

3C
3-25-03

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Public Hearing Meeting
Saturday, March 15, 2003 - - 9:30 a.m.

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Public Information Officer Gordon; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of Planning and Zoning; Mr. Baier, Director of Transportation and Environmental Services; Mr. Culpepper, Deputy Director of Transportation and Environmental Services; Urban Planners Tate and Davis; City Engineer Baker; Code Enforcement Director Dahlberg; and Police Lieutenant Uzzell.

Recorded by: Mrs. Beverly I. Jett, City Clerk and Clerk of Council.

OPENING

The Meeting was called to Order by Vice Mayor Cleveland, and the City Clerk called the Roll; all Members of City Council were present with Mayor Donley arriving at 10:00 a.m.

2. Public Discussion Period.

(a) Sheryl Gorsuch, 408-A East Raymond Avenue, representing Mount Vernon Community School PTA, requested City Council to mandate that the Duncan Library expansion project should include a specific plan for the public green space adjacent to that area and that a clear and visible entrance for the school be accommodated before a final footprint for the building has been chosen; a copy of her statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Public Discussion Item (a); 3/15/03, and is incorporated herewith as part of this record by reference.

Councilwoman Pepper requested a presentation on the plans for the Duncan Library.

(b) Karen Helbrecht, 419 East Windsor Avenue, supported the library's need to expand but expressed concern about the loss of open space. She suggested consideration of using the 25-foot setback on Commonwealth Avenue in front of the school and preserving the open space for an open space garden, a gathering space, or a reading area. She noted that they have worked with landscape architect students who have come up with some really interesting and creative ideas which she has shared with the Duncan Library architects. She would like to see the various City departments come together to really start discussion on parking issues, the green

space, open space and how this whole area is used. Ms. Helbrecht indicated that she is hopeful that there is an opportunity to create a truly comprehensive entrance for Mount Vernon that enhances the school and supports the library needs and those of the community.

Councilwoman Eberwein requested that when staff does its presentation with the staff drawings, she would also like to see the drawings that Ms. Helbrecht referenced from the landscape architect students.

(c) Ellen Pickering, 103 Roberts Lane, spoke in support of the Eisenhower East Plan.

(d) Julie Crenshaw, 816 Queen Street, thanked Council for setting a public hearing on Windmill Hill Park, and expressed concern that there was no public hearing on the peace resolution for citizen input.

(e) Van Van Fleet, 26 Wolfe Street, expressed concern that there was no public hearing on the peace resolution, and he supports our troops.

(f) Jonathan Wilbor, 310 South Lee Street, thanked the Council for bringing forward the Windmill Hill Park Plan for a public hearing.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-8)

Planning Commission

Without Objection, City Council removed docket item no. 8 from the consent calendar and considered it under a separate motion.

3. SPECIAL USE PERMIT #2002-0117 -- 85 S BRAGG ST -- Public Hearing and Consideration of a request for a special use permit for a commercial school for nursing assistants; zoned OCM-100/Office Commercial Medium. Applicant: Gloria B. Quist.

COMMISSION ACTION: Recommend Approval by unanimous consent

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 3/15/03, and is incorporated herewith as part of this record by reference.)

4. SPECIAL USE PERMIT #2002-0124 -- 312 S WASHINGTON ST -- OLD TOWN MASSAGE CENTER -- Public Hearing and Consideration of a request for a special use permit to operate a massage establishment; zoned CD/Commercial Downtown. Applicant: Jette Keis Hansen, doing business as Old Town Massage Center.

COMMISSION ACTION: Recommend Approval by unanimous consent

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 3/15/03, and is incorporated herewith as part of this record by reference.)

5. SPECIAL USE PERMIT #2002-0125 -- 2417 MT VERNON AV -- STUDIO BODY LOGIC -- Public Hearing and Consideration of a request for a special use permit to operate a pilates studio (commercial school) with a parking reduction; zoned CL/Commercial Low. Applicant: Studio Body Logic, LLC, by Karen L. Garcia.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 3/15/03, and is incorporated herewith as part of this record by reference.)

