

3(a)  
9-13-11

# CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Public Hearing Meeting  
Saturday, June 25, 2011 - - 9:30 a.m.

\*\*\*\*\*

Present: Mayor William D. Euille, Vice Mayor Kerry J. Donley, Members of Council Frank H. Fannon, Alicia Hughes, K. Rob Krupicka, Redella S. Pepper, and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Johnson, Acting City Manager; Mr. Banks, City Attorney, Ms. Evans, Deputy City Manager, Mr. Jinks, Deputy City Manager, Ms. Hamer, Director, Planning and Zoning (P&Z); Ms. Ross, Deputy Director, P&Z; Ms. Parker, Urban Planner; Ms. Baker, City Engineer, Transportation and Environmental Services (T&ES); Mr. Melkerson, Plan Review Engineer, T&ES; Assistant City Attorney O'Donnell; Deputy Police Chief Corle; Mr. Wanamaker, Deputy Director, General Services; Fire Chief Thiel; Mr. Catlett, Director, Code Administration; Ms. Wright, Division Chief, P&Z; Ms. Rafferty, Urban Planner, P&Z; Mr. Randall, Urban Planner, P&Z; Mr. Wagner, Principal Planner, P&Z; Ms. Williams, Principal Planner, P&Z; Ms. Carrel, Director/Office of the Arts, Recreation, Parks and Cultural Activities; Ms. Harris, Communications Officer, Office of Communications and Public Information; Mr. Castrilli, Communications Director, Office of Communications and Public Information; Ms. McLean, ITS; Police Captain Ogden; and Mr. Lloyd.

Recorded by: Gloria Sitton, Deputy City Clerk and Clerk of Council.

## OPENING

1. Calling the Roll.

Mayor Euille called the meeting to order, and the Deputy City Clerk called the roll. All the members of Council were present.

2. Public Discussion Period.

The following persons participated in the public discussion period:

(a) Bert Ely, 200 South Pitt Street, spoke about the upcoming discussions concerning the proposed Waterfront Plan and noted that one of the main focuses needs to be on the flood mitigation challenges facing the planning process. Mr. Ely requested that Council direct City staff to develop a detailed flood mitigation plan for the

## Waterfront.

(b) Shelly Bell, 1400 King Street, invited members of Council to Seven Cities Arts Society literary events that will be held throughout the City and recited a short poem.

(c) Jack Sullivan, 4300 Ivanhoe Place, stated that members of the community have developed a feeling of skepticism and mistrust toward the government. Mr. Sullivan requested that over the summer, Council reflect on the decision making process on projects throughout the City, specifically the planning for the Beauregard Corridor and other transportation issues in the West End, including BRAC-133.

(d) Andrew Macdonald, 217 North Columbus Street, co-chair for the Citizens for an Alternative Alexandria Waterfront Plan, thanked Council for delaying action on the Waterfront Plan until the fall and allowing a citizen group to review the plan. Mr. Macdonald requested that the group be an independent body that does not include members of Council or the Planning Commission and he urged Council members to keep the committee small to allow for a review of the facts and bring a detailed analysis back to Council and the community.

(e) Bob Wood, 711 Potomac Street, commended Council for delaying consideration of the proposed Waterfront Plan and he offered a recommendation for the proposed citizen ad-hoc group to review the plan and provide Council with an unbiased and transparent analysis for consideration. Mr. Wood offered specifics of his recommendation for Council to review.

(f) Andrea Stowers, 5240 Tobacco Quay, stated that the residents of Tobacco Quay were denied any representation on any of the issues concerning the Waterfront Plan and would like for the residents in Tobacco Quay to be included in future discussions concerning development on the Waterfront. Ms. Stowers also noted that tour buses have been parking on Pendleton Street where it is prohibited because of lack of signage.

Vice Mayor Donley requested that staff post signs on Pendleton Street stating that tour bus parking is prohibited.

(g) John Gosling, 208 South Fayette Street, representing the Old Town Civic Association, thanked Council for deferring the decision on the proposed Waterfront Plan and requested that a simple and comprehensive summary of the latest revisions of the plan be presented to the public and to give the ad-hoc group a place to start the continued discussion.

