

Docket Item #12-A
TEXT AMENDMENT #2004-0007

Planning Commission Meeting
November 4, 2004

CASE: TEXT AMENDMENT #2004-0007
AMENDMENT TO FLOOR AREA RATIO IN THE CD-X ZONE

ISSUE: Consideration of an amendment to Section 4-606 of the Zoning Ordinance to increase the residential floor area ratio in the CD-X zone from 1.25 to 2.0 with a special use permit.

PLANNING COMMISSION ACTION, NOVEMBER 4, 2004: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the proposed text amendment, subject to the addition of clarifying text to 2b(iv) regulating height, and 2b(viii) regulating open space, and an amendment to the boundaries of the properties eligible for the special use permit to include First, Third, N. Royal and N. Fairfax Streets, and, that the areas within a retail focus area shall continue to be subject to Section 6-500 of the Zoning Ordinance. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission generally agreed with the staff analysis, however the Commission amended the text amendment to exclude the northern triangular area because of the existing and adjoining uses that are not appropriate for an increased density for residential uses within this northern block.

Speakers

Howard Middleton, attorney, representing the applicant for the Postmaster Property redevelopment subject to the proposed text change, spoke in support of the text change mentioning that residential brings a balance of uses to the current office and commercial uses of the block. Additionally, Mr. Middleton suggested that there is a disconnect in the current zoning between the allowable 100 units per acre and the limitation in the allowable 1.25 FAR.

Harry P. Hart, attorney representing property owner (MetroStage) Bob Craddock who would be affected by the amendment, spoke in favor of text amendment but against the standard that requires a 50 foot setback adjacent to rail lines. Mr. Hart stated that it prevents that owner from bringing forward an application.

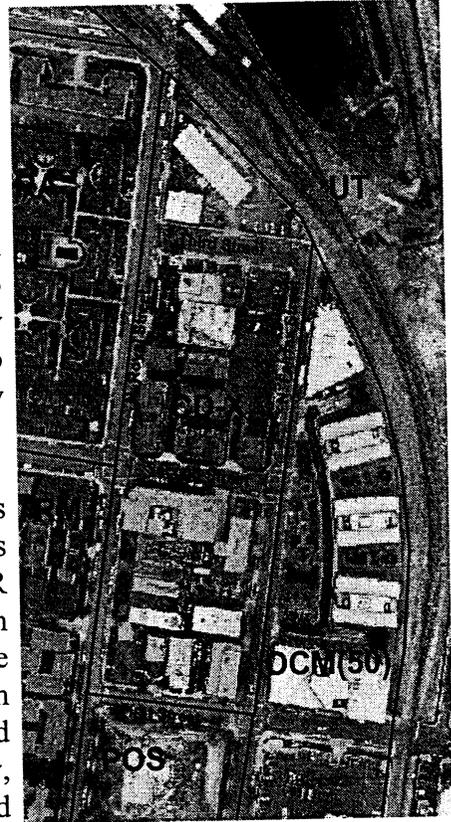
Roger Waud, representing the North Old Town Independent Citizens Association, spoke in concern of possible redevelopment of the site of MetroStage and Marianna's Café.

I. SUMMARY:

The proposed text amendment will amend the floor area ratio permitted within the CD-X zone for residential uses from 1.25 to 2.0, if a special use permit is approved consistent with prescribed development standards, including provision for underground parking, affordable housing, and publicly accessible open space. Although the small area plan for Old Town North expressly encourages residential uses in order to achieve a mixed use area, the CD-X zone now discourages it by permitting higher densities for commercial development, up to 2.5 with a special use permit. The change in zoning will apply only to three blocks in Old Town North.

To encourage a better balance of residential and commercial uses in an area that is primarily commercial uses, staff is recommending that residential uses be permitted up to a 2.0 FAR with a special use permit, with standards to assure maximum accompanying public and neighborhood benefit. Residential use within the limited mixed use area will provide a transition between the predominantly residential uses to the west, and office uses to the east, both in use and in scale. Additionally, residential use will further support the existing retail and neighborhood services in the surrounding neighborhood. A balance of uses clearly promotes the Old Town North small area plan objectives of creating a vibrant pedestrian character and establishing the traditional urban fabric in Old Town North.

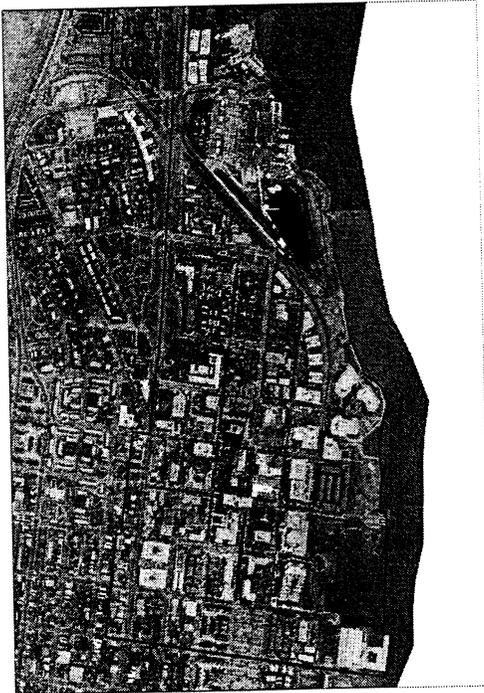
Staff has met with the affected and adjoining property owners and civic associations. The proposed text amendment has been received positively, and staff believes that with the discretionary reviews provided by the requirement of a special use permit, the appropriateness of density can be reviewed on a case by case and site by site basis.



Three CD-X Blocks affected by the proposed text amendment.

II. BACKGROUND:

Historically, Old Town North has been an area comprised of predominantly commercial and industrial uses with limited residential uses, having been primarily an industrial area until approximately 1960. In recent decades the area has increasingly become a mixed use area of commercial, residential and retail uses with remnants of the industrial uses. Since the adoption of the current Master Plan it has been the goal of the City and the community to extend the fabric of Old Town, with its visual and physical continuity, traditional pedestrian activity, and sense of place, to Old Town North to better integrate these two neighborhoods. Thus the small area plan encourages an appropriate mix of uses, with particular emphasis on residential uses to mitigate the extensive amount of office use that had been constructed within Old Town North in the 1970s and 1980s. Currently office use comprises a significant area of Old Town North. The Master Plan specifically seeks to "expand and reinforce a sense of residential community, in particular by extending the residential scale and flavor of the historic district northward into as much of Old Town North as possible."



Boundary of the Old Town North Small Area Plan with affected area inset .

To accomplish the objectives of the Master Plan, several zones, designed to encourage and enhance mixed uses, were created that are only located in Old Town North such as the CD-X zone. In addition there are retail focus areas, a concept unique to the Old Town North area, that were established to require consolidated areas of ground floor retail in targeted locations to encourage pedestrian activity and vibrance. Old Town North is also one of the areas in the City that is subject to established Urban Design Guidelines and an Urban Design Advisory Committee. All of these efforts show emphasis on both urban design and mixed uses and have helped guide several recent residential redevelopments in the area such as the Samuel Madden and Garretts Mill developments.

While the Master Plan encourages a balance of residential and commercial uses, the current zoning favors office and commercial by allowing those uses at considerably higher floor area of 1.5 with a site plan and 2.5 with a special use permit. For residential, 1.25 floor area is permitted; there is no increase provided for even with a special use permit. This inherent preference for commercial redevelopment is contrary to the intent of the Master Plan, which encourages residential use. In the interest of promoting a vibrant mix of uses, compatible development, and a strong sense of community in the area, the proposed text amendment would increase the floor area for residential use to 2.0 with a special use permit.

III. PROPOSED TEXT AMENDMENT:

A. Application of Text Amendment

One of the concerns with any text amendment is that the change to the language within the zone impacts all properties within the City in the same zone. In this case there are three areas within the City that are zoned CD-X, and all of them are located within Old Town North. Therefore, a change to the text language within the zone will impact only the Old Town North area of the City.

When staff met with the Planning Commission in May 2004 regarding the initiation of this text amendment, staff raised the issue of the need to ensure that the text amendment with its increase in floor area did not impact properties within the Historic District or adjacent to Washington Street (Staff's memorandum to the Planning Commission discussing the text amendment initiation is attached). Based on the discussion at that time, staff has limited the application of the potential for increased FAR in the CD-X zone to only three specific areas of CD-X zoning that are located outside of the Historic District and are not located adjacent to Washington Street.

The affected area is comprised of approximately three city blocks located between North Fairfax and North Royal Streets, and bounded by First Street to the south and the waterfront open space to the north. Staff has analyzed these three areas to understand what the likely impacts would be to the existing uses and development pattern. Staff estimates that there is the potential for approximately 35% of the properties within this area, including the Windows Catering and Postmasters locations, to redevelop. Redevelopment has already occurred on over 50% of the block immediately north of Second Street, with the Hearthstone Mews townhouse development.

B. Density Level

The text amendment provides for a potential 2.0 FAR for residential development, and staff chose that density because it was compatible with other uses and potential density in the area, and because, that level of density is sufficient to allow a desirable residential project. The Master Plan designates this three block area as a "transitional area" between the taller office buildings on the east and smaller scale primarily residential uses on the western portion of this area. The uses within this "transitional area" range from office, service commercial, and retail to residential use and the floor area for these uses ranges from 1.19(residential) to 2.5 (Office). In addition the CD-X zone permits an office



Residential
Office
Commercial

The affected area will provide a "transition" between the uses and densities of blocks to the east and west.

use of up to 2.5 with a special use permit. Therefore, staff believes that up to a 2.0 floor area for residential use would be compatible with the intent of the Master Plan and existing development pattern. A residential development with an FAR of 1.25 or less will still be allowed without a special use permit.

