain the 150 existing employee parking

spaces obtained in arrangements with the Scottish Rite Temple and Blessed Sacrament. Similarly, NRCA recommended that angle parking on the southern portion of the Fairlington Shopping Center parking area (owned by Lindsay) be preserved in perpetuity for users of that retail area. Our preference is that these added guarantees of a genuine, permanent solution be enforceable as a condition of approval of the Service Center rather than be unenforceable oral promises to the community. In all other respects, NRCA is likely to fully support Staff Recommendations 7, 8, 9, 11-18, 22, 23 & 42.

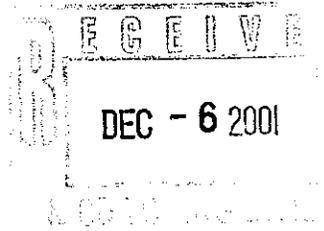
11. Operations

Conditions of operation (other than hours, see par. 2, above) are reflected in Staff Recommendations 9, 26, 31-37 & 42. The Board is likely to find them adequate.

12. Existing Conditions

NRCA is likely to be supportive of the Staff Recommendations to carry forward many existing conditions (Staff Recommendations 47-67), and to delete many that are no longer pertinent (Existing Conditions 13-39).

ReedSmith



MEMORANDUM

TO: The Honorable Mayor &
Members of City Council
City of Alexandria
301 King Street
Alexandria, VA 22314

DATE: December 5, 2001

FROM: J. Howard Middleton

RE: Rezoning No. 2001-0003; Lindsay Motor Car Service;
Consideration of a Request to Change the Zoning from
RB/Residential and OC/Office Commercial (planned under CO
with proffers) to CSL/Commercial Service Low; located at 1601
to 1608 Osage Street and 1601 to 1619 Peach Street (Block
bounded by Kenwood Avenue, Peach Street, Osage Street, Fern
Street (vacated) and Blessed Sacrament Church Property)

With respect to the above-cited Application for Rezoning, the applicant hereby proffers to develop the site to be rezoned in accordance with the development plan for the site approved with Development Special Use Permit No. 2001-0007.

Respectfully submitted,

J. Howard Middleton
Attorney for Applicant

cc: Michael Lindsay

Reed Smith Hazel & Thomas LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042-0681
703.641.4200
Fax 703.641.4340
Delaware
New Jersey
New York
Pennsylvania
United Kingdom
Virginia
Washington, DC

Reed Smith and *Reed Smith Hazel & Thomas* refer to Reed Smith LLP and related entities.

EXHIBIT NO. 2

18
12-15-01

DEC - 6 2001

ReedSmith

MEMORANDUM

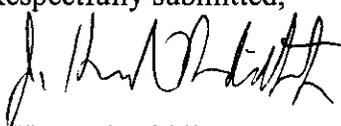
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Virginia
Washington, DC

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SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 17, 18, 19

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: HOWARD MIDDLETON
2. ADDRESS: 3110 FAIRVIEW PARK DR., FALLS CHURCH, VA
TELEPHONE NO. 703 641-4225 E-MAIL ADDRESS: jmiddlton@redsonth.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
ATTORNEY
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES NO _____

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.



AMENDED

APPLICATION FOR:

- MASTER PLAN AMENDMENT
- ZONING MAP AMENDMENT

MPA # 2001-0003
 REZ # 2001-0003

PROJECT NAME: Lindsay Motor Car Auto Sales and Service

PROPERTY LOCATION: Block bounded by Kenwood Avenue; Peach Street; Osage Street, Fern Street (vacated) and Blessed Sacrament Church property.
 Parcel of land, approximately 0.18260 acres, at rear of Blessed Sacrament Church property.

APPLICANT Name: Lindsay Motor Car Co.
 Address: 1725 Kenwood Avenue, Alexandria, Virginia 22302

PROPERTY OWNER Name: Lindsay Motor Car Co.
 Address: 1725 Kenwood Avenue, Alexandria, Virginia 22302
 Name: Bishop, Diocese of Arlington
 Address: Blessed Sacrament Church, Braddock Rd., Alexandria, Virginia 22032

Interest in property: Owner Contract Purchaser
 Developer Lessee Other

If property owner or applicant is being represented by an authorized agent such as an attorney, a realtor, or other person for which there is some form of compensation, does this agent or the business in which they are employed have a business license to operate in Alexandria, VA: yes: If yes, provide proof of current City business license. no: If no, said agent shall obtain a business license prior to filing application.

THE UNDERSIGNED certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

J. Howard Middleton, Reed Smith Hazel & Thomas LLP

Print Name of Applicant or Agent
3110 Fairview Park Drive - 13th Floor
Mailing/Street Address
Falls Church, Virginia 22042
City and State *Zip Code*


 Signature
703-641-4225 703-641-4340
 Telephone # Fax #
August 31, 2001
 Date

FOR CITY STAFF USE ONLY:

Date application received: Fee Paid: \$
 Date application complete: Staff Reviewer:

ACTION - PLANNING COMMISSION: 12/4/01 Recommend Approval 7-0
 ACTION - CITY COUNCIL: 12/15/01PH--See attached.

LINDSAY LEADS SERVICE FAC.

18. MASTER PLAN AMENDMENT #2001-0003

REZONING #2001-0003

1601-1608 OSAGE ST & 1601-1609 PEACH ST

[Block bounded by Kenwood Avenue, Peach Street, Osage Street,
Fern Street (vacated) and Blessed Sacrament Church property]

LINDSAY MOTOR CAR SERVICE

Public Hearing and Consideration of a request for amendment to the Fairlington/Bradlee Small Area Plan Chapter of the 1992 Master Plan to (1) change the land use designation from OC/Office Commercial to CSL/Commercial Service Low, and (2) change the zoning from RB/Residential and OC/Office Commercial to CSL/Commercial Service Low. Applicant: Lindsay Motor Car, Inc., by J. Howard Middleton, Jr., attorney.

COMMISSION ACTION: Recommend approval 7-0

City Council approved the Planning Commission recommendation, **as amended by the addition of the applicant's proffer "to develop the site to be rezoned in accordance with the development plan for the site approved with Development Special Use Permit No. 2001-0007."**

Council Action: _____

19. DEVELOPMENT SPECIAL USE PERMIT #2001-0007

1407-1499 W BRADDOCK RD; 1525-1725 KENWOOD AV;

1605 FERN ST; 1602-1608 OSAGE ST; 1601-1609 PEACH ST.

[Area bounded by Kenwood Avenue, Peach Street,
Osage Street and Fern Street (vacated)]

LINDSAY MOTOR CAR SERVICE

Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct and operate an automobile sales and service facility, to include a parking deck and request for modifications; zoned R-8/Residential, with CSL/Commercial Service Low pending. Applicant: Lindsay Motor Car, Inc., by J. Howard Middleton, Jr., attorney.

COMMISSION ACTION: Recommend approval 7-0

City Council approved the Planning Commission recommendation.

Council Action: _____

ORDINANCES AND RESOLUTIONS

20. Public Hearing, Second Reading and Final Passage of an Ordinance to amend the composition of the Sister Cities Committee to permit the School Board to designate either a board member or another representative to serve on the committee. (#17 12/11/01) **[ROLL-CALL VOTE]**

City Council finally passed the ordinance upon its Second Reading and Final Passage.

ORD. NO. 4229

Council Action: _____