(h) Dennis Kux, 125 Duke Street, thanked Council for deferring consideration on the Waterfront Plan and outlined the issues that led to the need for reconsideration of the process of the proposed plan. Mr. Kux pointed out that what is at stake is the disposition of the four properties slated for redevelopment.

(i) Katy Cannady, 20 East Oak Street, stated that the process around the Waterfront Plan has neglected to consider the viewpoints of the public and she noted that it is the responsibility of the Council to make public participation paramount in the decision making process in the City.

(j) Gary Carr, 216 Aspen Street, spoke in favor of adding the lights to the athletic fields at Francis Hammond Middle School, noting that the lights would improve the safety of the fields and enhance the asset where \$1 million has already been spent for improvements. Mr. Carr stated that he hoped that deferring action on the lighting of the athletic fields will not exclude including lighting at this valuable asset.

(k) Elizabeth Gibney, 300 South Lee Street, thanked Council for the reconsideration of the Waterfront Plan and stated that she would be monitoring the progress carefully.

(l) Don Buch, 389 Livermore Lane, expressed concern that there has not been more consideration given by the City to the possible terrorist threat that the new BRAC-133 facility presents to the safety of the surrounding neighborhoods, businesses and schools.

(m) Annabelle Fisher, 5001 Seminary Road, spoke about the increase in the taxes collected by Comcast and requested that Council have staff investigate the need for the increase and the possible elimination of some of the taxes.

(n) Poul Hertel, 1217 Michigan Court, spoke in support of the recommendations submitted to Council by Bob Wood regarding the Waterfront Plan and he spoke about the implementation of the transportation master plan.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR (3-8)**

#### **Planning Commission**

3. SPECIAL USE PERMIT #2011-0019  
3127 and 3128 COLVIN STREET  
ALEXANDRIA CAR CLINIC AUTOMOBILE SALES  
Public Hearing and Consideration of a SUP amendment to operate an automobile dealership at an existing automobile repair business; zoned I/Industrial. Applicant: Ahmed Mirza

PLANNING COMMISSION ACTION: Recommend Approval 5-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3;

06/25/11, and is incorporated as part of this record by reference.)

4. THIS IS FOR INFORMATION ONLY -- NO APPROVAL NEEDED  
CITY CHARTER SECTION 9.06 CASE #2011-0002  
401 EAST BRADDOCK ROAD (405 E. Braddock Rd. and 515 Mt. Vernon Ave.)  
YATES CORNER

Consideration of a request for approval of the sale of property at 401 East Braddock Road pursuant to Section 9.06 of the City Charter; zoned CSL/Commercial Service Low. Staff: Department of General Services

PLANNING COMMISSION ACTION: Approved 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/25/11, and is incorporated as part of this record by reference.)

5. ENCROACHMENT #2011-0002  
511, 515, MOUNT VERNON AVENUE, 401, 405, 407 and 411 EAST BRADDOCK ROAD - YATES CORNER

Public Hearing and Consideration of a request for approval of an encroachment into the public right-of-way for an ornamental wall, planters and planting beds; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/25/11, and is incorporated as part of this record by reference.)

6. SPECIAL USE PERMIT #2011-0032  
407 EAST BRADDOCK ROAD (Parcel Addresses: 515 Mt. Vernon Avenue, 401, 405 E. Braddock Road)  
YATES CORNER - DRY CLEANING BUSINESS

Public Hearing and Consideration of a request to operate a dry cleaning business; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/25/11, and is incorporated as part of this record by reference.)

7. SPECIAL USE PERMIT #2011-0034  
511 & 515 MOUNT VERNON AVENUE (Parcel Addresses: 515 Mt. Vernon

Avenue, 401, 405 E. Braddock Road) YATES CORNER - LIGHT AUTO REPAIR

Public Hearing and Consideration of a request to operate a light auto repair business; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/25/11, and is incorporated as part of this record by reference.)