6. SPECIAL USE PERMIT #2002-0128 -- 706-708 MONTGOMERY ST -- SCRIPTURE CHURCH -- Public Hearing and Consideration of a review of a special use permit for off-street parking within 300 feet of a church; zoned CDX/Commercial Downtown. Applicant: Scripture Church, by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 3/15/03, and is incorporated herewith as part of this record by reference.)

7. SPECIAL USE PERMIT #2003-0003 -- 2615 MT VERNON AV -- CAPITOL PIZZA -- Public Hearing and Consideration of a request for a special use permit to change the hours of operation and ownership of an existing restaurant; zoned CL/Commercial Low. Applicant: Jose Rivera.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/15/03, and is incorporated herewith as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council approved the Action Consent Calendar as presented with the exception of docket item no. 8 which was considered under a separate motion. The action of City Council follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.

END OF ACTION CONSENT CALENDAR

The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	not yet arrived	Speck	"aye"
	Woodson	"aye"	

8. DEVELOPMENT SPECIAL USE PERMIT #2002-0050 -- 3750 JEFFERSON DAVIS HY -- ALEXANDRIA TOYOTA -- Public Hearing and Consideration of a request for a development special use permit, with site plan, to add service bays and a parking structure to the existing automobile sales facility; zoned CDD-7/Coordinated Development District. Applicant: Alexandria Toyota Inc., by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 3/15/03, and is incorporated herewith as part of this record by reference.

A copy of Mr. McHugh's letter dated March 14, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 8; 3/15/03, and is incorporated herewith as part of this record by reference.)

It was noted that Mayor Donley arrived during the discussion of this item.

The following persons participated in the public hearing on this item:

Michael McHugh, 2000 North 14th Street, Suite 210, Arlington, VA, attorney representing Equity Residential, opposed this special use permit and requested a reduction in size and mass;

Harry P. Hart, 307 North Washington Street, attorney representing the applicant, responded to questions; and

Jack Taylor, 3750 Jefferson Davis Highway, applicant, responded to questions posed to him by Members of City Council.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Woodson	"aye"	

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

9. SPECIAL USE PERMIT #2002-0118 -- 1004 MADISON ST -- Public Hearing and Consideration of a request for a special use permit for a restaurant and for an off-street parking reduction; zoned CSL/Commercial Service Low. Applicant: James Lee.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/15/03, and is incorporated herewith as part of this record by reference.)

James Lee, applicant, responded to questions posed to him by Members of City Council.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

10. SPOT BLIGHT ABATEMENT PROGRAM -- SBA Case #2002-0001 -- 408-410 E GLEBE RD / 3006 JEFFERSON DAVIS HY -- Public Hearing and Consideration of designation of property as blighted and consideration of proposed work plan to abate blighted conditions. Staff: City of Alexandria, Code Enforcement, by Art D. Dahlberg, Director.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 3/15/03, and is incorporated herewith as part of this record by reference.)

A copy of the joint City Attorney's memorandum dated March 14, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 10; 3/15/03, and is incorporated herewith as part of this record by reference.)

The following person participated in the public hearing on this item:

Alan S. Toppelberg, 1444 N Street, N.W., Washington, D.C., attorney representing Amerinvest, spoke against the staff recommendation and offered to work with the City.

Members of Council posed questions to Attorney Toppelberg.

WHEREUPON, a motion was made by Councilwoman Woodson to approve the original staff recommendation; which motion DIED for lack of a second.

Members of City Council, Code Enforcement Director Dahlberg, City Manager Sunderland, City Attorney Pessoa and Attorney Toppelberg participated in a discussion on this issue.

Councilman Speck noted for the record the recommendations contained in the City Attorney's memorandum dated March 14, 2003.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried unanimously, City Council approved the recommendation of the Planning Commission, **as modified by the City Attorney in his memorandum dated March 14, 2003, with respect to condition no. 4 of the staff recommendation.** The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Woodson	"aye"

11. DEVELOPMENT SPECIAL USE PERMIT #2002-0025 -- 400 CAMERON STATION BLVD -- CAMERON STATION - Phase VII (BROOKDALE) -- Public Hearing and Consideration of a request for a development special use permit extension for construction of a senior housing and assisted-living high-rise facility; zoned CDD-9/Coordinated Development District. Applicant: Cameron Associates, LLC, by Duncan W. Blair, attorney.

COMMISSION ACTION: Recommend Approval 4-3

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 3/15/03, and is incorporated herewith as part of this record by reference.

Communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 11; 3/15/03, and is incorporated herewith as part of this record by reference.)

The following persons participated in the public hearing on this item:

Duncan W. Blair, 524 King Street, attorney representing Cameron Associates, spoke in support of the extension;

The following persons spoke in opposition expressing concerns of traffic, parking, building height/mass, not informed when purchasing, and potential change in use:

Marilyn Lythgo, 5120 Grimm Drive;

Joseph S. Bennett, 5022-B Barbour Drive, representing Cameron Station Civic Association;

Suzanne Warfield Johnson, 5257 Bessley Place;

Richard J. Cloonan, 5128 Grimm Drive;

Ken Nahigian, 5068 Minda Court;

Karen O'Brien, 361 Cameron Station Boulevard;

Michael O'Brien, 361 Cameron Station Boulevard;

Keith Nahigian, 331 Cameron Station Boulevard;

Penelope Panzer, 5243 Tancreti Lane;

Bruce Greenberg, 5233 Bessley Place;

Arthur Impastate, 239 Medlock Lane, representing Cameron Station Civic Association;

Katherine Lynn, 234 Murtha Street;

Steven Little, 5123 Knapp Place;

Melissa Heinzer, 339 Helmuth Lane;

Lou Heinzer, 339 Helmuth Lane;

E. Michael O'Malley, 5229 Tancreti Lane;

Deborah Charette, 350 Cameron Station Boulevard;

Bill Gery, 350 Cameron Station Boulevard;

Peter Trapp, 365 Cameron Station Boulevard;

Richard D. LeBlanc, 172 Cameron Station Boulevard;

Todrick Donnelly, 295 Cameron Station Boulevard;

Mike Murphy, 238 Cameron Station Boulevard;

Clark Lynn, 234 Murtha Street;

Mary Tang Sheahan, 5127 Knapp Place; and

Mark R. Schwartz, 5109 Gardner Drive, representing Cameron Station Civic Association.

The public hearing was closed.

Members of Council spoke to this item.

It was suggested to the developer that maybe Phases VI and VII should be considered together and at the same time.

Councilman Speck would like to have some discussion, prior to his departure from Council, on the issue of disclosure and try to come up with ways to keep people better informed about the history and foundation of decisions that take place during the development process.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council **denied** the development special use permit extension. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

12. **DEVELOPMENT SPECIAL USE PERMIT #2002-0049 -- 1 BUZZARD'S GAP -- PICKETT'S RIDGE** -- Public Hearing and Consideration of a request for a development special use permit, with site plan and subdivision, to construct single-family dwellings; zoned R-20/Residential. Applicant: Sutton Building Corporation, by Duncan W. Blair, attorney.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 3/15/03, and is incorporated herewith as part of this record by reference.)

The following persons participated in the public hearing on this item:

Duncan W. Blair, 524 King Street, attorney for the applicant, spoke in support;

Camille Margaret Sherling, 1233 North Pickett Street, representing the Sherling family, spoke in opposition; a copy of information she provided is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of this item; and

Julie Crenshaw, 816 Queen Street, expressed concerns about the protection of the wildlife on this property, and the birds which may be nesting.

In the future, Councilwoman Eberwein would like to see more coordination between Planning and Zoning and Parks and Recreation staffs with regard to open space and pedestrian access and that input be provided to the Planning Commission and Council. Ms. Eberwein noted that we're looking for creative ways to get open space for citizens and that open space may come in the package of private parcels.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council approved the Planning Commission recommendation, **as amended, by the addition of new condition no. 51 to read: "51. The subject site shall not be resubdivided beyond the two lots being created under this development site plan.", and the deletion of condition no. 42.** The voting was as follows:

Pepper	"aye"	Cleveland	"aye"
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

13. MASTER PLAN AMENDMENT #2003-0002 -- REZONING #2003-0001 -- TEXT AMENDMENT #2003-0001 -- Public Hearing and Consideration of amendments to the 1992 Master Plan and Zoning Ordinance as follows:

- (1) consideration of adding the Eisenhower East Small Area Plan including CDD Guidelines;
- (2) consideration of an amendment to the King Street/Eisenhower Avenue Metro Station Small Area Plan chapter of the 1992 Master Plan to remove the land area from that plan now covered by the Eisenhower East Small Area Plan;
- (3) consideration of adoption of amended zoning maps to reflect the Eisenhower East coordinated development district (CDD); and
- (4) consideration of amendments to Section 5-602 of the Alexandria Zoning Ordinance with respect to CDD #2, and a new CDD #11.

Staff: Department of Planning and Zoning, Eileen Fogarty, Director; Kimberley Fogle, Chief, Neighborhood and Community Planning.

COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated February 26, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 3/15/03, and is incorporated herewith as part of this record by reference.

Copies of communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 13; 3/15/03, and is incorporated herewith as part of this record by reference.

A copy of the PowerPoint presentation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 13; 3/15/03, and is incorporated herewith as part of this record by reference.)

Planning and Zoning Director Fogarty and Transportation and Environmental Services Deputy Director Culpepper made a PowerPoint presentation to the Members of Council on the Eisenhower East Plan and responded to questions of Council.

Planning Commission chair Wagner provided Council with an overview of the Planning Commission's comments and responded to questions of Council.

The following persons participated in the public hearing on this item:

Howard Middleton, 3110 Fairview Park Drive, Falls Church, VA, attorney representing American Trucking Association, spoke in support of the plan and addressed the issue of underground parking and soil conditions, requested Council to build into the plan an opportunity to obtain relief from some or all of the underground parking and not be penalized for it, and asked that the City staff do a study and propose a recommendation for this kind of a safety valve;

Poul Hertel, 1217 Michigan Court, spoke in support of the plan and to parking ratios; a copy of his paper is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 4 of this item;

Katy Cannady, 20 East Oak Street, spoke in support of the plan and supported a parking ratio formula that would give us a ratio of 1.3 rather than 1.66 or more for commuter parking;

Tom Parry, 317 Skyhill Road, spoke in support of the proposal of the Seminary Hill Association to reduce the office parking average to 1.3 spaces per 1000 gross square feet and noted that the proposal is also supported by the Clover College Park Association;

James A. Alexander, 1725 De Sales Street, NW, #900, Washington, D.C., representing Alexandria Mini-Storage, LLC, supported the plan and addressed the issue of the underground parking requirement and requested that the City Council adopt a mechanism for relief for that requirement, requested that the underlying zoning density be restored to a 1.5 floor area ratio, and it's imperative that the plan clearly set forth a mechanism where we will not be disproportionately burdened or incur the expense of the public improvements that benefit all of the residents of the City, and we would seek your consideration of a mechanism that makes that clear;

Julie Crenshaw, 816 Queen Street, spoke to the soil conditions, infrastructure, wider sidewalks, and connectability of green space;

Donald Simpson, Sr., 608 West Braddock Road, representing Simpson Development Company, Inc., spoke in support of the plan and expressed concern about the subsurface soil conditions, the presence of methane gas, and the requirement for underground parking. There should be some mechanism of relief for that requirement;

Thomas Welsh, 2100 Mount Vernon Avenue, spoke in support of the plan;

Bill Hendrickson, 304 East Spring Street, spoke in support of the plan, and suggested an amendment to the plan that would make it clear to developers that the maximums are not rights to X amount of parking but rather, perhaps, guidelines of what could be allowed, depending on the economic, traffic and other conditions that exist at the time as applications for specific developments are brought forward; a copy of his statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 5 of this item;

Alan Rudd, 2121 Jamieson Avenue, #1801, spoke in support;

Sally Ann Greer, 1168 North Pitt Street, representing North Old Town Independent Civic Association, spoke to the impact of the traffic to be generated from this plan and suggested that it be closely monitored;

Alan Voorhees, 501 Slaters Lane, Apt. 1208, spoke in support and encouraged integrating the use of transit in the development on both sides of the Eisenhower Metro Station;

Bill Harvey, 2151 Jamieson Avenue, #1809, representing Carlyle-Eisenhower Civic Association, spoke in support of the plan;

Mariella Posey, 915 Second Street, spoke in support of the plan;

Sylvia Sibrover, 915 Second Street, spoke in support of the plan;

Maruerite L. Lang, 14 West Rosemont Avenue, spoke in support of the plan and the process followed to develop the plan;

Joseph S. Bennett, 5022-B Barbour Drive, spoke in support of the plan as presented, supported the process, recommended moving quickly to West Eisenhower and then moving onto Duke Street, and noted that the amount of parking recommended in this plan is quite reasonable;

Van Van Fleet, 26 Wolfe Street, opposed the East Eisenhower plan and spoke to a short-term building moratorium for East Eisenhower; a copy of his statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 6 of this item;

Bernard M. Fagelson, 1412 Key Drive, representing himself and partners, endorsed the remarks of Mr. Simpson and Mr. Middleton and recommended that the plan be adopted;

Peter Katz, 1804 Jamieson Avenue, spoke in support and addressed transit-oriented development;

Jack Sullivan, 4300 Ivanhoe Place, speaking on behalf of the Seminary Hill Association, Inc., spoke to process for developing the East Eisenhower plan and commended staff; reduce parking ratio to 1.3; City must aggressively pursue the earliest possible construction date for a ramp connecting the Beltway with Mill Road; and Council must reject all temptations to tinker with the Plan today or in the future; a copy of the statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 7 of this item;

Jonathan Rak, 1750 Tysons Boulevard, McLean, VA, attorney representing the Hoffman Family, LLC, spoke to the issues and concerns that this plan does not address: the effects it has on the Hoffman property, to the rezoning of blocks 24 and 25a and concern about the change to the underlying zoning, and requested that the zoning be restored to CDD#2; a copy of his statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 8 of this item; and

Linda Couture, 422 North Union Street, speaking as a board member for Alexandrians for Sensible Growth and on a personal note, ASG endorsed and supported the Seminary Hills Association parking proposal which is 1.3 spaces per 1000-square-foot of gross, the ASG has never endorsed, asked for in its mission statement or anywhere for a moratorium on development, and finally, ASG would like the plan to be strengthened by looking at the parking and traffic issues.

The public hearing was closed.

Councilman Speck asked staff to look at the question of whether there should be something procedurally in place for addressing, short of having to come back with a new special use permit application, in the event conditions prevent them from accomplishing what we want them to accomplish, and what apparently they want to accomplish which is where appropriate and where possible to underground parking, and for that get the density that goes with that. He stated that over the next few months as staff is looking at the design guidelines, if staff, in conjunction with the Planning Commission, can just look at whether that is something that ought to be part of the mechanics of this plan. Tell us if you think so. If you do, we'll look at it; if you don't, we won't.

Councilwoman Eberwein asked if staff would take an additional look at the parking compared to other jurisdictions just to allay some of the concerns.

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

ORDINANCES AND RESOLUTIONS

14. Public Hearing, Second Reading and Final Passage of an Ordinance to convey real property located at 423 South Reynolds Street, Alexandria, Virginia, owned by the City of Alexandria to the Alexandria Redevelopment and Housing Authority for low- and moderate-income housing in connection with the redevelopment of Samuel Madden Homes (Downtown). (#18 3/11/03) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated March 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 3/15/03, and is incorporated herewith as part of this record by reference.)

The City Clerk read the docket item.

It was noted that there were no speakers on this item; therefore, the public hearing was concluded.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council finally passed the Ordinance upon its Second Reading and Final Passage. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

The ordinance finally passed reads as follows:

ORDINANCE NO. 4292

AN ORDINANCE approving and authorizing the conveyance of property owned by the City of Alexandria, located at 423 South Reynolds Street in the City of Alexandria, Virginia, to the Alexandria Redevelopment and Housing Authority for low- or moderate-income public housing.

WHEREAS, the City of Alexandria ("City") owns the real property located at 423 South Reynolds Street in Alexandria, Virginia; and

WHEREAS, the city manager has recommended the conveyance of this property to the Alexandria Redevelopment and Housing Authority ("ARHA") in accordance with Resolution No. 1857, adopted by city council on February 10, 1998; and

WHEREAS, the conveyance of this property shall be considered as a credit to the \$3.5 million funds that on or about September 15, 2001, city council agreed to provide to ARHA for the redevelopment of Samuel Madden Homes; and

WHEREAS, the contribution by the City to ARHA attributable to the conveyance of this property shall be at a minimum, calculated to be \$656,110, plus any and all future costs and expenses paid by the City attributable to the demolition of this property; and

WHEREAS, the city council is of the opinion that a public necessity exists for the conveyance by the City of this property to ARHA for the construction of low- or moderate-income housing as replacement housing in connection with the redevelopment of Samuel Madden Homes (Downtown), and so finds; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the conveyance of the real property, shown on a plat entitled "Boundary Survey Part of Parcel 3509-04-01" dated September 3, 1997, recertified January 8, 1998, and prepared by Holland Engineering, and more particularly described below, to the Alexandria Redevelopment and Housing Authority, for replacement housing site for the Samuel Madden Homes (Downtown) and under the terms and conditions contained in the Agreement, which Agreement is hereby incorporated in this ordinance as if fully set forth herein, be, and the same hereby is, approved and authorized:

BEGINNING at an iron pipe at a corner to W. R. Mitchell and Edwards in the northern line of Edsall Road; thence with the said northern line S. 88 degrees 15' 30" E. 83.59 feet to a point; thence N. 75 degrees 43' 50" E. 21 feet to a point in the center of Edsall Road; thence along the center of Edsall Road N. 21 degrees 24' 20" E. 53.65 feet to a point and N. 3 degrees 06' 00" E. 252.35 feet to a point; thence with the land of others S. 77 degrees 20' 10" W. 127.68 feet to a point; then N. 14 degrees 16' 10" W. 54.0 feet to a point in the line of W. R. Mitchell; thence with the line of Mitchell S. 0 degrees 07' 50" E. 328.91 feet to the point of beginning, containing 0.855 acres of land, more or less;

LESS AND EXCEPT Outlot A, being Parcel 3509-0402 of a resubdivision of Parcel 3509-04, Property of W. R. Manchester, Inc., conveyed in Deed Book 640, Page 325, among the land records of the City of Alexandria, Virginia;

FURTHER LESS AND EXCEPT 5,003 square feet conveyed to the City of Alexandria, Virginia, in Deed Book 707, Page 189, among the aforesaid land records;

TOGETHER WITH all improvements and fixtures on the above-described land and all rights, privileges, easements, benefits and agreements appurtenant thereto; and

Section 2. That the real property described in Section 1, shall be developed exclusively for public housing in accordance with development Special Use Permit No. 2002-0035, approved by city council on or about December 14, 2002, as the same may be amended from time to time by city council.

Section 3. That the city manager be, and hereby is, authorized, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the conveyance of the real property described in Section 1, including, but not limited to, the execution and delivery of a deed and other appropriate documents.

Section 4. That the city clerk be, and hereby is authorized, to attest the execution of the deed and other necessary documents executed by the city manager pursuant to Section 3, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: 03/11/03
First Reading: 03/11/03
Publication: 03/13/03
Public Hearing: 03/15/03
Second Reading: 03/15/03
Final Passage: 03/15/03

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REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR (15-21)

Planning Commission (continued)

15. SPECIAL USE PERMIT #2002-0123 -- HOLMES RUN PKY to BEATLEY BRIDGE -- Public Hearing and Consideration of a request for a special use permit to install lighting on the pedestrian path from Holmes Run Parkway to the Beatley Bridge crossing area. Applicant: City of Alexandria, Department of Recreation, Parks and Cultural Activities, by Sandra Whitmore, Director.

COMMISSION ACTION: Deferred by unanimous consent

16. SPECIAL USE PERMIT #2002-0126 -- 4600 DUKE ST, #1410 -- 4600 DUKE CONDOMINIUM -- Public Hearing and Consideration of a request for a special use permit to operate a child care home; zoned RC/Residential. Applicant: Agnes A. Buabeng.

COMMISSION ACTION: Deferred by unanimous consent

17. DEVELOPMENT SPECIAL USE PERMIT #2002-0052 -- 201 N QUAKER LA -- DARTMOUTH PLACE -- Public Hearing and Consideration of a request for a development special use permit amendment to construct a fence with a storage area within a conservation area; zoned R-20/Residential. Applicant: Dartmouth Place Homeowners Association, by Wallace Christner.

COMMISSION ACTION: Deferred (Improper notice)

18. STREET NAME, CASE #2003-0002 -- 2201 JEFFERSON DAVIS HY -- POTOMAC YARD - POTOMAC GREENS -- Public Hearing and Consideration of approval of new public street names as "Potomac Greens Drive, Townsend Road, Caledon Lane, Dent Lane, Fowke Lane, Hunter Square, and Langhorne Lane" located within the Potomac Yard Parcel A - Potomac Greens project at 2201 Jefferson Davis Highway. Staff: City of Alexandria, Department of Planning and Zoning.

COMMISSION ACTION: Deferred by Staff and Applicant

19. DEVELOPMENT SPECIAL USE PERMIT #2002-0026 -- 2201 JEFFERSON DAVIS HY -- POTOMAC YARD - POTOMAC GREENS -- Public Hearing and Consideration of a request for a development special use permit, with site plan, for construction of residential dwellings; zoned CDD-10/Coordinated Development District. Applicant: Potomac Greens Associates, LLC, by Jonathan P. Rak, attorney.

COMMISSION ACTION: Deferred by Staff and Applicant

20. DEVELOPMENT SPECIAL USE PERMIT #2002-0027 -- 2601 JEFFERSON DAVIS HY -- POTOMAC YARD RAIL / DOG PARK -- Public Hearing and Consideration of a request for a development special use permit, with site plan, for a dog park; zoned CDD-10/Coordinated Development District. Applicant: Crescent Resources, LLC, by Duncan W. Blair, attorney.

COMMISSION ACTION: Deferred 7-0

21. DEVELOPMENT SPECIAL USE PERMIT #2002-0028 -- 901 SLATER'S LA -- POTOMAC YARD - POTOMAC PLAZA -- Public Hearing and Consideration of a request for a development special use permit, with site plan, for construction of retail and restaurant use buildings; zoned CDD-10/Coordinated Development District. Applicant: Potomac Greens Associates, LLC, by Jonathan P. Rak, attorney.

COMMISSION ACTION: Deferred by Staff and Applicant

END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Without objection, City Council noted the deferrals.

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New Business Item No. 1: City Council was provided with copies of applications for the position of City Clerk and Clerk of Council and set potential dates to interview applicants on April 7, 8, and 11.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, at 3:40 p.m., the Public Hearing Meeting of March 15, 2003, was adjourned. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

APPROVED BY:

KERRY J. DONLEY **MAYOR**

ATTEST:

Beverly I. Jett, CMC City Clerk