C. SUP Standards

The language of the proposed text amendment includes a series of minimum development standards and requirements that a development must meet in order to qualify for the increased FAR allowed by the SUP. This is similar to recent approaches for special use permits within East Eisenhower and Arlandria that have minimum standards as part of the special use permit process. The proposed standards include the following:

- A minimum of 5% affordable housing;
- All parking to be located below grade;
- A maximum building height of 50 feet, with required building variation;
- All overhead utilities be located below grade;
- Enhanced architectural design and building materials;
- Green and sustainable building techniques;
- Minimum 25% ground level open space; at least a portion of which must be visually and physically accessible from the streets;
- Pedestrian and streetscape improvements; and
- Increased ground floor retail within the retail focus areas.

The proposed discretionary special use permit process will allow assessment of a proposed development based on a minimum level of development amenities which should be included in the best urban developments, and are now routinely included in other SUP development approvals. Beyond those minimum requirements, the special use permit process will enable the City to evaluate each of the proposals on a case-by-case basis to ensure issues such as mass and scale and compatibility with the character of the neighborhood. While staff believes that an increase in floor area for residential uses is appropriate, in general, it may not be appropriate for each site within the three block area. Rather staff is recommending that each proposal be evaluated within the context of the special use permit process.

IV. COMMUNITY PROCESS:

As part of the initiation of the text amendment by the Planning Commission, staff agreed to involve the community in the process extensively. In the past several months, staff has had numerous meetings with the adjoining civic and community groups including the Old Town North Advisory Committee. In addition, staff has sent letters to all of the properties that would be impacted by the proposed text amendment. In addition to meeting with the community groups, staff has met with many of the affected property owners to address their individual concerns and comments.

The proposed text amendment has been received positively by the property owners and by the adjoining civic associations. Some of the concerns that have been raised by the community relate to ensuring high quality design, appropriate transitions to existing developments, inclusion of retail and neighborhood service uses and retaining the MetroStage and Mariana's restaurant. Staff believes these issues can be addressed through the standards for the increased floor area and the discretionary special use permit process.

V. STAFF ANALYSIS:

Staff recommends approval of the proposed text amendment for three CD-X zoned blocks of Old Town North to allow an increase in floor area from 1.25 to 2.0 with specific minimum standards and as part of a discretionary special use permit process. The development standards are intended to ensure high quality development, public improvements, and limitations on development in order to best serve the existing neighborhood and promote the goals of both the Old Town North Small Area Plan and the Old Town North Urban Design Guidelines. This proposed text amendment will help achieve a balanced mix of commercial, retail and residential uses, consistent with the Master Plan, in order to create a cohesive, pedestrian friendly environment for Old Town North.

While staff is recommending approval there are concerns raised by the proposal that include:

- Compatibility with adjoining development;
- Provision of an appropriate mix of retail uses; and
- Minimizing impact on the residential and commercial and retail uses.

Compatibility with adjoining development:

One of staff's concerns and an issue raised by the community, is whether additional FAR for residential uses will necessarily be compatible with existing developments. For example, the owners of Hearthstone Mews townhouse development are concerned that any new development on the Windows Catering site be developed in a way that is compatible with the neighboring townhouses. Old Town North includes a number of lower scale developments, including townhouses or townhouse scale developments.

The proposed text amendment requires that all of the applications requesting the additional floor area be required to request special use permit approval. The special use permit enables each application to be considered on a discretionary case-by-case approval based upon issues such as compatibility of the scale with the adjoining developments. Through the discretionary use permit process issues such as mass and scale can be evaluated to ensure that the a proposal is compatible with the adjoining developments. In fact, the text amendment expressly states as a development standard that the mass and scale must be compatible with the character of the surrounding residential and commercial uses and the neighborhood. In addition, requirements for 25% ground-level open space and integrated publicly accessible open space at the public right-of-way will encourage transitional opportunities.

Staff believes that the special use permit process affords adequate protection to judge the compatibility of each development on its own merit, and to ensure that it respects its unique location and adjacent and nearby uses.

Provision of an appropriate mix of retail uses:

One of the issues raised by the proposal is whether allowing additional residential use as part of a special use permit will reduce the amount of retail that can or would have otherwise have been provided within this portion of Old Town North. The small area plan and the zoning for Old Town North designate specific “retail focus areas” and require within that mapped area that 1/12 or 8.3% of the lot area be devoted to retail uses. That requirement, suggested by and supported by the residents of Old Town North, was designed to ensure that retail would be provided at strategic locations within the neighborhood. Any development that occurs on these sites, whether residential or commercial, must provide the required retail on the ground floor. The proposed text amendment acknowledges and improves on the existing program by increasing the amount of retail space required, given the increase in residential floor area. Specifically, the required ground floor retail will be increased from the current amount of 8.3% to 10% to provide the amount of activity and vibrancy that are envisioned by the Master Plan.



“Retail Focus” Areas identified in the Old Town North Small Area Plan

Minimizing impact on the residential and commercial and retail uses.

One of the concerns is whether residential uses will adversely impact any of the existing commercial uses. The commercial uses within the affected three block area include a day-school facility, a dry cleaning store, offices, a furniture store, a catering business, a theater (MetroStage), and the Marianna’s Café restaurant. Staff believes these uses are compatible with, and supported by, residential use and can be harmonized in an urban setting through appropriate scale and buffers where appropriate.

The existing theater, restaurant and retail uses now provide considerable benefit and vitality to the City and the neighborhood and are uses that staff and the community believe should be retained. In addition, staff does not believe this location, adjacent to the Mirant power plant, its coal pile and the railroad lines, is an appropriate location for residential use. Despite the incompatibility of use, the current CD-X zoning permits residential use at a 1.25 floor area ratio and a height of 50 feet.

Staff has included the site in the area affected by this text amendment, but has addressed the issue of the adjoining industrial uses by requiring a 50 foot setback from the property line to provide a buffer, setback and screening from the active rail lines and power plant. This approach is consistent with the intent of the Master Plan; where industrial uses exist, suitable buffers and visual screening should be provided to minimize the adverse impacts.

Overall, the text amendment is designed to enable the vibrant mix of uses adjacent to the waterfront that is critical to Old Town North's identity and best for a balanced community neighborhood. The business owners and the residents agree that coordinated planning of a mix of uses is necessary to ensure that Old Town North is a vital, desirable urban neighborhood in which people can live, work, shop and recreate. Further, promoting residential use will help to establish and reinforce the retail component and help to mitigate the domination of office uses in this portion of the City. For these reasons, staff recommends approval of the text amendment:

STAFF: Eileen P. Fogarty, Director, Planning and Zoning;
Jeffrey Farner, Chief, Development;
Lucia deCordre, Urban Planner.

VI. STAFF RECOMMENDATION:

Staff recommends approval of the text amendment to Article IV, Section 4-606 (B) (2) of the Zoning Ordinance to permit residential use up to a 2.0 floor area ratio with a special use permit with the standards as outlined below.

*Note: Underlining denotes new text. **Underlining** denotes text added by Planning Commission. ~~Strikeout~~ denotes existing text that is proposed to be deleted.*

ARTICLE IV: Commercial, Office, and Industrial Zones

Sec. 4-600 CD -X\Commercial Downtown Zone (Old Town North)

4-606 Bulk regulations

(B) Floor area ratio

(2) Residential.

- (a) The maximum permitted floor area ratio for residential use is 1.25, not to exceed 35 dwelling units per acre, except that for properties greater than 500 feet from the centerline of Washington Street, within the area bounded by First, Third, N. Royal and N. Fairfax Streets the floor area ratio may be increased to 2.0, not to exceed ~~number of dwelling units may be increased to~~ 100 units per acre with a special use permit with the standards as outlined below.
- (b) In addition to compliance with section 11-500, special use permit applications under this section shall show compliance with the following minimum standards:
 - (i) A minimum of 5% affordable housing shall be provided or the proposal shall meet the requirements of the city-wide affordable housing policy that is in effect at the time the plan is submitted, whichever requirement is greater. The location of the affordable housing (on-site or off-site) shall be determined by the City.
 - (ii) No parking reductions shall be granted and all parking shall be located below grade.
 - (iii) All overhead utilities (existing and proposed) on all public street frontages shall be located below grade.
 - (iv) Notwithstanding the provisions of section 4-606 C of the

- Zoning Ordinance, the maximum height may not exceed 50 feet, with portions of the buildings and/or townhouses providing significant variation in building heights less than the 50 ft.**
- (v) Residential buildings and/or use(s) and/or parking for lot(s) adjacent to the existing rail lines and/or the power plant shall be setback a minimum of 50 feet from the property line and this area shall include a significant landscape buffer, trees and landscaping.
 - (vi) All units shall orient their facades with main entries toward the public street(s). Mews units are prohibited.
 - (vii) The buildings shall consist of a traditional architectural style(s), scale, and treatment. The materials of the building(s) shall be limited to masonry (brick, stone or precast) and wood or comparable high quality materials.
 - (viii) **Notwithstanding the provisions of Section 4-606(A)(2)(b), a minimum of twenty-five (25%) ground level open space shall be provided. The ground level open space shall be visually and physically accessible from the public streets. A portion of the ground level open space shall also be accessible to the public through the use of public access easements. Public art and/or sculpture shall be provided within the open space**
 - (ix) Pedestrian and streetscape improvements shall be provided, including but not limited to the provision of continuous brick sidewalks, street trees and public connections to the waterfront or existing parkland to the extent possible.
 - (x) Adequate provision shall be made to ensure the compatibility of the proposed development, including mass, scale, site layout and site design with the character of the surrounding residential and commercial uses and neighborhood.
 - (xi) Green and sustainable building technologies shall be incorporated as part of the building and building systems.
 - (xii) The project shall comply with the Old Town North Urban Design Guidelines.
 - (xiii) The retail requirement within a retail focus areas shall be a minimum of 10% of the area of each lot in a retail focus area and subject to the provisions of section 6-500 of the **Zoning Ordinance.**

City of Alexandria, Virginia

MEMORANDUM

PC Docket Item # 12-A
TA 2004-0007

DATE: NOVEMBER 2, 2004
TO: CHAIRMAN AND MEMBERS THE PLANNING COMMISSION
FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING 
SUBJECT: PROPOSED CHANGE TO THE CD-X ZONE TEXT AMENDMENT FOR ACCESSORY RETAIL USE (TEXT AMENDMENT #2004-0007)

Staff is proposing two additions to the text amendment to clarify the requirements when a residential use also includes accessory retail use, as required in the retail focus areas.