- 8. SPECIAL USE PERMIT #2011-0033  
411 EAST BRADDOCK ROAD (Parcel Addresses: 515 Mt. Vernon Avenue, 401, 405 E. Braddock Road) YATES CORNER - 7-ELEVEN  
Public Hearing and Consideration of a request for the continued operation of a convenience store; zoned CSL/Commercial Service Low. Applicant: 7-Eleven, Inc., represented by Michael Vanderpool, attorney

PLANNING COMMISSION ACTION: Recommend Approval w/amendments 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/25/11, and is incorporated as part of this record by reference.)

**END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council approved the action consent calendar, with the exception of docket items number 5, 6, 7, and 8, which were considered under separate motions, as follows:

- 3. City Council approved the Planning Commission recommendation.
- 4. This item was for informational purposes only. No approval was needed.

The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

- 5. ENCROACHMENT #2011-0002  
511, 515, MOUNT VERNON AVENUE, 401, 405, 407 and 411 EAST BRADDOCK ROAD - YATES CORNER

Public Hearing and Consideration of a request for approval of an encroachment into the public right-of-way for an ornamental wall, planters and planting beds; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

**PLANNING COMMISSION ACTION:** Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/25/11, and is incorporated as part of this record by reference.)

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

(a) Amy Slack, 2307 East Randolph Avenue, spoke in favor of the encroachment but expressed concern that the community has not had the opportunity to see the exact designs for the encroachment.

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

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

6. **SPECIAL USE PERMIT #2011-0032**  
407 EAST BRADDOCK ROAD (Parcel Addresses: 515 Mt. Vernon Avenue, 401, 405 E. Braddock Road)  
**YATES CORNER - DRY CLEANING BUSINESS**  
Public Hearing and Consideration of a request to operate a dry cleaning business; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

**PLANNING COMMISSION ACTION:** Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/25/11, and is incorporated as part of this record by reference.)

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

(a) Katy Cannady, 20 East Oak Street, spoke in favor of the proposed development.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor

Donley and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Pepper	"aye"	Fannon	"aye"
Donley	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

7. SPECIAL USE PERMIT #2011-0034  
511 & 515 MOUNT VERNON AVENUE (Parcel Addresses: 515 Mt. Vernon Avenue, 401, 405 E. Braddock Road)  
YATES CORNER - LIGHT AUTO REPAIR  
Public Hearing and Consideration of a request to operate a light auto repair business; zoned CSL/Commercial Service Low. Applicant: Yates Holdings, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/25/11, and is incorporated as part of this record by reference.)

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

- (a) Duncan Blair, 524 King Street, attorney for the applicant, requested an amendment to condition #13 concerning the use of the property for car washing service.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with an amendment to condition #13, deleting the following sentence, "No washing facilities of vehicles shall take place on site unless a plan is approved for commercial car washing equipment." The voting was as follows:

Pepper	"aye"	Fannon	"aye"
Donley	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

8. SPECIAL USE PERMIT #2011-0033  
411 EAST BRADDOCK ROAD (Parcel Addresses: 515 Mt. Vernon Avenue, 401, 405 E. Braddock Road)  
YATES CORNER - 7-ELEVEN  
Public Hearing and Consideration of a request for the continued operation of a convenience store; zoned CSL/Commercial Service Low. Applicant: 7-Eleven,

Inc., represented by Michael Vanderpool, attorney

PLANNING COMMISSION ACTION: Recommend Approval w/amendments 6-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/25/11, and is incorporated as part of this record by reference.)

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

(a) Leslie Zupan, 1309 Queen Street, representing the West Old Town Citizens Association, requested that Council consider policy changes that would require labeling of alcohol products sold at the 7-Eleven and other establishments, enabling the tracking of sales and hopefully curbing some of the neighborhood problems associated with alcohol abuse.

(b) Katy Cannady, 20 East Oak Street, spoke in support of the redevelopment of 7-Eleven.

(c) Poul Hertel, 1217 Michigan Court, spoke in support of the redevelopment of 7-Eleven.

(d) Mike Vanderpool, 9200 Church Street, Manassas, Virginia, attorney for the applicant, support in of the proposed redevelopment and expressed a willingness to work with the neighborhood to address any issues of concern that they have.

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

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

**\*\*\*Please note: The following docket item was heard following docket item #8\*\*\***

15. MASTER PLAN AMENDMENT #2011-0003  
MASTER PLAN AMENDMENT #2011-0004  
760 & 800 JOHN CARLYLE STREET; 1700 & 1800 EISENHOWER AVENUE;  
340, 350, & 400 HOOFS RUN DRIVE  
Public Hearing and Consideration of a request for a master plan amendment of the Eisenhower East Small Area Plan to transfer floor area between blocks within the South Carlyle neighborhood and associated conditions including calculation of the Allowable Gross Floor Area; zoned CDD#11/Coordinated Development District -11. Applicants: City of Alexandria Sanitation Authority,



Carlyle Centre, LP, Carlyle Plaza, LLC and Virginia Concrete Company represented by Kenneth Wire.

PLANNING COMMISSION ACTION: MPA#2011-0003: Adopted Resolution 5-0  
MPA#2011-0004: Adopted Resolution 5-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/25/11, and is incorporated as part of this record by reference.)

Planning and Zoning Urban Planner Parker gave an explanation of the proposed floor area transfer and responded to questions from Council.

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

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

**\*\*\*Please note: The following ordinance was approved following docket item #8.\*\*\***

26. Public Hearing, Second Reading and Final Passage of an Ordinance to Dispose of City-owned Property on East Braddock Road. (#19, 6/14/11)

(A copy of the City Manager's memorandum dated June 8, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 06/25/11, 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. 26; 06/25/11, 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. 26; 06/25/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to dispose of City-owned property on 401 East Braddock Road. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

**ORDINANCE NO. 4721**

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 401 East Braddock Road in the City of Alexandria, Virginia to Yates Holding Company, LLC.

WHEREAS, the City of Alexandria owns the real property located at 401 East Braddock Road in Alexandria, Virginia, having acquired it as open space on or about April 18, 1985; and

WHEREAS, the City Council has previously declared 401 East Braddock Road to be surplus property and authorized the City Manager to negotiate for the potential sale of the property; and

WHEREAS, the City has received an offer from Yates Holding Company LLC, the owner of adjoining property, to purchase 401 East Braddock Road; and

WHEREAS, the city manager has recommended the sale of this property to Yates Holding Company, LLC for the sum of \$280,500, subject to a \$150,000 environmental escrow capping the City's potential environmental liability for the property, an open space easement and other terms and conditions as set forth more specifically in the June 14, 2011 Docket Memorandum, the terms of which are incorporated by reference herein; and

WHEREAS, the city council is of the opinion that the sale of this property is in the public interest will otherwise advance the City's land use goals; now, therefore,

**THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

Section 1. That the sale of the real property described below to Yates Holding Company, LLC for the sum of \$280,500, subject to a \$150,000 environmental escrow capping the City's potential environmental liability for the property, an open space easement and other terms and conditions as set forth more specifically in the June 18, 2011 Docket Memorandum, be, and the same is hereby, approved and authorized:

Lot numbered TWO (2), Block ONE (1), ROSEMONT PARK, as the same appears duly dedicated, platted and recorded in Deed Book 1146, page 666, among the land records

of the City of Alexandria, less and except the portion of the property acquired by the Commonwealth of Virginia by deed, as set forth in Deed Book 1646, page 149, among the land records of the City of Alexandria.

Section 2. That the city manager be and hereby is authorized, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the sale of the real property described in Section 1, including, but not limited to, the execution and delivery of a purchase agreement, environmental escrow agreement, deed and other appropriate documents.

Section 3. That the city clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the city manager pursuant to Section 2, and to affix thereon the official seal of the City of Alexandria, Virginia.

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

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

9. Public Hearing on the Design Proposal for the Charles Hamilton Houston Memorial. (11, 6/14/11)

(A copy of the City Manager's memorandum dated June 9, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/25/11, and is incorporated as part of this record by reference.)

Deputy Director of Recreation, Parks and Cultural Activities Carrel gave a presentation on the proposed Charles Hamilton Houston Memorial and responded to questions from Council regarding the project and fundraising to complete the project.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and accepted the design proposal for the Charles Hamilton Houston Memorial. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

#### **OTHER**

10. Discussion of Process for Proceeding With Consideration of the Proposed Waterfront Plan.

(A copy of the City Manager's memorandum dated June 23, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/25/11, and is incorporated as part of this record by reference.)

Councilwoman Pepper stated that a work group with a smaller number would not be sufficient and a member of Council should not be a part of the proposed work group. Councilwoman Pepper also stated that a member of the Archaeology Commission should be a part of the proposed work group. Councilwoman Pepper noted that the work group meeting would always be public meetings with a time for the public to offer their opinion during each meeting.

Vice Mayor Donley stated that the group needs to be small enough for there to be an exchange of ideas and to be able to conduct relevant discussions but not so large that it becomes uncontrollable. Vice Mayor Donley noted that staff should be there to support the group and he pointed out that the City Attorney should be part of the support staff to help the group understand the legal questions and issues surrounding the Waterfront Plan. Vice Mayor Donley stated that the group should look at the plan, identify the elements which can be agreed upon and discuss the elements that are causing contention.

Councilman Smedberg stated that the group should be small but large enough to represent all of the interests on the waterfront, not just the ones that have been most vocal. Councilman Smedberg noted that the City Attorney should be a part of the staff support to help explain all the legal matters and zoning complexities and a Council member should be present as a convener to keep the meetings on track. Councilman Smedberg stated that the ideas that come from this group should look toward the future of the waterfront and everyone needs to be more respectful of other viewpoints in order for a compromise to be reached.

Councilman Fannon stated that there should be approximately 15 people on the work group and the people should have specialized knowledge which will help the group come up with a compromise. Councilman Fannon also stated that a Council member should be part of the group and public comments should be part of the discussion.

Councilwoman Hughes noted that each property owner should be part of the group, a member of the Old Dominion Boat Club, members of civic associations, particularly ones that represent neighborhoods beyond Old Town. Councilwoman Hughes stated that the group members should have expertise or knowledge in planning and urban landscape design and the group should pick the Council member they would like to be part of the group.

Councilman Krupicka stated that he would like to include more people in the group in order to give all groups in the City a chance to voice their opinion on the Waterfront Plan. Councilman Krupicka noted that a facilitator should be hired to mediate the meetings and the group should decide the ground rules for discussion.

Councilman Krupicka stated that the purpose of the group was to gather alternative ideas and views for improving the Waterfront, evaluate the opinion from a legal, financial and practical viewpoint and present the recommendations to Council to consider at a public hearing.

City Council offered ideas for the composition of the proposed citizen group for the continued discussion of the proposed waterfront plan giving staff some guidance for the discussion at the Tuesday, June 28 Legislative meeting. City Council requested that there be 12-15 members and the Mayor-appointed advisory group should consist of the following: one member of Council; a member of the Parks and Recreation Commission; a member of the Arts Commission; a member of Historic Alexandria Resources Commission; a member of the Waterfront Committee; a member of Old Town Civic Association; a member of North Old Town Civic Association; a Chamber of Commerce representative who is also a resident of the City; a representative of one of the property owners; two citizens at-large, preferably with some expertise in landscaping and urban design; and a representative from Citizens for an Alternative Alexandria Waterfront Plan. This group would be staffed by the Department of Planning and Zoning and the City Attorney's Office. The meetings of this group should be public and there should be an outside facilitator with knowledge of the proposed plan. This is guidance for staff to return with a framework for discussion on Tuesday, June 28.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

11. SPECIAL USE PERMIT #2011-0018  
500 JOHN CARLYLE STREET (Parcel Address: 520 John Carlyle Street)  
ITALIAN GOURMET DELI AND MARKET  
Public Hearing and Consideration of a request to allow off premises beer and wine sales at an existing restaurant; zoned CDD #1/Coordinated Development District. Applicant: Pukhraj Kapoor

PLANNING COMMISSION ACTION: Recommend Approval w/amendments 5-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/25/11, and is incorporated as part of this record by reference.)

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

- (a) Elizabeth L. Smith, 430 John Carlyle Street, spoke in favor of the Special Use Permit but expressed concern about the hours scheduled for supply delivery and requested that Council modify the delivery times.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman

Smedberg and carried unanimously, City Council approved the Planning Commission recommendation with an amendment to condition #26 stating that, "Supply deliveries, loading and unloading activities shall occur between the hours of 7a.m. - 7 p.m." The voting was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Hughes	"aye"
	Pepper	"aye"	

12. SPECIAL USE PERMIT #2011-0010  
503 KING STREET, CVS/PHARMACY  
Public Hearing and Consideration of a request for a ground floor retail establishment over 10,000 square feet, zoned KR/King Street Retail. Applicant: CVS/Caremark, Inc., represented by Eugene Harris, agent

PLANNING COMMISSION ACTION: Recommend Approval w/amendments 7-0

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/25/11, and is incorporated as part of this record by reference.)

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

- (a) Mary Catherine Gibbs, 307 North Washington Street, attorney for the applicant, spoke in support of the proposed project, recognized members of the audience who were in support of the project and requested an amendment to condition #2 relating to hours of operation.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the Planning Commission recommendation with the exclusion of condition #2 which states, "The hours of operation may be 24 hours/day provided that these hours coincide with the hours of operation for the pharmacy portion of the business." The condition will state, "The hours of operation may be up to 24 hours/day." The voting was as follows:

Pepper	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Krupicka	"aye"	

13. MASTER PLAN AMENDMENT #2011-0002  
REZONING #2011-0001  
CDD CONCEPT PLAN #2011-0001  
TEXT AMENDMENT #2011-0009  
DEVELOPMENT SPECIAL USE PERMIT #2010-0027

SPECIAL USE PERMIT TMP #2011-0011  
717, 719, 723 & 735 NORTH SAINT ASAPH STREET, 716 NORTH PITT  
STREET  
HARRIS TEETER/RESIDENTIAL

Public Hearing and Consideration of a request for: A) an amendment to the Old Town North Small Area Plan Chapter of the City Master Plan to change the land use designation from commercial to mixed use; B) an amendment to the City's zoning map to change the zoning from CD to CDD; C) approval of a CDD concept plan; D) initiation of a text amendment; a text amendment to the City's Zoning Ordinance to amend the CDD table; E) a development special use permit, with site plan and modifications, for a mixed use retail/residential development, including a request for a parking reduction and retail (grocery) store larger than 20,000 square feet; F) a transportation management plan; zoned CD/Commercial Downtown. Applicant Alexandria Old Town North, LLC represented by Kenneth Wire, attorney

PLANNING COMMISSION ACTION: MPA#2011-0002: Resolution adopted  
w/amendments 6-0  
REZ: Recommend Approval 6-0  
CDD: Recommend Approval 4-1-1  
TA: Recommend Approval  
w/amendments 6-0  
DSUP: Recommend Approval  
w/amendments 5-1

(A copy of the Planning Commission report dated June 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 06/25/11, and is incorporated as part of this record by reference.)

Deputy Director of Planning and Zoning Ross stated that the protest petition filed on Friday was reviewed and it was determined by staff that there were insufficient number of signatures representing an insufficient amount of land area to meet the requirements in the Zoning Ordinance. Ms. Ross stated that the petition was determined not to be sufficient to trigger a super majority vote by Council on the docket item #13. This determination was made by the Director of Planning and Zoning.

Councilwoman Hughes inquired whether the Board could represent all the residents and if that was the case, how does that affect how the rule is applied.

In response to Councilwoman Hughes, Deputy Director Ross explained how the rule was applied to the condominium building. Deputy Director Ross stated that the determination was made, in conjunction with the City Attorney's Office, that the board does not represent the interest of all the condo owners and she noted that there was a question whether the document that Councilwoman Hughes was referring to actually opposed the rezoning of the proposed property. Deputy Director Ross noted that in order to challenge any decision, an appeal may be filed with the Board of Zoning

## Appeals.

Planning and Zoning Division Chief Wright and Urban Planner Willger explained the different aspects of the project and responded to questions from Council about the proposed project. Transportation and Environmental Services Plan Review Engineer Melkerson explained the parking and transportation aspect of the proposed project and responded to questions from Council.

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

(a) Kenneth Wire, 1750 Tysons Boulevard, Suite 1800, McLean, VA, attorney for the applicant, spoke in support of the proposed project and explained different aspects and the planning of the project. Mr. Wire responded to questions from Council regarding the project.

(b) David Weinman, 400 Madison Street, President, Alexandria House Condo Board, submitted a statement opposing the denial of the protest petition for the record and spoke in opposition to the project as presently constituted.

(c) Michael Wenk, 400 Madison Street, #1710, spoke in opposition to the proposed project, noting that the residential and customer entrance being on the side of the Alexandria House was one of the sources of opposition.

(d) John Rahmig, 400 Madison Street, #1602, spoke in opposition to the proposed project.

(e) Paul Pearson, 400 Madison Street, #2109, spoke in opposition to the proposed project.

(f) Bruce Scholnick, 400 Madison Street, #1403, spoke in opposition to the proposed project.

(g) Nancy Kincaid, 400 Madison Street, #1408, spoke in opposition to the proposed project.

(h) Allyn Troutman, 400 Madison Street, #1308, spoke in opposition to the proposed project.

(i) Rick Gutwald, 400 Madison Street, #502, spoke in opposition to the proposed project.

(j) Mary Rust, 507 North West Street, spoke in support of the proposed project.

(k) Jerry Warner, 400 Madison Street, #2208, spoke in opposition to the proposed project.



(l) Charles Ratliff, 400 Madison Street, #1402, spoke in opposition to the proposed project.

(m) Kirsten Kulis, 1218 West Abingdon Drive, spoke in support of the proposed project.

(n) Charlotte Hall, 205 The Strand, representing the Old Town Business Association, spoke in support of the proposed project.

(o) Andrew Macdonald, 217 North Columbus Street, spoke in opposition of the proposed project.

(p) Mark Boudreau, 506 Oronoco Street, spoke in the support of the proposed project.

(q) Stephanie Landrum, 1610B Hunting Creek Drive, representing the Alexandria Economic Development Partnership, spoke in support of the proposed project and its furtherance of the economic development in the City.

(r) Peter Crouch, 215 South Alfred Street, spoke in support of the proposed project.

(s) Nancy Belmont, 212 East Windsor Avenue, spoke in support of the proposed project.

(t) Judith Jones, 400 Madison Street, #1801, spoke in opposition to the proposed project.

(u) Jo Hoots, 400 Madison Street, #1406, spoke in opposition to the proposed project.

(v) Richard Seline, 711 Chalfonte Drive, spoke in support of the proposed project.

(w) John Ross, 801 North Pitt Street, spoke in support of the proposed project.

(x) Tim Geary, 1202 Michigan Court, spoke in support of the proposed project.

(y) Cathleen Curtin, 501 Princess Street, spoke in support of the proposed project.

(z) Robert Rowe, 507 Princess Street, President, Bulfinch Square Homeowners Association, spoke in support of the proposed project.

(aa) Frances Zorn, 400 Madison Street, #308, spoke in opposition of the proposed project.

(bb) Philip Matyas, 219 North Pitt Street, spoke in opposition of the proposed project.

(cc) Paul Frommer, 1023 North Royal Street, #207, spoke in support of the proposed project.

(dd) Thomas Hickok, 801 North Pitt Street, #1703, President, Port Royal Condo Association, spoke in support of the proposed project.

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

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

Planning and Zoning staff and the attorney for the applicant responded to questions from Council concerning the residential/customer entrance, layout of urban stores, parking and wayfinding signs, proposed bikesharing program and access for emergency vehicles to the area.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council approved the Planning Commission recommendation on Master Plan Amendment #2011-0001. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council approved the Planning Commission recommendation on Rezoning #2011-0001. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Hughes	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman

