

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Public Hearing Meeting
Saturday, February 24, 2007 - - 9:30 a.m.

Present: Mayor William D. Euille, Vice Mayor Andrew H. Macdonald (who arrived at 10:44 a.m.), Members of Council K. Rob Krupicka, Timothy B. Lovain, Redella S. Pepper and Paul C. Smedberg.

Absent: Councilman Ludwig P. Gaines.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Police Lt. Uzzell; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Blakeley, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Vosper, Landscape Architect, Recreation, Parks and Cultural Activities; Ms. Durham, Recreation, Parks and Cultural Activities; Mr. Baier, Director, Transportation and Environmental Services; Mr. Josephson, Acting Director, Planning and Zoning; Mr. Farner, Planning and Zoning; Mr. Hunt, Planning and Zoning; Mr. Wagner, Planning and Zoning; Ms. Ryan, Planning and Zoning; Ms. Davis, Director, Office of Housing; Ms. McIlvane, Deputy Director, Office of Housing; Fire Chief Mesaris; Assistant Chief Whitmore; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

OPENING

1. Calling the Roll.

All members of Council were present, with the exception of Vice Mayor Macdonald, who arrived at 10:44 a.m., and Councilman Gaines, who was absent.

NEW BUSINESS ITEM NO. 1: Mayor Euille noted that Vice Mayor Macdonald and Councilman Gaines are representing Council at a funeral for former Planning Commission member Richard Leibach. He asked for a moment of silence not only for Mr. Leibach, but for Thomas Taylor and Henry Alexander Thomas, who both recently passed away.

2. Public Discussion Period.

(a) Mimi Carter, 106 East Cliff Street, president of the Mt. Vernon Community School PTA, spoke as an advocate for the schools, its teachers and children. She

spoke of the accreditation of the schools and of the responsibility of the community and Council to provide a free and appropriate education for the children. She spoke of the City's drop out rate and the SAT scores. She said Council is talking about cutting teacher's colas and that is very short-sited. She said the City and the Council have come so far at understanding what the economically and socially diverse school community needs in terms of education. She recommended looking at the tax rates, which also spend between 35 and 40 percent. She said they could ask the School administrators to begin paying part of their health insurance, but they could also ask the School Board not to fast forward the capital improvement, but to look at the community and the children they serve and realize that for the time being, an investment in the schools will lead to thoughtful and productive children who will give back to the community.

(b) Marianne Hetzer, 604 N. Mansfield Street, acting president of the PTA Council of Alexandria, said she was impressed with the City Manager's ability to craft a budget that meets the target established by Council and she thanked Council for the support of comments made last Thursday regarding the School portion of the budget. She said the Superintendent and School Board members believed that if they submitted a budget at or near the target, that budget might possibly be stamped approved without any further discussion. She said she now agrees that Council should ask the School Board again to provide an on-target budget as soon as possible, clearly defining the programmatic impact of each reduction, so Council can make a truly educated decision regarding the funding allocation. She said they must find ways to find the employees a minimal salary increase.

(c) Sarah Becker, 1200 Princess Street, and Wilson Thompson, 1201 Queen Street, president of the Queen Street Area Business Association, speaking together, spoke about the nomination process for Parker Gray for the tax credit, and said they would appreciate a written update on what exactly is going on.

Mayor Euille noted that the request has been made in the past weeks and staff is in the process of preparing the response, so it will be made available to the speakers and to the entire community.

(d) Bert Ely, 200 S. Pitt Street, spoke about the relocation of the George Mason Post Office at Prince Street and South Washington Street. He said the postal service decided to keep a post office branch in downtown old town, but the not so good news is that it may end up in a not so good location. He said his favored location is 119 N. Washington Street, as the space is especially well located for pedestrians and automobile access. However, the postal service rejected that space, presumably for cost reasons and instead narrowed in on two other locations - Duke Street and S. Columbus Street Atrium Building, and the old Office Depot space at 200 N. Washington Street. He said he and others leaned toward the Atrium location, primarily because there is a reasonable amount of metered on-street parking near that location, in addition to decent pedestrian access. The postal service leaned towards leasing that space but now the word is that the postal service has determined that it might be too

costly to build out that space to meet its needs, specifically public and handicapped access. Supposedly the postal service is leaning toward leasing the 200 N. Washington Street space, and while it has good pedestrian access, it is the least desirable of the three locations because of its lack of on-street parking. He asked Council to ask the postal service to reconsider the 119 N. Washington Street location or to at least go the extra mile and spend a few additional dollars to put the new post office branch in the atrium building instead of going for the cheapest location at 200 N. Washington Street. He said that perhaps Congressman Moran can help in the quest.