ARTICLE IV: Commercial, Office, and Industrial Zones

Sec. 4-600 CD -X\Commercial Downtown Zone (Old Town North)

4-606 Bulk regulations

(B) *Floor area ratio*

(2) *Residential.*

- (ii) No residential parking reductions shall be granted and all residential parking shall be located below grade.

Due to the location and scale of possible redevelopment in the retail focus area, the required amount of retail parking along with the required residential parking may not be achievable below grade. The location and amount of retail parking would be evaluated as part of the special use permit process.

(xiii) The retail requirement within the retail focus areas shall be a minimum of 10% of the area of each lot in a retail focus area, and subject to the provisions of section 6-500 of the zoning ordinance.

The addition is to clarify that the raised requirement for retail in the retail focus area will remain subject to the Urban Overlay requirements of section 6-500.

Docket Item #20
INITIATION OF TEXT AMENDMENT
#2004-0007-I

Planning Commission Meeting
May 4, 2004

CASE: INITIATION OF TEXT AMENDMENT #2004-0007-I
AMENDMENT TO THE CD-X ZONE

ISSUE: Consideration of initiation of a text amendment to the Zoning Ordinance to amend the permitted floor area ratio for buildings and structures in the CD-X zone, excluding those within the Old and Historic District.

STAFF: Department of Planning and Zoning

PLANNING COMMISSION ACTION, MAY 4, 2004: On a motion made by Mr. Dunn and seconded by Ms. Fossum, the Planning Commission voted to approve initiation of the text amendment.

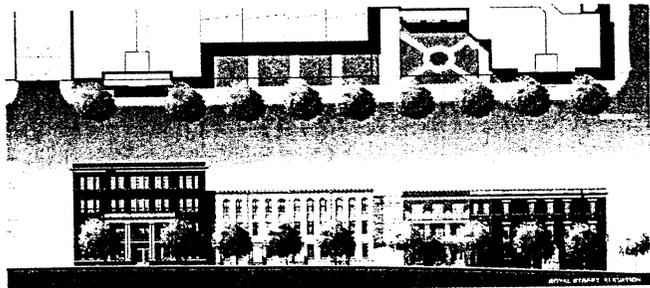
Reason: The Commission agreed with staff's analysis. Mr. Wagner also explained that this item is not a public hearing item because it is merely a request to explore the feasibility of a text amendment. He apologized for any confusion and stated that citizens and other interested parties would have an opportunity to voice their opinions if the text amendment is allowed to go forth.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, pursuant to the attached motion, initiate a text amendment to the Zoning Ordinance, in order to change the CD-X permitted floor area ratio (FAR) for residential uses, finding that the consideration of such a text amendment is consistent with the public necessity, convenience, general welfare and good zoning practice.

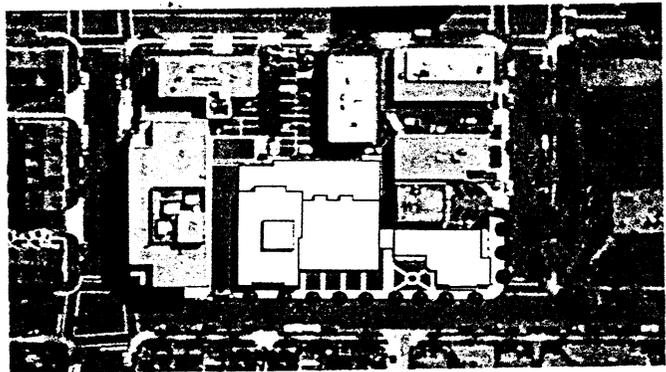
I. BACKGROUND:

The initiation of a text amendment for the CD-X zone was prompted by a proposal by the Holladay Corporation for property located at 1023 Royal Street. The proposal requested to construct approximately 50 residential condominium units, with heights from 40 to 50 feet and underground parking. In meetings with various adjoining civic associations and the Old Town North Urban Design Advisory Board, the idea of a text amendment and the proposed development plan have been positively received.



Front elevation of proposed development

Staff is requesting that the Commission initiate a zoning text amendment for the CD-X zone, which is located in the Old Town North portion of the City, to increase the maximum floor area ratio (FAR) for residential uses from 1.25 to 2.00 with a special use permit. The CD-X zone currently permits an FAR of 2.5 for non-residential uses with an SUP, but 1.25 for residential uses as shown in the chart below:



Site Plan View

	Residential	Non-Residential
Permitted	1.25	1.50
Permitted with Special Use Permit	1.25	2.50
With Proposed Text Amendment with Special Use Permit	2.00	NA

II. STAFF ANALYSIS:

The Master Plan encourages the promotion of residential uses as an extension of Old Town. Specifically, the Plan states: "expand and reinforce a sense of residential community, in particular by extending the residential scale and flavor of the historic district northward into as much of Old Town North as possible." However, it became apparent during discussions regarding the proposed condominium plan that existing policy favors office and commercial uses over residential, since the CD-X zone enables office use considerably more FAR with a site plan and a special use permit. This is contrary to the intent of the Master Plan to encourage residential use. At the request of the applicant and the adjoining community, staff agreed to proceed with the formal initiation of a text amendment.

The proposed text amendment is an attempt to encourage residential use with a special use permit where appropriate within the context of the adjoining neighborhoods and the Master Plan. The FAR requested for residential would still be 0.5 FAR less than the FAR allowed for office use with an SUP.



All CDX Zones in Alexandria

*Historic
District
Boundaries*

One concern raised by a text amendment is that it would affect all CD-X zones within the City. The CD-X zone is located within three areas of Old Town North. Two of the zones are located adjacent to the George Washington Parkway, and within the Historic District. Staff does not support increased FAR for any of the CD-X properties adjacent to the Parkway or within the Historic District. If these properties are eliminated, the text amendment would apply to two areas, both within Old Town North. Therefore, the text amendment would apply to a discrete area of the City, where the potential impacts can be thoroughly analyzed.

As part of the text amendment criteria, there would be minimum requirements and standards to be eligible to apply for a special use permit to increase floor area ratio from 1.25 to 2.0. It is anticipated that the standards would likely include such items as the following:

- Maximum building(s) heights up to 50 ft., with requirements for variation in heights of buildings;
- Parking must be located underground;
- A specified portion of affordable housing is required;

- Undergrounding of above grade utilities;
- Streetscape improvements;
- Useable and consolidated ground level open space;
- Enhanced building design – architectural quality;
- Use of green/sustainable building technologies;
- Minimum lot size requirement to be eligible for a special use permit; and
- Properties within the Historic District or adjacent to the George Washington Parkway would not be eligible for increased floor area.

These ideas will need to be refined and augmented once the text amendment is analyzed in detail which will include extensive discussions with the property owners, community and the Planning Commission. This initiation does not attempt to resolve all of the issues raised by the proposed text amendment, but is rather authorization by the Commission to allow staff to work with the community to evaluate and analyze a text amendment, with a subsequent staff report and application for review by the Commission.

III. STAFF RECOMMENDATION:

Staff recommends that the Commission initiate a text amendment to amend Article IV, Section 600 of the Zoning Ordinance, to evaluate the residential floor area ratio (FAR) within the CD-X zone, because consideration of the changes are consistent with public necessity, convenience, general welfare and good zoning practice.

INITIATION MOTION

Whereas the Alexandria Planning Commission may initiate the amendment of the Alexandria Zoning Ordinance whenever it determines that public necessity, convenience, general welfare or good zoning practice requires an amendment; and,

Whereas the legislation in the initiation of the Text Amendment 2004-0007 represents good zoning practice that is important to the public necessity and convenience and the general welfare,

Section 4-600 of the Zoning Ordinance as currently written creates a condition where non-residential uses are encouraged rather than an appropriate balance of uses consistent with the intent of the CD-X zone to provide an urban mix of uses.

Whereas changes to Section 4-600 can make residential development more efficient and help create that balance.

Now, therefore, I move that the Alexandria Planning Commission find that the public necessity, convenience, general welfare or good zoning practice requires consideration of a revision to Article 4-600 in the Zoning Ordinance; and,

I further move that the Alexandria Planning Commission initiate such text amendment.



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Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I recently heard that your department is considering amending the zoning ordinance for the property that is adjacent to my place of business, The Direct Impact Company, located at 1029 North Royal Street. As I understand it, rezoning this area for residential use would result in nearly 50 four-story condominiums with underground parking—a potential development that I strongly oppose for a number of reasons.

Operating from our North Royal Street location since 1996 and in the Alexandria-area since 1988, Direct Impact provides grassroots communications services to an extensive range of clients. The quality of our work and reputation has enabled our company to grow to more than 40 full-time Alexandria employees. We would like to continue to grow our business in this area of Old Town Alexandria, which is why I must stress the critical importance of maintaining the business zoning that currently exists. In fact, the outcome of this zoning proposal will influence our decision to renew our lease this year or relocate—potentially causing us to move from Alexandria.

The noise and air pollution that would inevitably be created by this project would severely disrupt our business and negatively impact the client meetings that take place at our office. Parking, which is already quite limited in the neighborhood, would become scarce for visiting clients and employees alike. Construction equipment and work will also take a toll on the traffic patterns in the area and potentially pose safety hazards for our employees.

As an executive of a well-established business in Old Town North and a resident of Alexandria, I urge you to carefully consider the effects of changing the zoning for Holladay Corporation. While I understand the company's right to make such a request, the neighborhood's established businesses do not deserve, and in many cases, cannot withstand the harmful impact of this proposed project.

Sincerely,

Thomas J. Benjamin
Executive Vice President
The Direct Impact Company

Stuart and Kristin Vickery
8713 Gateshead Road
Alexandria, VA 22309
703-360-0046

May 4, 2004

VIA FAX: 703-838-6393

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

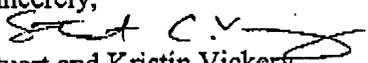
We recently learned of the plan to amend the zoning ordinance to allow for the construction of some 50 condominiums near the school our two children currently attend, St. Anthony's Day School at 321 First Street. As former property owners and current employees of a small business within the City of Alexandria, we strongly oppose this plan, and submit this statement for the record of tonight's planning meeting.

Our concerns are based mostly on the impact the construction will have on the children.

- The noise from construction will make it virtually impossible to hold class for the children. It will disrupt their daily lessons, when holding the attention of 18 4 year olds is a difficult task without the added stress of construction noise, as well as prevent daily afternoon nap, which means they will be subject to noise for a period of eight hours or more.
- The construction of a three/four story building will cut off the children's access to blue sky and the sunshine through the windows of their classrooms.
- Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.
- Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.
- Finally, we are concerned about the impact this will have on the school's structural integrity and utilities, and on the financial investment of its owner.

We urge you to deny permission for rezoning of this area.

Sincerely,


Stuart and Kristin Vickery
Parents, St. Anthony's Day School

*PC Docket Item #20
TA 2004-0007-I*

Docket Item
#20

TA #2004-0007

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance near my daughter's daycare – St. Anthony's Day School. She has attended the school for 2 ½ years and I plan for my second daughter to begin attending in September of this year. Having lived and worked in close proximity to construction sites I have a good understanding of just how disruptive construction activities can be. In the case of these children, the noise, traffic, and army of strangers in their neighborhood will be at best disconcerting.

That stated, I am also writing to you as a worker in that neighborhood. I am employed at Pentagon Federal Credit Union, which is located at 1001 North Fairfax Street, just one block from the proposed construction site.

My concerns are the following:

- The excavation of the area to a depth necessary to accommodate underground parking may threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.;
- The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoons, which means they will be subject to noise for a period of eight hours or more;
- The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.;
- The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street;
- The sewer system located in the alley may be overburdened with the addition of 50 units feeding into it from above;

- Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area;
- Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction; and
- Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North. Indeed, on some mornings when it seems a majority of parents are bringing their children to school, coupled with commuter traffic, the surrounding streets become challenging to navigate in a safe manner. Adding construction vehicles to the mix is certainly a recipe for trouble.
- Each morning, hundreds of vehicles pour into the TransPotomac Plaza and Canal Center Plaza business complexes. Traffic in this area is already severely hampered by construction activity; most notably at the Oronoco and Royal Streets location which takes up two full blocks and closes one street; construction at First and Washington Streets which engulfs and entire ½ block; and renovation efforts at Alexandria House that tie up a traffic on nearby Pitt Street. While each of these projects alone may not by itself be cause for alarm, taken together, they add significant pressure on already strained traffic patterns. Adding this new project would serve only to exacerbate the problem.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is unfair for an outside company to come in and disrupt the lives of local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Sincerely,



William L. Campbell Jr.
8016 Lynnfield Drive
Alexandria, VA 22306

Cynthia Brown
c/o AAPA
950 N Washington St
Alexandria, VA 22314

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

*PC Docket Item #20
TA 2004-0007-I*

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in Old Town Alexandria. My two young children attend St. Anthony's Day School which is directly behind the proposed site. The school serves nearly 100 children every day. The rear of the school building abuts the area under consideration for construction of a three/four story building with underground parking that will add some 50 condominiums to the area.

I only learned of this meeting today, therefore I am unable to attend and voice my concerns in person, however, I ask that you include this letter in your records.

My concerns are numerous, but I will highlight the following safety concerns:

The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. In addition, they will not be able to sleep in the afternoons, which means they will be subject to noise for a period of eight hours or more.

Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.

The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.

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The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This is unfair.

The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.

Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.

Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Acceptable childcare for infants and toddlers is almost non-existent in Old Town. St. Anthony's is one of LESS than a handful of such centers. Jeopardizing the center and its ability to care for our children is doing a tragic disservice to our children and families.

Sincerely,

Cynthia Brown

Stuart and Kristin Vickery
8713 Gateshead Road
Alexandria, VA 22309
703-360-0046

May 4, 2004

VIA FAX: 703-838-6393

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

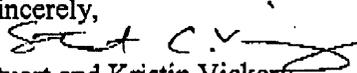
We recently learned of the plan to amend the zoning ordinance to allow for the construction of some 50 condominiums near the school our two children currently attend, St. Anthony's Day School at 321 First Street. As former property owners and current employees of a small business within the City of Alexandria, we strongly oppose this plan, and submit this statement for the record of tonight's planning meeting.

Our concerns are based mostly on the impact the construction will have on the children.

- The noise from construction will make it virtually impossible to hold class for the children. It will disrupt their daily lessons, when holding the attention of 18 4 year olds is a difficult task without the added stress of construction noise, as well as prevent daily afternoon nap, which means they will be subject to noise for a period of eight hours or more.
- The construction of a three/four story building will cut off the children's access to blue sky and the sunshine through the windows of their classrooms.
- Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.
- Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.
- Finally, we are concerned about the impact this will have on the school's structural integrity and utilities, and on the financial investment of its owner.

We urge you to deny permission for rezoning of this area.

Sincerely,


Stuart and Kristin Vickery
Parents, St. Anthony's Day School

*PC Docket Item #20
TA 2004-0007-I*

May 4, 2004

Dara Conroy
8807 Camden Street
Alexandria, VA 22308

PC Docket Item #20
TA 2004-0007-I

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in an area where I send my child to a childcare/early education business known in the neighborhood as St. Anthony's Day School.

I am a resident of Alexandria for over 5 years. In my quest for childcare, St. Anthony's Day School was the perfect setting for my child. The location next to the park, the access to the waterfront and quiet surroundings was key in my decision making. I love the fact that the children spend so much time outside and exploring their surroundings. They take walks daily and are exposed to the fresh air. Doing construction in that area would take away that crucial factor.

I will be unable to attend the meeting at 7:30 this evening when, as I understand, the amendment will be discussed as item 20 on the docket. Since I am unable to address my concerns before the Planning Commission, I ask that you include this letter in your records.

My concerns are the following:

The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.

The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoons, which means they

will be subject to noise for a period of eight hours or more. Naps are essential for small children. I am also concerned over the noise and how that will affect their hearing.

The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.

The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This is unfair.

The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.

Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.

Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction. I currently have a child who is located on the first floor and to know that their evacuation route is compromised is unsettling.

Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is NOT fair for an outside company to come in and disrupt the lives of local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Sincerely,



Dara Conroy
Room Parent, Room 1
St. Anthony's Day School

**Chris Stabile
4910 Kilburn Street
Alexandria, VA, 22304
703-566-1918**

*PC Docket Item #20
TA 2004-0007-I*

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have recently been informed of the efforts of the Holladay Corporation to rezone the area surrounding the Day Cay facility that my three-year-old son Andrew has attended for all of his energetic life. I am referring specifically to the proposed construction area surrounding 321 First Street in Alexandria.

As a proud resident of Alexandria for the last five years, I am quite concerned that your office is considering granting this rezoning request. To allow our City's children to be unnecessarily exposed to such conditions as would exist in a construction zone is inconsistent with the mission of the Planning & Zoning Commission and its responsibility to the residents of Alexandria. The health and noise issues alone should give your Commission great pause before granting the request of the Holladay Corporation. It would be one thing if the site in question were originally zoned in a manner consistent with the proposed Holladay Corporation construction. However, this is not the case.

Ms. Fogarty, I must tell you that this is one parent who is going to have to find another Day Care facility for my children should you grant their request. I know from talking to other parents that I am not alone. What does all of this mean for near term future of St. Anthony's Day School? Clearly, approving the Holladay Corporation's request for rezoning would have a severe detrimental effect on the School itself. Is that fair? I think not.

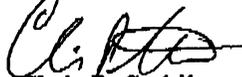
And what will be the impact on the children that attend the School? What about their right to enjoy the Alexandria City park that is adjacent to the School? What about the other children that live in the surrounding area? Doesn't the City already have enough

health care concerns with the air quality issues that we are currently dealing with? Frankly, I just simply find it hard to comprehend how this particular rezoning request can be approved.

Please note that I plan to attend the meeting at 7:30 this evening to further share my thoughts and concerns on this matter. However, in the event that I am unable to personally address the Planning Commission, I ask that you include in your records this letter as evidence of my strong opposition to this rezoning effort.

Again, in the interest of the Children, I ask that you deny Holladay Corporation's request to rezone the area, as it is truly not in the best interests of the current residents and business owners of Alexandria.

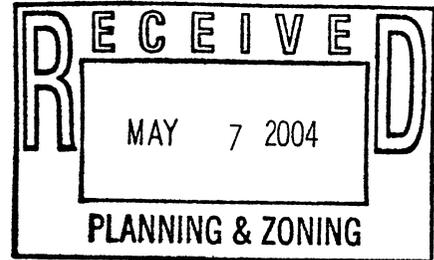
Sincerely,



Chris P. Stabile
Resident of Alexandria City and
Parent of Andrew Stabile (age 3)

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314



RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just today heard that there is a plan to amend the zoning ordinance near the area of 321 First Street in Alexandria.

I am the parent of a child who attends St Anthony's Day School at 321 First St in Alexandria, and I am angered and distraught at the thought of an amendment to the zoning that would allow the construction of any type in the area, let alone residential property that would allow 50 condominium units.

The area that is proposed for construction abuts the Day School at which my child, and around 100 other children spend their days.

As a parent, we choose the place where our children are cared for very carefully. Every parent wants to make sure that their child is safe, happy and well cared for.

The construction of these condominiums will change the very nature of the care our children receive, and will affect their lives to such an extent as to make it unbearable. One hundred children do not have their own voice. It is up to us as parents, and you as our local zoning board to protect the fabric of our children's lives.

I implore you to reject the change in zoning to allow this construction.

The effects on our children will include;

The structural integrity of St Anthony's Day school, at 321 First St Alexandria. Due to the nature of the excavation behind the building where our children are cared for, the amount of activity, and the type of activity could potentially damage the building structure. This would be a direct danger to our children. If not directly, then any damage sustained could lead to the closure of the building for a period of time to affect any repairs that may be required. Excavation often leads to such damage, and is a very serious issue for our children.

Construction itself would impose an unbearable way of life on the 100 or so children at St Anthony's Day School. Noise during the day would make it impossible for the children to take their daily naps. This is unfair to the children who already occupy their area. Naps are vital to a small child.

Dust, and other pollution would make the air quality bad enough, that children would not be allowed out on some days. A vital part of our children's lives, and their daily curriculum, is to walk outside, and play in the park across the street from the School. This would be lost to them, meaning they are stuck inside all day. This changes the nature of the care they receive, and reduces the quality of life that these innocent children would be able to have.

View. The construction of a multi story building would mean that the children would be overshadowed. They would lose sight of the blue sky, and would have more shadows placed of the class rooms. Children should not be forced to be in a place of darkness. They should be allowed to keep the blue sky and sunshine they currently have.

Parking is already a problem around the School. Parents must pick up and drop off their children. With construction crews on site, parking will become harder and harder to find. Leading to dangerous parking situations in the area. I would not like to see any child subjected to danger due to the lack of parking in the area.

Many parents use the parking lot next to the School to pick up and drop off their children. This will be only a few feet from the construction zone. This is not a safe area for children to be in. As the children are already in the area, the construction should not be.

Traffic will also be affected. There will be more traffic in the area. This makes it more and more dangerous as the children walk outside the school. They may have to forgo outside activities due to trucks, and cars in the area due to construction. This is not fair to the children.

Cars already move at too high of a speed up and down First St. More cars going too fast will only serve to make the street more dangerous for our children. Currently, our police departments are targeting the safety of pedestrians. This amendment, and resultant construction will only server to reduce overall pedestrian safety. Especially that of the children, who are less cognizant of the road rules.

I understand the way in which the proposed construction would happen, trash pickup will become a problem for the three businesses in place on this block. This is not only unfair, to the business who reside there, but poses a health risk to our children.

Another health risk to our children is the sewer system. Fifty new units will place too high of a burden on the system, and may lead to system failures. This is dangerous for children.

The thought of asbestos also comes up. The building to be demolished may have asbestos. This is a hot topic in law suites these days, and the mere mention of it causes great fear. If the old building has it, the threat to the entire local community, especially the children is too high to take the risk.

Fire safety is a huge factor. Children on the first floor, including my child, have to evacuate through the door that would be adjacent to construction. I would think any parent, or concerned law maker, as well as the fire inspectors would find this position to be intolerable. Fire is deadly. I do not want my children, or any of the 100 or so under 5 year old children placed in danger due to this proposed construction.

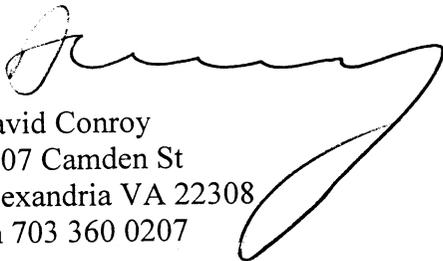
I understand the need for residential housing. However, this is not the place to put housing. This is clearly an area where businesses have made Alexandria their home. They are part of the community as much as residents. Our children are part of the community. These are local businesses who serve local residents. They have been in business, and will continue to do so. There are around 100 children who make the area their daily lives. So it isn't merely the businesses that will be affected, but the innocent who cannot speak up for themselves.

I implore you, do not grant the request for a zoning amendment. Do not allow the construction of such a development adjacent to St Anthony's Day School. Help us be the voice of the children.

You have the power to protect our innocent children. I hope you can find that the children of our society are more important than the construction of a new building, and that the lining of pockets of a wealthy corporation is not as important at those children.

Thank you for your consideration

David Conroy
8807 Camden St
Alexandria VA 22308
Ph 703 360 0207



May 4, 2004

Ms. Eileen Fogarty
Director, Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

*PC Docket Item # 20
TA 2004-0007-1*

Subject: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

We are parents of a 3-year old child who attends St. Anthony Day School at 321 First Street in north Old Town Alexandria. She is one of about 100 children at the school. Later this year, we will enroll a second child in St Anthony Day School.

The school is a first-rate institution that provides a positive learning environment for nearly 100 children. As parents, we are strongly opposed to the proposed rezoning to allow the building of condominiums at the rear of the school building (Subject as above) and request that you include this letter in your records and at the hearing tonight.

Our concerns:

- Construction noise, equipment, dust and other health factors, in addition to increased traffic will make it much more difficult for St Anthony's teachers and cadre to maintain positive control of the children in and around the school facility.
- The dirt, noise, and pollution from construction will make it virtually impossible to maintain a positive learning environment for our children.
- The children will be unable to sleep in the afternoons because of the ongoing construction noise for a period of eight hours or more. The school's core curriculum will be detrimentally affected.
- Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.
- Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

- To accommodate additional childcare and safety requirements, the school may be forced to hire additional cadre and increase its budget in order to institute measures to ensure the safety and welfare of our children.
- The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St. The results may be catastrophic.
- The construction of a three/four story building will cut off the children's view of the outside further degrading the learning and living environments.
- The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This creates an unsafe environment. It will contribute to parking and traffic safety problems on First Street.
- Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

To allow an outside company to come in and disrupt the lives of children and pose a threat to their education, health, welfare, and safety is not in the best interests of the families involved. For the reasons listed above, please deny permission for rezoning of this area.

Sincerely,



Wes and Phyllis Azama
1630 Courtland Road
Alexandria, VA 22306
Phone: 703 718-2868

May 4, 2004

*PC Docket Item #20
TA 2004-0007-I*

Via Facsimile 703-838-6393
Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in an area where my children attend day care known in the neighborhood as St. Anthony's Day School. The rear of the school building abuts the area under consideration for construction of a three/four story building with underground parking that will add some 50 condominiums to the area.

I will be unable to attend the meeting at 7:30 this evening when, as I understand, the amendment will be discussed as item 20 on the docket. However, in the event that I am unable to address my concerns before the Planning Commission, I ask that you include this letter in your records.

My concerns are the following:

That the dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoons, which means they will be subject to noise for a period of eight hours or more.

The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.

The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.

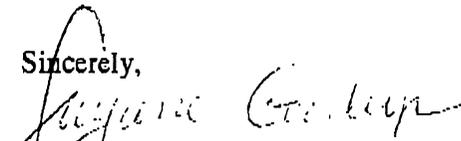
Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.

Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is NOT fair for an outside company to come in and disrupt local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied solely by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Sincerely,



Suzanne S. Goodwyn
1661 Hunting Creek Drive
Alexandria, VA 22314
(703) 519-6406

PC Docket Item #20
TA 2004-0007-I

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

VIA FAX

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in an area where my son attends St. Anthony's Day School. As a parent, I share the same concerns as expressed by Pat Hall, director of the school.

My concerns are the following:

1. The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.
2. The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoon, which means they will be subject to noise for a period of eight hours or more.
3. The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.
4. The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This is unfair.
5. The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.
6. Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.
7. Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

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8. Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is NOT fair for an outside company to come in and disrupt the lives of local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. **Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.**

St Anthony Day School is a top-notch facility specializing in early childhood development. My wife and I were very fortunate to have one child graduate from the facility and another in his fourth year at the school. The school has a lengthy waiting list because of its great reputation. It has a Parents Associations and Foundation that is very involved in the school, the teachers and the community. I believe this project would be a great detriment to the community, the school and most importantly, the children.

Sincerely,



J. Jeffery Shelton
703-765-5665 (h)
703-685-4653 (w)

PC Docket Item #20
TA 2004-0007-1

St. Anthony's Day School
321 First Street * Alexandria * Virginia * 22314

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in an area where my children attend St. Anthony's Day School, an early childhood education center.

My children have gone to school here since the school opened six years ago and I work two blocks from the school. The school serves almost 100 children whose parents either live or work in Alexandria. The rear of the school building abuts the area under consideration for construction of a three/four story building with underground parking that will add some 50 condominiums to the area.

My concerns are the following:

The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.

The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoon, which means they will be subject to noise for a period of eight hours or more.

The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.

The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This is unfair.

The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.

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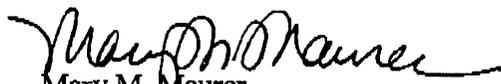
Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.

Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is NOT fair for an outside company to come in and disrupt the lives of local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Sincerely,



Mary M. Maurer
St. Anthony's Day School Parent

Telephone 703 836-7112 ext. 331

*PC Docket # 20 TA 2004-0007-1
Item*

St. Anthony's Day School
321 First Street * Alexandria * Virginia * 22314

May 4, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Initiation of Text Amendment #2004-0007-1

Dear Ms. Fogarty,

I have just learned the details of a plan to amend the zoning ordinance in an area where I own a childcare/early education business known in the neighborhood as St. Anthony's Day School.

I am a resident of Old Town and have resided in Alexandria for over 20 years. I live at 121 Quay Street and I am about to become the owner of the property located at 321 First Street. My business serves almost 100 children whose parents either live or work in Alexandria. We have operated the school on First Street for over six years. The rear of the school building abuts the area under consideration for construction of a three/four story building with underground parking that will add some 50 condominiums to the area.

I will attend the meeting at 7:30 this evening when, as I understand, the amendment will be discussed as item 20 on the docket. However, in the event that I am unable to address my concerns before the Planning Commission, I ask that you include this letter in your records.

My concerns are the following:

The excavation of the area to a depth necessary to accommodate underground parking will threaten the structural integrity of the adjacent buildings, namely 321 and 325 First St.

The dirt, noise and pollution from construction will make it virtually impossible to hold class for the children. They will not be able to sleep in the afternoons, which means they will be subject to noise for a period of eight hours or more.

The construction of a three/four story building will cut off the children's view of the blue sky and the sunshine through the windows of their classrooms.

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The proposed "tunnel" access to the alley will cut off deliveries, entry/exit of traffic and trash pick-up for all three buildings on First Street as well as for the Accountants Society building located on Fairfax Street. This is unfair.

The sewer system located in the alley will be overburdened with the addition of 50 units feeding into it from above.

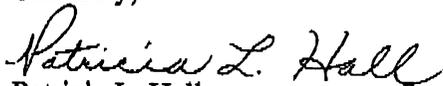
Construction will pose a danger to the children who come and go with their parents in the parking lot next to the school that is just a few feet from the construction area.

Children on the first floor are evacuated out the back doors in cribs and on foot during fire drills and in the event of a real fire. This puts the children within a few feet of the construction.

Construction equipment and work will make an already difficult traffic situation unbearable in Old Town North.

While I understand the City of Alexandria's need to give fair consideration to the request from the Holladay Corporation to rezone the area, it is NOT fair for an outside company to come in and disrupt the lives of local small businesses and pose a threat to their continued operation and existence. The block in question has historically been occupied only by business. It should remain that way. Telemet America Inc., St. Anthony's, Baldwin Cleaners and the Accountants Society located on Fairfax Street, provide indispensable services to the residents of Alexandria. Please deny permission for rezoning of this area as it is not in the best interests of the current residents and business owners of Alexandria.

Sincerely,



Patricia L. Hall

Director, St. Anthony's Day School

Manager, Hall & Associates, LLC

Telephone 703 836-9123

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Fax 703 836-1426

TEXTMASTERS.



TELEMET AMERICA, INC.
Partners in Smart Investing
325 First Street Alexandria, Va. 22314
(703)548-2042
www.taquote.com

July 13, 2004

Mr. Jeffrey Farner
Division Chief/Development
Department of Planning & Zoning
301 King Street, Room 2100
P.O> Box 178
Alexandria, VA 22314

Dear Mr. Farner,

Thank you for your letter of July 2, 2004 regarding the
Proposed Zoning Text Amendment to the CD-X Zone.

I enclose a copy of a letter sent to Eileen Fogarty
regarding the proposed project which has prompted this
proposed text amendment.

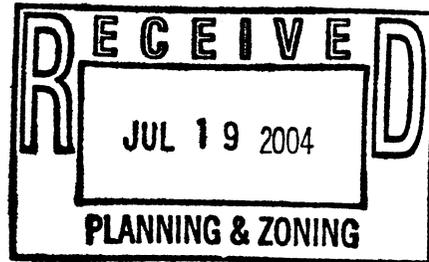
If you would like to discuss this further, I would be happy
to come to your office at your convenience. I have serious
concerns about this project.

Sincerely,

Fred Parsons
Fred Parsons

Encl: Letter to Eileen Fogarty of May 3, 2004

cc: Pat Hall, St. Anthony's Day School



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TELEMET AMERICA, INC.

Partners in Smart Investing
325 First Street Alexandria, Va. 22314
(703)548-2042
www.taquote.com

May 3, 2004

Ms. Eileen Fogarty
Director
Department of Planning & Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314



RE: Initiation of Text Amendment #2004-0007-I

Dear Ms. Fogarty,

My wife and I are 25 year residents of old town. We reside at 415 South Lee Street and own the building at 325 First Street, in the north end of town. I was just made aware of a planning commission meeting for tomorrow. Because I will be attending a charity event I will not be able to attend this commission meeting. I ask that this letter be placed in the record to express my concerns about the text amendment which I believe is item 20 on the docket tomorrow night.

For the past 24 years my wife and I have owned a software and data business in old town called "Telemet". Further, for the past 15 years we have owned the office building to house Telemet at 325 First. This business supports both of us and more than 30 employees in the area, many Alexandria residents. This office building houses our business processing facility and data communications with our clients and vendors. We provide software and data for banking and investment firms.

In late August of 2003 Mr. Lee Weber of The Holladay Corporation, a DC company, and his attorney, Mr. J. Howard Middleton of ReedSmith LLP visited us and displayed sketches of a three and a half to four story building project for residential condominiums. They have contracted to purchase the Postmaster's Building site and adjacent parking lot in the 900 block of N. Royal Street, across the street from the Watergate of Alexandria for this purpose.

They are now working to gain approval for developing this site in accordance with their wishes.

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Ms. Eileen Fogarty
May 3, 2004
Page 2.

My Business Concerns

Should Holladay of DC's proposed project building height be higher than two stories, they will block our reception from several satellite data signals that form the basis of our business. Blocking these data signals would essentially force us to shut business in Alexandria and we would be forced to sell the building. After 25 years in the area, someone from DC should not be able to come in, destroy one's business, threaten one's livelihood, devalue one's property and deny one's peaceful enjoyment of property all purely in the pursuit of profit and 50 plus condominiums.

Our only alternative to the inconvenience and expense of moving and disrupting our entire business it to erect a steel tower to a height of more than 20 feet with sufficient girth and strength to support satellite dishes and associated equipment. Clearly this is costly to us, and impacts the views from the nearby parkland and from Watergate of Alexandria. We also may need approval from your organization, I am not sure on this point.

Environmental Concerns

Dede is concerned about the beautiful plum tree, which flowers magnificently in the springtime in front of 325 First Street. From what we see of their plans, the plum tree will be destroyed and the spring flowers with it.

Further, Dede and I and our entire business staff, are concerned about the population increase, parking and traffic congestion that will surely occur with the proposed 50 plus condominiums. Now the traffic on Royal and Fairfax in the morning can go on for several blocks as office workers attempt to enter their places of work. What can we expect with 50 plus more families? And parking is likely to become scarcer too.

We are concerned for the Watergate of Alexandria owners, who will not enjoy early sun. The proposed project with a

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Ms. Eileen Fogarty
May 3, 2004
Page 3.

three and half to four story towering structure across the street from them on Royal will effectively block light to their windows and their environment in the mornings. The street will be darker.

Watergate of Alexandria owners clearly cherish free and green open space as evidenced by their stately courtyards and their early contributions to park bordering the east side of Royal Street. Clearly the proposed project will not enhance their property values nor the ambiance that they and the city have worked so hard to cultivate and maintain.

We are concerned about the elevation views from the park along First Street. The three hundred block of First has no structure taller than 2 stories. The massive nature of the proposed project will dwarf 325, 321 and 319 First Street. The Holladay proposed plan presents structures that are almost twice as high as the next nearest structure on First Street. Should the zoning change be permitted and the structures allowed to be built, they will dominate the block.

Unfair Taking of Property

We are concerned about the Holladay plan for a "tunnel" access in the alley and Mr. Middleton's plan for court action to capture the west side of the alley as Holladay's "eminent domain". This seizes rights from the adjacent owners that have rightful and historic access. These owners have always had an interest in the alleyway. It is used daily by delivery trucks, school transport vehicles, customers and employees of the local businesses.

Safety and Productivity

Last but certainly not least, we are concerned about both employee and child safety during the building phase. The rear of St. Anthony's Day School is adjacent to the construction hole that will be more than 30 feet deep. This is part of Holladay's proposed plan to build two story underground garage there.

Ms. Eileen Fogarty

May 3, 2004

Page 4.

The noise, debris, trucks, parking problems and construction work will mean that the children at St. Anthony's Day School could clearly be endangered. Further their children's environment and those of employee's will be severely disrupted by noise and dust of this construction. And with a more than 30 foot massive dig in the earth less than 10 feet from both 325 First and next door at St. Anthony's Day School at 321 First things will not be pleasant nor safe.

This development and zoning change should stop

The Holladay Corporation of DC should not be allowed such a massive project that will put burden on the adjacent residents, the City infrastructure, business owners and children occupying the St. Anthony's. The block described is occupied by businesses and schools and should be kept as is.

Sincerely,



Fred Parsons

325 First Street

August 10, 2004

Jeffrey Farner
Alexandria City Planning Commission
Alexandria, VA

Dear Mr. Farner:

My husband and I are residents of the City of Alexandria. Our address is 317 Hearthstone Mews. We are abutting the property that now houses the Windows Catering company. We understand that this property has been sold and that the plan is put condominiums there.

We also have been informed that there was a Text Amendment to the CD-X zone which is the present zoning of Windows. I believe that the developer wants a change to allow more Floor Area Ratio (changing from 1.25 to 2.00). In exchange there are certain conditions. One of the conditions is that the development will require a Special Use Permit allowing the Communities affected to have a chance to review plans. We concur with this.

At the time of this Amendment a request was made that the Amendment state that when the zone abuts residential property that there be a buffer zone. The staff took down the comment and called it a Transition Space. This "transition space" or "buffer zone" is of the UTMOST importance to us in the houses that abut the property. We are an interior townhome with adjacent townhomes about 30' from us on the south and no east or west windows. We presently have unobstructed views from our 3rd and 4th floors to the north. If a 50 foot building goes up with no buffer zone or "transition space" it will be as though we live in an elevator shaft. This would also greatly affect our property values.

We urge you to please make sure that this condition that there be a "Transition space" be included in the Amendment.

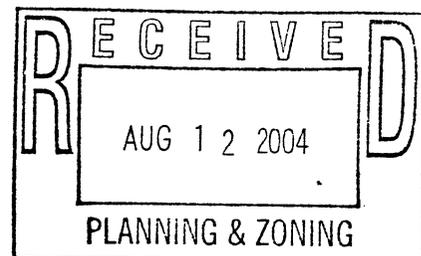
We are also going to get in touch with our homeowners association to set up a meeting with the City Staff.

Sincerely,



Nancy & Luther Hampton
317 Hearthstone Mews
Alexandria, VA 22314
703.838.6272

cc: Eileen Fogerty



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July 9, 2004

Mr. Jeffrey Farner
Division Chief/Development
Department of Planning and Zoning
P. O. Box 178
Alexandria, Virginia 22313

Dear Mr. Farner:

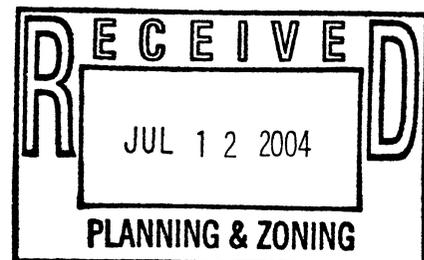
I am writing on behalf of the owners, Mr. and Mrs. William Meeks, to inform you that they are very much in approval of the proposed zoning text amendment for their property at 1125 North Royal Street.

Please don't hesitate to call our office if you have any further questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Machanic".

Bruce Machanic
President



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"Corrado, John P.
(Jack)"
<JCorrado@mofocom>
10/19/2004 09:47 AM

To: <Lucia.deCordre@alexandriava.gov>
cc:
Subject: RE: Important Notice RE: Hearthstone Mews Homeowners and the
Windows Property

Yes, Lucia, thanks, I can read this perfectly. I am awed at how comprehensive and accurate this memo is, since I didn't notice you taking any notes at the meeting.

I think you have captured the feelings of the community very well. As I think I mentioned, the residents that abut the property (311, 313, 315, 317, 319, 321, 323) have some issues that are a little different from the rest, particularly including: that any construction not undermine what is a very odd construction technique at the rear of those units (the patios are literally cantilevered over the windows site on timbers) and the fact that building to the full 50 foot height will not only occlude the views of the river and the capitol, but will make those units feel like they were built into an elevator shaft. So those owners are concerned about the style of the proposal. I expressed this concern directly to Lee Weber at Holladay and to Howard Middleton, his attorney and my former law partner, and invited them to come to my house to observe the situation, which they did.

Thanks very much again for your attention to our concerns. I will distribute this to the owners. Jack Corrado

John P. (Jack) Corrado
Morrison & Foerster LLP
1650 Tysons Blvd. Ste 300
McLean, VA 22102
703-760-7703
202-785-7522 (fax)
mailto:jcorrado@mofocom

-----Original Message-----

From: Lucia.deCordre@alexandriava.gov
[mailto:Lucia.deCordre@alexandriava.gov]
Sent: Tuesday, October 19, 2004 9:21 AM
To: Corrado, John P. (Jack)
Subject: RE: Important Notice RE: Hearthstone Mews Homeowners and the
Windows Property

, 49

Docket Item # 12-A, TA # 2004-0007
Amendment to the CD-X Zone
Planning Commission, November 4, 2004

- I represent the owners of the parcel where Metro Stage and Mariana's Café, etc. are located.
- The owners applaud the City for this text amendment as it is appropriate for the area, however, they disagree with the 50 foot setback requirement from the property line to the adjacent railroad tracks.
- Essentially, such language prevents this parcel from ever taking the opportunity to apply for a special use permit for the increased residential density.
- This property should simply be treated the same as other properties in the CD-~~X~~ zone whereby they have to show compatibility of the proposed plan with the adjacent properties at such time as when plans to redevelop may be proposed.
- 50 feet shouldn't be a magic number. Allow the owner of this parcel the opportunity to show an adequate transition that may not provide 50 feet of a buffer, but may provide something even better.
- At least give them the opportunity to try.

Bud Hart

Text Amendment

TA 2002-0007

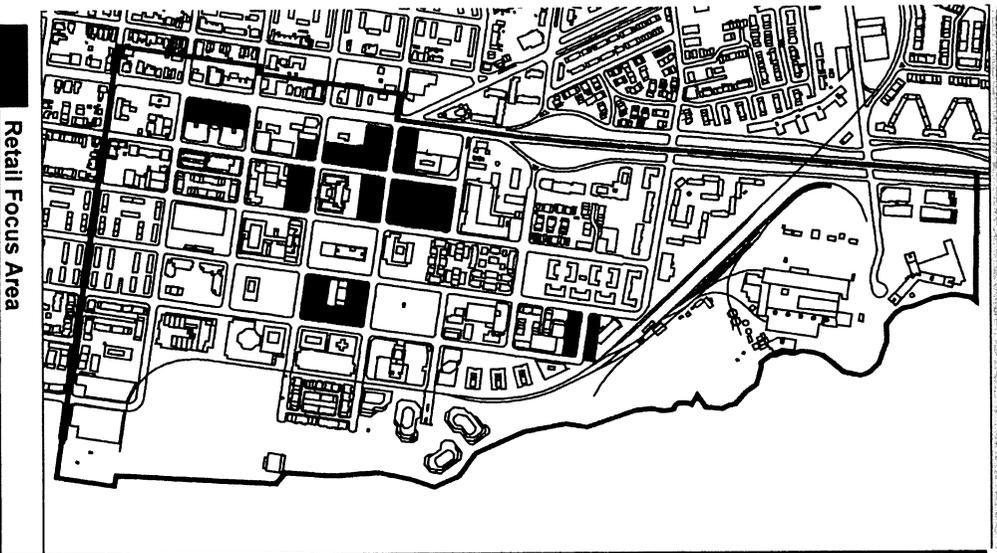
CD-X Zone

- **FAR 1.25-2.0 with special use permit**
- **Standards**
 - 5% affordable housing
 - parking below ground
 - utilities below grade
 - height variations, max 50'
 - 50' setback from rail lines
 - street oriented frontages
 - traditional building materials
 - 25% open space
 - pedestrian and streetscape improvements
 - compatible development
 - sustainable building technology
 - 10% retail in retail focus areas



Text Amendment

TA 2002-0007

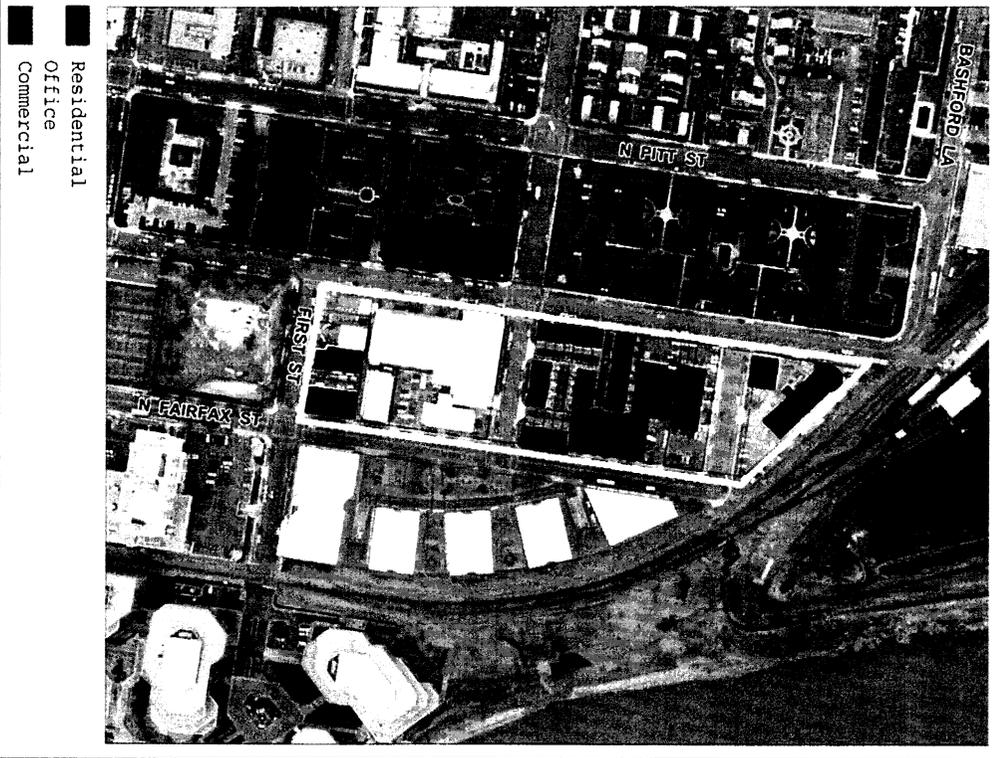


- **Old Town North Small Area Plan**
- **Old Town North Urban Design Guidelines**
- **Mixed Use Zones**
- **Retail Focus Area**



Conclusions : Approved 7-0

TA 2002-0007



- 1. Consistent with the Master Plan**
- 2. Transitional Area**
- 3. Incorporated Design Standards**
- 4. Retail Focus Area**

ReedSmith**MEMORANDUM**

Reed Smith LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042-4503
703.641.4200
Fax 703.641.4340

From: J. Howard Middleton
Direct Phone: 703.641.4225
Email: jmiddleton@reedsmith.com

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

DATE: November 10, 2004

RE: City Council Public Hearing Meeting, November 13, 2004; Docket Item No. 14 Text Amendment No. 2004-0007, Amendment to Floor Area Ratio in CD-X Zone

Prior to the Planning Commission meeting, the City Director of Planning & Zoning proposed certain minor revisions to the pending text amendment to clarify the requirements when a residential use also includes accessory retail use, as required in the retail focus areas. The proposed revisions were reflected in a memorandum to the Planning Commission dated November 2, 2004. An additional copy of this memorandum is attached for convenience.

The first proposed amendment was to §4-600(B) (2) (ii) as follows:

No residential parking reduction shall be granted and all residential parking shall be located below grade.

The purpose of this revision (addition of the word "residential") is to permit a parking reduction for retail use with special use permit approval. This flexibility is important because it may not be possible to place all retail parking below grade, and therefore the location and amount of retail parking would be evaluated as part of a special use permit process. A parking reduction and above grade parking for residential use would still be precluded.

The Planning Commission did not include this revision in its motion. The purpose of this memorandum is to request City Council to make this revision to the text amendment.

We appreciate your kind consideration.

cc. Eileen Fogarty

DATE: NOVEMBER 2, 2004

TO: CHAIRMAN AND MEMBERS THE PLANNING COMMISSION

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING

SUBJECT: PROPOSED CHANGE TO THE CD-X ZONE TEXT AMENDMENT FOR ACCESSORY RETAIL USE (TEXT AMENDMENT #2004-0007)

Staff is proposing two additions to the text amendment to clarify the requirements when a residential use also includes accessory retail use, as required in the retail focus areas.

ARTICLE IV: Commercial, Office, and Industrial Zones

Sec. 4-600 CD -X\Commercial Downtown Zone (Old Town North)

4-606 Bulk regulations

(B) Floor area ratio

(2) Residential.

- (ii) No residential parking reductions shall be granted and all residential parking shall be located below grade.

Due to the location and scale of possible redevelopment in the retail focus area, the required amount of retail parking along with the required residential parking may not be achievable below grade. The location and amount of retail parking would be evaluated as part of the special use permit process.

- (xiii) The retail requirement within the retail focus areas shall be a minimum of 10% of the area of each lot in a retail focus area, and subject to the provisions of section 6-500 of the zoning ordinance.

The addition is to clarify that the raised requirement for retail in the retail focus area will remain subject to the Urban Overlay requirements of section 6-500

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11-13-04

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

November 12, 2004

The Honorable William D. Euille, Mayor
and Members of City Council
c/o City Clerk and Clerk of Council
City Hall, Room 2300
Alexandria, VA 22314

Re: Docket Item # 14, TA # 2004-0007
Amendment to the CD-X Zone

Dear Mr. Mayor and Members of City Council:

I represent the owners of the parcel where Metro Stage and Mariana's Café, etc. are located. The owners applaud the City for this text amendment as it is appropriate for the area, however, they disagree with the fact that the Planning Commission excluded their property from the area affected by the text amendment. At the Planning Commission hearing, I expressed their concern with the 50 foot setback requirement from the property line to the adjacent railroad tracks which did essentially the same thing.

Now that the Planning Commission excluded their property from the parameters of the text amendment, this parcel is prevented from ever taking the opportunity to apply for a special use permit for the increased residential density. This property should simply be treated the same as other properties in the CD-X zone whereby they have to show compatibility of the proposed plan with the adjacent properties at such time as when plans to redevelop may be proposed. They do not have any plans to do so in the near future, however, they should at least be given an opportunity to try.

Very truly yours,


Harry P. Hart

cc: Mr. Robert Craddock

SPEAKER'S FORM

DOCKET ITEM NO. 14

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

- 1. NAME: HOWARD MIDDLETON
- 2. ADDRESS: 3110 FAIRVIEW PARK DR, FAZUS CHURCH, VA
 TELEPHONE NO. (703) 641 4225 E-MAIL ADDRESS: hmiddleton@redsooth.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 three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided 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 legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting 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. If an item is docketed for public hearing at a regular legislative meeting, the public may speak to that item, and 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 legislative 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

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- (b) No speaker will be allowed more than three minutes.
- (c) 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.
- (d) 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 on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) 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.

SPEAKER'S FORM

DOCKET ITEM NO. 14

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Bob Hart

2. ADDRESS: 307 N. Wash St.

TELEPHONE NO. 903-370-3977 E-MAIL ADDRESS: _____

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Robert Craddock

4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: with amendment

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Property

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 three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

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(e) 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.

TEXT AMENDMENT # 2004-0007

ISSUE DESCRIPTION: Consideration of an amendment to section 4-606 of the Zoning Ordinance to increase the residential floor area ratio in the CD-X zone from 1.25 to 2.0 with a special use permit.

ZONING ORDINANCE SECTION: Section 4-606

CITY DEPARTMENT: Planning and Zoning

ACTION - PLANNING COMMISSION: 11/04/2004 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 11/13/04 6C approved the Planning Commission recommendation 6-1 (see attached)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

13. TEXT AMENDMENT #2004-0001
POTOMAC YARD DESIGN ADVISORY COMMITTEE
Public Hearing and Consideration of an amendment to Section 5-602 of the Zoning Ordinance to change the required composition of the Potomac Yard Design Advisory Committee. Applicant: Department of Planning and Zoning.
- PLANNING COMMISSION ACTION: RECOMMEND REJECTION OF THE TEXT AMENDMENT 7-0

City Council held the public hearing and reversed the recommendation of the Planning Commission and recommended an amendment to Section 5-602 of the Zoning Ordinance to change the required composition of the Potomac Yard Design Advisory Committee to include a two representatives from Potomac East (Northeast and Inner City).
Council Action: _____

14. TEXT AMENDMENT #2004-0007
AMENDMENT TO FLOOR AREA RATIO IN THE CD-X ZONE
Public Hearing and Consideration of a text amendment to the Zoning Ordinance to amend the permitted floor area ratio for buildings and structures in the CD-X zone, excluding those within the Old and Historic District. Applicant: Department of Planning and Zoning.

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

City Council held the public hearing and approved the recommendation of the Planning Commission with the following changes: (1) Section 4-600 (B)(2)(b)(ii) include defining words "residential" and "office/commercial" for underground parking requirement; and (2) Section 4-606 (B)(2)(b)(vi) change last sentence to read "Mews units are discouraged."
Council Action: _____

15. DEVELOPMENT SPECIAL USE PERMIT #2002-0043
1000-1027 NORTH ROYAL STREET & 329 and 327 FIRST STREET
POSTMASTERS PROPERTY
Public Hearing and Consideration of a request for a development special use permit, with site plan and modifications to construct a multi family condominium building; zoned CD-X/Commercial Downtown. Applicant: The Holladay Corporation by J. Howard Middleton, Jr., attorney.

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 6-1

City Council held the public hearing and approved the recommendation of the Planning Commission with the following amendments: (1) include language in Condition #64 that gives staff the option of allowing the developer to make a monetary contribution of \$5 per gross square foot to the Housing Trust Fund; (2) include language in Condition #76 from the Howard Middleton memorandum dated November 12, 2004 stating, "the applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, and to the Directors of P&Z and T&ES. *The liaison shall meet with community representatives on a monthly basis, if necessary.*" Condition #76 should also include an additional line stating, "The applicant shall develop a plan of communication with the community in consultation with the Departments of Planning and Zoning and Transportation and Environmental Services;" (3) include language in Condition #87 from the Howard Middleton memorandum dated November 12, 2004 stating, "The applicant shall attempt to minimize construction noise, especially pile driving, during the hours between 1:00 p.m.