Mayor Euille noted that they are all engaged in the matter with Congressman Moran and things have been moving forward. He said Council has already made comments to the postal service and will prepare another letter further expressing their views and will continue to seek the support of Congressman Moran.

(e) Charlotte Landis, 433 N. Patrick Street, said she is voicing the concerns of many of her neighbors in Parker Gray along the Patrick and Henry Street corridor. She said this is one of the few areas of the City that does not have a resident on the Council or Commissioners dealing with planning, development or transportation. She asked when it was appropriate for a citizen to become involved in the decision making process of the City, referring to the January 22 emergency posting on the Enews that announced a March 8 meeting to discuss the bus rapid transit proposals for Route 1. She said civic participation in the preparation of the Braddock Road Small Area Plan no longer can be considered a logical or effective process. Seemingly, their citizen involvement is always deemed either too early or too late in the process. Ms. Landis said so that there is no misunderstanding, those who reside on Route 1 residential corridor do not want bus rapid transit. She said the citizens are not responsible for the City government's failure to plan adequately for Potomac Yard or to provide for future proposed military traffic. She submitted a petition signed by 54 citizens representing nearly 50 households.

Mayor Euille said the discussion and recommendations from the task force dealing with transportation plans is scheduled to come before Council sometime in March, and when it is received, there will be many opportunities for citizen input, as well as the impacts with the Braddock Road Small Area Plan, which they won't receive until April. Nothing has happened to cut off citizen participation and discussion, as it hasn't yet reached Council.

Director of Transportation and Environmental Services Baier noted that there will be a work session as a transportation task force update on March 13.

Deputy City Manager Evans noted that the word "emergency" should not have been on that press release and it won't happen again.

(f) Jack Sullivan, 4300 Ivanhoe Place, speaking as a member of the executive board of the Seminary Hill Association, said the executive board unanimously passed a resolution on February 8 asking Council to defer construction of the proposed

all City sports facility until the following two conditions are met: 1. That other needed CIP's are funded and underway, to include the new Police station, completion of Windmill Hill Park and the provision of turf for existing playing fields; and 2. Until the entire amount of private sector money in excess of \$5 million has been pledged and is in the bank earning interest. Mr. Sullivan said that speaking for himself, he recently attended the Park and Recreation Commission hearing on the project and was struck by the number of coaches for field sports for both adults and children who testified about the current lack of playing fields in Alexandria. He said their support for the facility was reluctant, but obviously something for them is better than nothing. He said putting millions into one new field in a 3,000 seat stadium does not make much sense when the need is for a substantial number of new fields. He said they should accommodate people who play, not people who watch.

(g) Jim Hurysz, 127 S. Fairfax Street, #202, Arlington, spoke about articles in the *Wall Street Journal*, "increased heart risk linked to air pollution" and he read a synopsis of the article, as well as noting a *New England Journal of Medicine* report. He said the Washington, D.C. area is ranked near the top for particulates, and he said the problems are multi-jurisdictional. He said if they are going to have increased traffic on I-395, they had better convert from diesel vehicles to natural gas or electric that will reduce the danger to their health.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-4)

Planning Commission

3. DEVELOPMENT SPECIAL USE PERMIT #2006-0034
4400 WEST BRADDOCK ROAD
LYNN HOUSE
Public Hearing and Consideration of a request for an extension of a previously approved development special use permit, with site plan, to expand an existing nursing facility; zoned R-8/Residential. Applicant: Lynn House of Potomac Valley, Inc. by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 3, 2/24/07, and is incorporated as part of this record by reference.)

4. SPECIAL USE PERMIT #2006-0109
1901 BALLENGER AVENUE (Parcel Address: 1900 Jamieson Avenue)
STARBUCKS COFFEE
Public Hearing and Consideration of a request to operate a coffeehouse (restaurant) and for a parking reduction; zoned CDD-1. Applicant: Starbucks

Coffee by Jonathan Dandois

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 4, 2/24/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, City Council approved the action consent calendar, with the removal of item #3, which was considered under separate motion, as follows:

4. City Council approved the Planning Commission recommendation.

The voting was as follows:

| | | | |
|--------|----------|-----------|--------|
| Pepper | "aye" | Macdonald | absent |
| Lovain | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Smedberg | "aye" | |

3. **DEVELOPMENT SPECIAL USE PERMIT #2006-0034**
4400 WEST BRADDOCK ROAD
LYNN HOUSE

Public Hearing and Consideration of a request for an extension of a previously approved development special use permit, with site plan, to expand an existing nursing facility; zoned R-8/Residential. Applicant: Lynn House of Potomac Valley, Inc. by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 4, 2/24/07, and is incorporated as part of this record by reference.)

Councilman Smedberg asked what the Planning Commission recommendation was, as he didn't see it in the staff report.

Mr. Farner, Planning and Zoning, responded that the recommendation of the Planning Commission was for an 18 month extension.

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

| | | | |
|----------|--------|-----------|--------|
| Smedberg | "aye" | Macdonald | absent |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Lovain | "aye" | |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

5. Public Hearing on Recommended Interim Location and Lease Revisions for the Proposed Alexandria Water Shuttle Service. (#19, 2/13/07-2/15/07)

(A copy of the City Manager's memorandum dated February 14, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/24/07, and is incorporated as part of this record by reference.)

Deputy City Manager Jinks made a presentation of the staff report and responded to questions of Council.

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

(a) John Renner, 4000 Featherstone Place, member of the Board of Governors of the Alexandria Convention and Visitors Association, spoke in favor of the recommended interim location and license revision for the water taxi service for National Harbor.

(b) Rick Dorman, 801 N. Fairfax Street, Suite 302, chair of the Alexandria Chamber of Commerce, spoke in support of the proposed water shuttle service.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. approved the berth "Commercial 1 Berth 7, Torpedo Factory North Pier" as the interim location for the water shuttle service; 2. authorized the City Manager to sign the proposed license agreement between the City and the Potomac River Boat Company in substantially the form as attached; and 3. authorized the City Manager, if he determines it feasible, to file a grant application for potential federal grant funding to finance a portion of the acquisition cost of the water shuttle vessels. The voting was as follows:

| | | | |
|----------|--------|-----------|--------|
| Smedberg | "aye" | Macdonald | absent |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Lovain | "aye" | |

The following item was taken out of turn:

12. CDD CONCEPT PLAN #2006-0004
 DEVELOPMENT SPECIAL USE PERMIT #2006-0026
 2501 JEFFERSON DAVIS HIGHWAY

POTOMAC YARD DEVELOPMENT

Public Hearing and Consideration of a request for: 1) approval of a CDD concept plan amendment to permit community facilities in Potomac Yard; and 2) development special use permit approval, with site plan, for construction of a fire station, with 64 affordable residential units and underground parking, in Potomac Yard, Land Bay G, with approval for bonus density equal to the affordable units and accessory retail provided with the fire station pursuant to Section 7-700 of the Zoning Ordinance; zoned CDD #10/Coordinated Development District. Applicants: Potomac Yard Development, LLC by co-counsel M. Catharine Puskar and Duncan Blair, attorneys, and the City of Alexandria, Department of General Services, Jeremy McPike, Capital Projects Division Chief.

PLANNING COMMISSION ACTION:

CDD#2006-0004 Recommend Approval 6-0
DSUP#2006-0026 Recommend Approval 6-0

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 12, 2/24/07, and is incorporated as part of this record by reference.)

Acting Director of Planning and Zoning Josephson, along with Mr. Farner, and Ms. McIlvane, Deputy Director of Housing, made presentations of the staff report and responded to questions of Council.

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

(a) Nancy Carson, 301 W. Masonic View, chair of the Alexandria Affordable Housing Advisory Committee and co-chair of Housing Action, spoke in favor of the project.

* * * * *

Vice Mayor Macdonald arrived at this time - 10:44 a.m.

* * * * *

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. The voting was as follows:

| | | | |
|----------|----------|-----------|--------|
| Krupicka | "aye" | Macdonald | "aye" |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Lovain | "aye" |
| | Smedberg | "aye" | |

WHEREUPON, upon motion by Councilman Krupicka, seconded by

Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with the amended conditions proposed by staff, as follows: Condition #16: Upon completion of construction to the extent necessary to permit conveyance thereof, ownership of the fire station component (and associated parking) shall be conveyed to the City. Upon completion of construction to the extent necessary to permit conveyance of thereof, ownership of the housing/retail component (and associated parking) shall be conveyed to Alexandria Housing Development Corporation (and/or its related tax credit partnership entity) (AHDC). The ownership prior to conveyances to the City and to AHDC shall be approved by the City Attorney. It is currently anticipated that the ownership prior to conveyances to the City and to AHDC shall be by a partnership or limited liability company of which the City is the manager and majority owner/member and of which PYDLLC and AHDC are minority owners/members, with the City and AHDC retaining security interests for the conveyance to the respective components to them upon completion of construction to the extent necessary to permit conveyance. The City shall retain ownership of the land and transfer the retail and residential portions of the building (and associated parking) to Alexandria Housing Development Corporation (AHDC) (and/or its related tax credit partnership entity) following recordation of the final site plan. (P&Z) (Housing) Condition #21h. The parking within the underground garage shall consist of 142 parking spaces, except that additional spaces may be permitted if the additional spaces are gained through the final design of the parking garage. The voting was as follows:

| | | | |
|----------|----------|-----------|--------|
| Krupicka | "aye" | Macdonald | "aye" |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Lovain | "aye" |
| | Smedberg | "aye" | |

Items 6, 7, 8 and 9 were heard together:

6. Public Hearing on the Revised List of Proposed Valuable Open Space Sites in the City of Alexandria. (#17, 1/9/07)

(A copy of the City Manager's memorandum dated February 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No's 6-9, and is incorporated as part of this record by reference.

A copy of the City Manager's memorandum dated February 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 2/24/07, and is incorporated as part of this record by reference.)

7. Public Hearing on the Revised List of Proposed Pocket Park Sites in the City of Alexandria. (#18, 1/9/07)

(A copy of the City Manager's memorandum dated February 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/24/07, and is incorporated as part of this record by reference.)

8. Public Hearing on the Revised Potential Proposed Voluntary Conservation Easement Sites in the City of Alexandria. (#19, 1/9/07)

(A copy of the City Manager's memorandum dated February 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/24/07, and is incorporated as part of this record by reference.)

9. Public Hearing on the Recommended Future Committee Structure for the City of Alexandria's Open Space Steering Committee. (#20, 1/9/07, and #17, 1/23/07)

(A copy of the City Manager's memorandum dated February 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/24/07, and is incorporated as part of this record by reference.)

Director of Recreation, Parks and Cultural Activities Kincannon and Ms. Durham, Open Space Coordinator, made a presentation of the staff report and they, along with Mr. Farner, Planning and Zoning, and Mr. Josephson, Planning and Zoning, responded to questions of Council.

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

(a) William J. Camarinos, 1200 Braddock Place, #816, spoke in favor of the Braddock Place undeveloped lot, known as 1261 Madison Street and said Council should acquire the parcel.

(b) Dave Cavanaugh, 4008 Fort Worth Avenue, said it is important for the City to restore an advisory committee to assist staff in developing and formalizing procedures that will make the program more transparent and facilitate public support; he noted that several proposals need updating; there is no easily understood linkage between City priorities and many of the proposals and nominations; several pocket park proposals involve commercial tracks and have none of the characteristics of a park or a resource that is in need of City protection; all costs should be accounted for up front in the screening process to evaluate the public interest; staff or committee evaluations should not factor in political considerations; actions to protect open space should reflect City identified priorities; Council and staff should draft an advisory charter for the new advisory council to identify the role of the advisory committee; the goal of buying 100 acres of open space should be reconsidered; and the advisory committee should foster the development of partnerships for civic associations, foundations and other non-profit organizations involved in identifying, holding and protecting natural, cultural and historic resources.

(c) Bill Henderickson, 304 E. Spring Street, said it is important for Council to continue to set aside money for purchasing open space, and he urged Council to spend the money, and he recommended that Council direct staff to negotiate a right of first refusal to buy the property at 2309 Mt. Vernon Avenue. He said there is a lot more to

implement in the open space plan, and the statement in the staff report that the City has achieved many of its goals in the plan is misleading, and he asked Council to think of expanding the mandate of the proposed open space advisory committee and for them to provide advice to staff on setting and resetting priorities each year. Mr. Henderickson urged Council to purchase the property at 1 and 7 E. Del Ray as a pocket park.

(d) Julie Crenshaw Van Fleet, 26 Wolfe Street, said on open space acquisition, she was concerned that spending money from the open space fund to acquire property on the waterfront, but there are statements within the documents related to these that if they decide to do something else with the property, then the open space fund will be reimbursed. She said that is very disingenuous and if people are putting their tax dollars toward the purchase of open space, and Council wants to use those monies to purchase open space anywhere, that is what they use that property for. She said on pocket parks, she is the one who suggested 3500 Mt. Vernon Avenue at West Glebe, the reason being that it is all concrete, buildings and power lines and if there were green space there, it would be calming to the traffic and not be so sterile, and she felt there needed to be green there. Ms. Crenshaw Van Fleet said she suggested that 106 E. Nelson Avenue be put on the pocket park list, and she said her reason for putting it on the pocket park list is because she has previously said that there has to be something in there to let people know the City is not going to take their property. She said that is why she put this piece of property on the pocket park list, as it made one feel horrible that someone would want to take the property where they live. She said she didn't think people's property should be in danger of being taken and she hoped it would be looked at.

(e) Richard R. G. Hobson, 99 N. Quaker Lane, speaking for himself and the Seminary Hill Association, said the pocket park at the corner of N. Quaker Lane and Duke Street has been withdrawn from the list by the owner, and the owner may in the future be asked that it be restored for consideration. He said they had planned to have six civic associations come today to recommend acquisition of the property and there is broad support for it and they hope it will be restored to the list in the future.

(f) William A. Matney, 21 W. Del Ray Avenue, advocated for the purchase of 1 and 7 E. Del Ray Avenue for a pocket park. He said if it were to be developed, they would move themselves toward a tipping point where it loses the community draw and gets into an over-development situation.

(g) James Snyder, 1907 Commonwealth Avenue, said when one buys a home in Del Ray, they are buying for the next hundred years, and he noted that open space is at a premium in their neighborhood and he is not aware of a single square foot that has been purchased in Del Ray for open space.

(h) David Fromm, 2307 E. Randolph Avenue, commended the progress that had been made on implementing the plan and he said they must be proactive in acquiring the properties or loss of open space will continue to be inevitable. He said

that of the 21 acres, not one square foot has been a pocket park, and the pocket parks are the only space acquisition throughout the Del Ray neighborhood, and it was the promise of pocket parks that ingenued the support for the tax in Del Ray and other parts of the City. He said the current owner of the property in Del Ray has left the property on the list for consideration, but he was worried that because of disconnection in discussions, that it might be sold for development, and he asked if they have acquired a right of first refusal for the property. He asked that it be more proactive in acquiring the Del Ray Commonwealth site before the opportunity is gone.

Mayor Euille asked staff to be prepared at the next Council meeting in executive session to give advice and input on this and other parcels.

(i) Steven Carman, 1243 Madison, said 14-15 people from the neighborhood have been at the meeting this morning and have had to come and go. He said they support preserving open space at 1261 Madison Street. He said open space, gardens, trees, parkland and green reserves are quality of life issues and said the set aside of this parcel is not a dedicated set aside and would fool themselves into thinking it solves the problem. Mr. Carman said many have signed a pledge that they oppose over-crowding and congestion, specifically and particularly because the parcel on Madison Street is under threat of loss of development. He said they have already requested through petition that the City restrict it from private development and acquire it for green space preservation, and why not find another area of land to swap or trade this parcel at 1261 Madison that has similar value and development potential without the overcrowding or space restrictions.

(j) Marian Gary, 1200 Braddock Place, thanked Vice Mayor Macdonald for stating how she and others feel about the property on Madison Street. She said as North Fayette is developed more and some of the other warehouses, it might make more sense to keep an open area that is already open for park purposes while the other properties are developed.

(k) Geraldine Madrid-Davis, 523 N. Alfred Street, spoke about the pocket park at 724 and 728 N. Patrick Street and said they need more pocket parks in the neighborhood. She said with the redevelopment of Charles Houston at some point, there will be an increased need for a local park there and she suggested Council might look at the 600 block of N. Alfred Street - perhaps 605 N. Alfred, which is an empty lot. Ms. Madrid-Davis hoped Council would look at tot lot features for smaller children, as well as looking at water features that Arlington Parks and Recreation uses.

In response to a question from Councilwoman Pepper, Mr. Kincannon said 604 N. Alfred Street is on the list of vacant properties and it can be brought back to the committee to review and staff will review it as well.

Councilman Krupicka asked staff to evaluate a concept Mr. Carman mentioned, that instead of simply looking at the Madison site as an opportunity for acquisition, as it could be very expensive and difficult to acquire, getting in a long legal fight over

condemnation is not a very helpful way to spend the open space money. Mr. Carman mentioned an interesting idea, which is to take the opportunity to do density transfers where it can take density from one site and transfer it to another site, and he suggested staff take a look at it to see if there is a way to accomplish some of their goals without putting it into other problems.

(I) Vallery Vandergrift, 508 N. Columbus Street, spoke about the lot at 1261 Madison Street, and said it is used as a dog lot. She said she has always supported putting a park in front of the Braddock Street Metro. If something goes into 1261 Madison Street, it will have to be made a public park. She said where it is, it is not practical to make it into a pocket park or a park, and that is why she supported the strip of land, as it is in front of the Metro and could service the whole area and is an excellent alternative.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. The voting was as follows:

| | | | |
|----------|--------|-----------|--------|
| Smedberg | "aye" | Macdonald | "aye" |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Lovain | "aye" | |

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the following: docket item #6: 1. received the revised list of 2007 valuable open space sites included within the report; 2. approved the proposed revised list of valuable open space sites, as the list of primary open space properties in Alexandria that the Council intends to consider for possible future acquisition by the City through voluntary means, or to work with the property owner to protect the property by other means including conservation easements, or right of first refusal; 3. directed staff to proceed with the work to further achieve the goals of the City's Open Space Master Plan; and 4. that the sites brought up today not on the lists, along with commentary on sites mentioned today that were on the list but were not ranked as highly, come back to Council as a report from staff at the earliest possible time. Docket item #7: City Council: 1. received the revised list of proposed 2007 Pocket Park Sites included within this report, reflecting the removal, at the request of the property owners, of 11 Quaker Lane/3237 Duke Street which was previously listed in the January 9, 2007, recommendation to Council; 2. Adopt the list of Pocket Park Sites, as the list of primary pocket park properties in Alexandria that the Council intends to consider for possible future acquisition by the City; and 3. Direct staff to proceed with the work to further achieve the goals of the City's Open Space Master Plan. Docket item #8: City Council: 1. received the revised list of 2007 Voluntary Conservation Easement Sites included within the report, reflecting the removal at the request of the property owner of 1200 Russell Road; 2. approved the list of 2007 Voluntary Conservation Easement Sites, as the list of voluntary conservation easement properties in Alexandria that Council will agree to consider for possible future

voluntary conservation easements by the City; and 3. directed staff to proceed with the work to achieve the goals of the City's Open Space Master Plan through working with owners on a voluntary basis to implement additional voluntary conservation easements. Docket item #9: City Council: 1. approved the original recommendation for the new structure of the OSSC with the underlined changes, based on the January 23, 2007, City Council legislative meeting; 2. retitled the OSSC to the Open Space Advisory Group; and 3. if Council agrees to change the future structure of the OSSC, acknowledge and commend the members of the current OSSC for their pioneering and productive work in protecting and expanding public open space in the City.

Mayor Euille said there were good points made on the recommendation for the future committee structure in terms of giving the advisory group more teeth and fire power, as well as reference to a charter, and he concurred with those thoughts and wanted to make sure the comments would be part of the final formalization of the committee structure.

Councilman Smedberg said there are City properties that are open that are not on the list - for example, the property on Powhatan and Slaters Lane, and he said the staff, City Manager and the committee needs to also look at properties like that. He said representation on the committee should be from across the City.

The voting was as follows:

| | | | |
|----------|----------|-----------|--------|
| Krupicka | "aye" | Macdonald | "aye" |
| Pepper | "aye" | Gaines | absent |
| Euille | "aye" | Lovain | "aye" |
| | Smedberg | "aye" | |

* * * * *

Council took a 10-minute recess.

* * * * *

OTHER

10. Receipt of Report from the Naming Committee and Setting it for Public Hearing on Tuesday, February 27, 2007.

(A copy of the City Manager's memorandum dated February 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 2/24/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, City Council received the report of the Naming Committee and set for public hearing and consideration on Tuesday, February

27, 2007, the proposal to name the new soccer field behind George Washington Middle School in honor of the Swanson family. The voting was as follows:

| | | | |
|--------|----------|-----------|--------|
| Pepper | "aye" | Macdonald | "aye" |
| Lovain | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Smedberg | "aye" | |

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

11. DEVELOPMENT SPECIAL USE PERMIT #2005-0014
621 NORTH PAYNE STREET
PAYNE STREET CONDOMINIUMS

Public Hearing and Consideration of a request for a development special use permit, with site plan, a site plan modification, and an increase in density and height for the construction of residential units; zoned CRMU-H/Commercial Residential Mixed Use. Applicant: K. Hovnanian Homes at Payne Street, LLC by Harry P. Hart, attorney

PLANNING COMMISSION ACTION: Recommend Approval 6-0-1

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 11, 2/24/07, and is incorporated as part of this record by reference.)

Acting Planning and Zoning Director Josephson and Mr. Farner made a presentation of the staff report and they, along with Director of Transportation and Environmental Services Baier, responded to questions of Council.

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

(a) Harry Hart, 307 N. Washington Street, attorney representing the applicant, spoke in favor of the request and introduced Gary Chandler, president of K. Hovnanian Homes, John Pellarito, chair of land acquisition for K. Hovnanian Homes, Colin Stiles, of K. Hovnanian Homes, John Rust, who designed the project, Kevin Washington of Christopher Consultants, and Engin Artemel, Urban Planning Consultant, and he noted the letters received from citizens in support of the project.

(b) Richard Calderon, 505 E. Braddock Road, #803, representing the Colecroft Station board of directors, spoke against the project and spoke of the arrangement of space on the block, housing, the FAR and height.

(c) Peter A. Prahar, 632 N. Payne Street, spoke about the decision to build the townhouses, creation of an alley, visual access and open space, and said the plan

should be sent back for significant re-do.

(d) Vallerey Vandergrift, 508 N. Columbus Street, spoke in support of the project.

(e) Engin Artemel, 120 Madison Place, gave an historical perspective of the site and he spoke in favor of the project.

(f) Herb Cooper-Levy, 1527 Oronoco Street, past president of the Colecroft Owners Association, said the community is in favor of the project.

Councilman Krupicka asked Mr. Hart if he was comfortable with the language on the live-work, on the final look and feel of the sidewalks being consistent with the Braddock Road Plan, and the alley having permeable surfaces.

Mr. Hart said they were in agreement with all three.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing. The voting was as follows:

| | | | |
|----------|--------|-----------|--------|
| Pepper | "aye" | Macdonald | "aye" |
| Smedberg | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Lovain | "aye" | |

Councilman Smedberg asked Mr. Hart if he would be amenable to a public art component.

Mr. Hart said he is amenable to public art as part of the project and will work with staff for public art that will benefit the neighborhood.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried 5-1, City Council approved the Planning Commission recommendation, with the following amendments: 1. the first floor of the live/work units shall be appropriate for the following uses: boutique retail shopping establishments, financial investment and consulting offices, travel agencies, realty offices, personal services uses, educational uses, professional offices such as attorney's offices or accountant's offices. Uses which involve the preparation, sale or service of food or beverages are strictly prohibited; 2. a modification that the final look and feel of the sidewalks and lighting must be consistent with the Braddock Road Plan; 3. explore permeable surfaces for the alley; and 4. that a contribution be made by the applicant that would be beneficial to the community and neighborhood for public art. The voting was as follows:

| | | | |
|--------|-------|-----------|------|
| Pepper | "aye" | Macdonald | "no" |
|--------|-------|-----------|------|

| | | | |
|--------|----------|----------|--------|
| Lovain | "aye" | Gaines | absent |
| Euille | "aye" | Krupicka | "aye" |
| | Smedberg | "aye" | |

Board of Architectural Review

13. Public Hearing and Consideration of an Appeal of the Board of Architectural Review's decision denying a request for after-the-fact approval of an awning at 515 N. Alfred Street, zoned RB Residential. APPLICANT AND APPELLANT: C. Casey Purpos and Shuan Shepard (Deferred from 1/20/07.)

This item was withdrawn by the applicant/appellant.

ORDINANCES AND RESOLUTIONS

14. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Clarifying Amendments to the City's Recycling Regulations. (#14, 02/13/07-2/15/07)(**ROLL-CALL VOTE**)

(A copy of the City Manager's memorandum dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 2/24/07, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 2/24/07, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 14; 3/35/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Macdonald and carried 6-0 by roll call vote, City Council passed an ordinance to make clarifying amendments to the City's recycling regulations. The voting was as follows:

| | | | |
|-----------|----------|----------|--------|
| Pepper | "aye" | Gaines | absent |
| Macdonald | "aye" | Krupicka | "aye" |
| Euille | "aye" | Lovain | "aye" |
| | Smedberg | "aye" | |

The ordinance reads as follows:

ORDINANCE NO. 4475

AN ORDINANCE to amend and reordain Subsection (6) (MULTIPLE-FAMILY

DWELLING) of Section 5-1-91 (DEFINITIONS), Article H (RECYCLING), Chapter 1 (SOLID WASTE CONTROL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Subsection (6) of Section 5-1-91 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Multiple-family dwelling. A building, or portion thereof, designed for occupancy by more than four families living independently. Home-based businesses operating from an individual unit within such dwellings are subject to the requirements of this article for units within multiple-family dwellings.

Section 2. That this ordinance shall become effective at the date and time of final passage.

REPORTS OF BOARDS, COMMISSION AND COMMITTEES (continued)

15. CITY CHARTER SECTION 9.06 CASE #2007-0001
2501 JEFFERSON DAVIS HIGHWAY
POTOMAC YARD DEVELOPMENT
Consideration of a Section 9.06 approval for the donation of land for a fire station, affordable residential units and associated space, retail space, and underground parking and Section 9.06 approval for the disposition either by sale or lease, of affordable residential units and associated space, retail space, and associated underground parking. Applicant: City of Alexandria

PLANNING COMMISSION ACTION: Approved 6-0

(THIS ITEM IS NOT SET FOR PUBLIC HEARING BUT IS FOR CITY COUNCIL'S INFORMATION ONLY - NO APPROVAL IS NECESSARY.)

(A copy of the Planning Commission report dated February 6, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item. No. 12 and 15, 2/24/07, and is incorporated as part of this record by reference.)

City Council received the report.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR (16)

Planning Commission (continued)

16. TEXT AMENDMENT #2007-0001

COVERED OPEN PORCHES/LANDINGS

Public Hearing and Consideration of a request to amend Section 11-1300 of the Zoning Ordinance allowing covered open porches in required front yards by special exception, and Section 7-200 amending the zoning regulations applicable to open covered landings in all yards. Staff: Department of Planning and Zoning

PLANNING COMMISSION ACTION: Deferred

END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR

City Council noted the deferrals.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Pepper, seconded by Vice Mayor Macdonald and carried unanimously, the public hearing meeting of February 24, 2007, was adjourned at 1:54 p.m. The voting was as follows:

| | | | |
|-----------|----------|----------|--------|
| Pepper | "aye" | Gaines | absent |
| Macdonald | "aye" | Krupicka | "aye" |
| Euille | "aye" | Lovain | "aye" |
| | Smedberg | "aye" | |

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk