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3-27-01

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Public Hearing Meeting  
Saturday, March 17, 2001 - - 9:30 a.m.**

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

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mrs. Godwin, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Ms. Fogarty, Director of Planning and Zoning; City Engineer Baker; Mr. McCobb, Deputy Director of Transportation and Environmental Services; Ms. Johnson, Division Chief, Planning and Zoning; Ms. Beeton, Urban Planner; Mr. Smith, Principal Staff, Boards of Architectural Review; Mr. Eiffert, Director, Office of Aging and Adult Services; Fire Chief Hawkins; and Lieutenant Butler, Police Department.

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

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**OPENING**

The Meeting was called to Order by Mayor Donley, and the City Clerk called the Roll; all Members of City Council were present.

2. Public Discussion Period.

(a) James Levingood, 17 Wharf Street, raised concerns with respect to the City Manager's proposed budget.

In addition, Mr. Levingood indicated that even though parking tickets which he has received have been dismissed by the Adjudication Office, he continues to receive calls from the City saying they are still outstanding.

City Manager Sunderland reported that this issue will be resolved.

(b) Laureen Lazorovic, 3805 Mount Vernon Avenue, #5, representing the Northern Virginia Living Wage Coalition, thanked the City Council for defending the Living Wage Ordinance in Richmond during the General Assembly session.

(A copy of the statement dated March 17, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2 (b); 3/17/01, and is incorporated herewith as part of this record by reference.)

(c) Richard Walker, 5032 Gardner Drive, President of the Board of Directors of Senior Services of Alexandria, addressed the issues of senior services in the City.

(A copy of Mr. Walker's statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2 (c); 3/17/01, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper asked the City Manager to begin a needs assessment with respect to seniors, and urged the Office on Aging and Adult Services to work with the Senior Services of Alexandria.

City Manager Sunderland responded that, as part of the leisure and recreation needs assessment the City is now beginning, the senior population will be a major component to that needs assessment. In addition, the City has an ongoing study on assisted living, and we're looking at the feasibility of providing services and a facility in that area. The Office on Aging does every year an assessment of what we do for seniors as part of its obligation under a Federal statute; although, that assessment may not be as thorough as some would like. City Manager Sunderland stated that he would like to hear from the Commission on Aging concerning its thoughts on this issue.

Councilwoman Pepper will bring this before the Commission on Aging as Council's representative to the Commission.

Councilman Euille expressed concern about Mr. Walker's statement. He noted that obviously the various groups representing seniors that focus on the issues of seniors certainly have not been, at least in some respect, in the right direction.

Councilman Speck indicated that he has had some broad conversations with Mr. Walker, Executive Director of Senior Services Dawson, and the City Manager on this issue. He noted that the aging population is growing in the City. He suggested that it might be useful to try to find a way to look at both needs broadly and services broadly to make sure the two are working in concert.

Office on Aging and Adult Services Director Eiffert reported that the Commission on Aging has taken up the issue. He noted that several people have raised the issue recently, and the Commission's action was to wait until after the 2000 Census data is available. He indicated they could begin from there in terms of looking at a more comprehensive needs assessment. He reported that the Federal Older Americans' Act does require them to do an annual needs assessment which is done, but the data is dated since they have been using 1990 Census data. The Office on Aging and Adult Services is waiting for the data from the 2000 Census to do the required annual needs assessment.

(d) Annabelle Fisher, 6060 Tower Court, addressed the number of rate increases in cable services since Jones was acquired by Comcast; however, since Comcast has taken over there have been increased rates, no customer service, and you can't get through to them on the phone.

Ms. Fisher reported that she is organizing, in her apartment building, a group to look at the repeated increases in electricity rates.

Mayor Donley stated, in terms of the electricity rate that is charged, that is not set by the local government. He noted that the utility tax is a different issue and is addressed each year in the City's budget. He provided a brief overview of the utility tax.

Ms. Fisher suggested that Council come out to meet with citizens in the West End of the City in her area which is comprised mostly of renters to address their concerns of affordable housing, electricity and cable rates, traffic and parking. She would help get the word out to folks should Council decide to do this.

Mayor Donley noted that Council would be more than happy to come out to meet with them. He provided Ms. Fisher with the neighborhood meetings that have taken place in the West End of the City.

Ms. Fisher expressed concern regarding the creation of the community foundation and questioned where are the checks and balances.

Mayor Donley noted that there will be a public hearing in April on the foundation.

(e) Martha Welch, 1604(a) Hunting Creek Drive, submitted a copy of a letter that was sent to Centex, builder of Old Town Greens, expressing the concerns of the homeowners regarding potential code violations. She stated that it was her understanding that the City will soon begin the process of releasing the bond to Centex. They respectfully requested the City to postpone the release of the bond to Centex until the issues have been resolved. Ms. Welch noted that they have hired an engineer and are in the process of collating all of the homeowners' complaints.

(A copy of the draft letter dated March 19, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2 (e); 3/17/01, and is incorporated herewith as part of this record by reference.)

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

### **ACTION CONSENT CALENDAR (3-7)**

#### **Planning Commission**

**Without objection**, City Council withdrew docket item nos. 3, 4 and 6 from the consent calendar and considered them under separate motions.

5. SPECIAL USE PERMIT #2001-0003 -- 1767 KING ST -- SEAGAR'S RESTAURANT -- KING STREET METROPLACE HILTON HOTEL -- Public Hearing and Consideration of a review of a special use permit for a restaurant; zoned OCH/Office Commercial High. Applicant: LNR Alexandria Limited Partnership, by Harry P. Hart, attorney.

**COMMISSION ACTION:** Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 3/17/01, and is incorporated herewith as part of this record by reference.)

7. SPECIAL USE PERMIT #2000-0161 -- 111-119 E REED AV -- Public Hearing and Consideration of a request for a special use permit amendment for an extension of validity of the existing special use permit; zoned CSL/Commercial Service Low. Applicant: Alexandria One Associates, LP, by Duncan W. Blair, attorney.

COMMISSION ACTION: Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/17/01, and is incorporated herewith as part of this record by reference.)

**END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Woodson and carried unanimously, City Council approved the Consent Calendar as presented, with the exception of docket item nos. 3, 4 and 6 which were considered under separate motions. The Planning Commission's recommendations are as follows:

- 5. City Council approved the Planning Commission recommendation.
- 7. City Council approved the Planning Commission recommendation.

**END OF ACTION CONSENT CALENDAR**

The voting was as follows:

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

**Note: Docket item nos. 3 and 4 were considered under one motion.**

3. SPECIAL USE PERMIT #2000-0146 -- 822 N FAIRFAX ST -- MONTGOMERY CENTER -- PERKS COFFEE SHOP -- Public Hearing and Consideration of a request for a special use permit to expand and change the ownership of a restaurant; zoned CRMU-X/Commercial Residential Mixed Use. Applicant: Ms. Perky, LLC, trading as Perk's Coffee Shop, by Philip D. McCombie.

COMMISSION ACTION: Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 3/17/01, and is incorporated herewith as part of this record by reference.)

4. ENCROACHMENT #2001-0001 -- 822 N FAIRFAX ST -- MONTGOMERY CENTER -- PERKS COFFEE SHOP -- Public Hearing and Consideration of a request for encroachment into the public sidewalk right-of-way for restaurant seating; zoned CRMU-X/Commercial Residential Mixed Use. Applicant: Ms. Perky, LLC, trading as Perk's Coffee Shop, by Philip D. McCombie.

COMMISSION ACTION: Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 3/17/01, and is incorporated herewith as part of this record by reference.)

3. & 4. Councilwoman Eberwein noted, with respect to the outside seating, that there is room for another table and perhaps another bench. She commented that as cities try to encourage outdoor eating to enliven the space that we should not be too restrictive. Ms. Eberwein has spoken to staff and offered an amendment to condition #2 of docket item no. 3 as follows: "that additional seating could be provided as long as it meets the approval of the Planning staff and does not obstruct the sidewalk."

City Attorney Pessoa requested that the motion include a conforming amendment to condition #3 of docket item no. 4 which is limited to four seats and two tables and one bench; which request was acceptable to the maker and seconder of the motion.

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved docket item nos. 3 and 4 as follows:

3. City Council approved the Planning Commission recommendation, **with the following amendment to condition #2 as follows: "that additional seating could be provided as long as it meets the approval of the Planning staff and does not obstruct the sidewalk."**

4. City Council approved the Planning Commission recommendation, **with the following amendment to condition #3 as follows: "that additional seating could be provided as long as it meets the approval of the Planning staff and does not obstruct the sidewalk."** The voting was as follows:

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

6. SPECIAL USE PERMIT #2000-0154 340 HOOFF'S RUN DR -- VIRGINIA CONCRETE CO -- Public Hearing and Consideration of a review of a special use permit for a concrete plant; zoned OCM-100/Office Commercial Medium. Applicant: Virginia Concrete Company, by Sarah Hall, attorney.

COMMISSION ACTION: Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 3/17/01, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper commented about the concern that people have had that this may not be an appropriate use in the near future, and we need to be thinking about how we might want to handle that. In addition, she spoke to the potholes on this site, as well as the concern raised in condition #2 regarding dust control.

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

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

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

8. Public Hearing on and Consideration of the Proposed Scope of Work for the Planned Study of Possible Locations for a New Visitors Center. (#16 2/28/01)

(A copy of the City Manager's memorandum dated February 23, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 3/17/01, and is incorporated herewith as part of this record by reference.

Communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 8; 3/17/01, and is incorporated herewith as part of this record by reference.)

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

Marguerite Lang, 14 West Rosemont Avenue, spoke to the Rosemont Citizen Association's resolution, requested that consideration of using the Union Station site as a visitors' center, or any other permanent use, be deferred until PTO is operational, and spoke to increased traffic on Callahan Drive; a copy of a petition presented by Ms. Lang is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of this item;

Katy Cannady, 20 East Oak Street, requested the exclusion of the Union Station site as use as a visitors' center from the outset; a copy of Ms. Cannady's statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 4 of this item;

Teresa Miller, 808 South Lee Street, representing Yates Gardens Civic Association, objected to Union Station as a visitors' center because of the PTO and Woodrow Wilson Bridge projects;

Mark S. Feldheim, 1215 Prince Street, speaking on behalf of the Old Town Civic Association, spoke in support of the City Manager's recommendation;

Matthew Natale, 3401 Martha Custis Drive, urged the Council to exclude Union Station as a future site for a visitors' center, and if there is focus on this site, to delay a decision until PTO is complete; a copy of Mr. Natale's statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 5 of this item;

Van Van Fleet, 26 Wolfe Street, requested that Council not consider Union Station as a future visitors' center which he does not consider a gateway to the City, and spoke to traffic congestion from the PTO construction, additional construction at Cameron Station, and the Woodrow Wilson Bridge construction project. He suggested that the ACVA set up a kiosk at the King Street Garden site;

Councilman Speck reported that the ACVA is actively trying to find ways to create satellite information services and one of them is an RFP for a kiosk, with some limited food service like coffee, at the King Street Garden site. That's the kind of thing that does enhance the nature of visitors coming and getting information as well as residents.

Dan Rosenblatt, 628 South Pitt Street, ACVA chair, supported the City Manager's proposal;

Lynn Hampton, 215 Park Road, representing the Alexandria Chamber of Commerce, supported the City Manager's recommendation and to proceed with a full and open process;

Joan M. Kentes, 2324 North Early Street, representing the Alexandria Chamber of Commerce, supported a full study as outlined in the scope of work without eliminating any sites;

B. Hudson Rhiele, 2434 Davis Avenue, tourism association representative on ACVA, spoke in support of the City Manager's recommendation and stated that the study must be inclusive of all possible locations;

Charlotte A. Hall, 205 The Strand, representing the Old Town Business Association and Potomac Riverboat Company, spoke in support of a visitors' center at Union Station with dedicated bus service to ferry people to Old Town;

Jim Fowler, 1071 Palmer Place, representing Waterford Public Relations, supported the City Manager's recommendation and stated that a maximum study is the way to go;

Jo Anne Mitchell, 730 North Columbus Street, Executive Director, ACVA, gave the history of marketing strategies and encouraged City Council to adopt the City Manager's recommendation;

Julie Crenshaw, 816 Queen Street, stated that it is a good idea to study a visitors' center if you indeed do want another; however, it's a little bit early to look at this given some of the traffic components and the building components that are going to take place in this area in the next few years;

Alan Rudd, 2121 Jamieson Avenue, Unit 1801, representing Carlyle-Eisenhower Civic Association, stated he was adverse to the use of Union Station as a visitors' center and that the site at Union Station should be landscaped and be used for the citizens in the adjacent communities;

Scott Mitchell, 10 East Oak Street, representing KSMET, spoke in support of City Manager's recommendation and reported that KSMET voted unanimously for a full review of all sites;

Peter Spencer, 121 Harvard Street, representing Upper King Street Neighborhood Civic Association, spoke in support of the City Manager's recommendations;

Martha Welch, 1604a Hunting Creek Drive, spoke against the proposed study and requested that it be postponed until after the PTO, Carlyle and Potomac Yard developments are completed;

Sandra Wiener, 602 West View Terrace, representing Taylor Run Citizens Association, spoke against the specific site at Union Station, but was not opposed to a larger site and requested that this be deferred until PTO is completed to see if there are any ramifications from PTO;

Lillie Finklea, 1210 Franklin Street, supported the exclusion of Union Station because of the PTO development, traffic and the quality of life in the nearby neighborhoods;

Judy Miller, 507 North View Terrace, representing Rosemont Citizens Association, requested that a study be done with respect to traffic patterns, was concerned about long-term parking demands, and suggested that a member of the Federation of Civic Associations be a part of the committee;

Susan Tomai Patterson, 13 West Cedar Street, requested a deferral of any future action for a visitors' center at Union Station as it is premature until the PTO is fully developed;

Judy McVay, 207 North Columbus Street, noted that this is premature to be looking at the Union Station site before the PTO is built; it is premature to look at a visitors' center at all until the traffic impact of PTO is experienced; and requested deferring action on this;

Jack Sullivan, 4300 Ivanhoe Place, representing Seminary Hills Association, spoke to three concerns: firstly, the Association thinks that the scope seems to favor the Union Station site on the grounds that no other site has heretofore been considered; secondly, there's concern that it may favor new construction and the costs are a concern rather than perhaps using some existing facilities and renovating them for the visitors' center; and finally, there was sympathy with the position of the Rosemont Citizens Association which has said we should wait until we see the impact of PTO before we put new pressures on the Callahan Drive area; and on a personal note, Mr. Sullivan suggested that any site should have a media presentation involved with it. He noted that an empty theater exists downtown; a copy of Mr. Sullivan's letter dated March 3, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 6 of this item;

Poul Hertel, 1217 Michigan Court, reiterated the concerns that the Federation of Civic Associations had expressed, and on a personal comment he commended Assistant City Manager Jinks and the staff who worked on this very comprehensive report. He would add to the report what does the City need to do to bring in more visitors and what do we need to do to accommodate them, and a cost analysis of that; a copy of the Federation's position is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 7 of this item; and

Sarita Schotta, 104 Prince Street, representing the Waterfront Alliance, requested a deferral of this issue.



There was considerable discussion by the Members of City Council with respect to this item; a copy of a verbatim transcript of Council's discussion on this item is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 8 of Item No. 8; 3/17/01, and is incorporated herewith as part of this record by reference.

**Without objection**, City Council closed the public hearing and will consider this item at its legislative meeting on Tuesday, March 27, 2001.

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

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

**Without objection**, City Council considered docket item nos. 9 and 10 together and under one motion.

9. DEVELOPMENT SPECIAL USE PERMIT #2000-0030 -- 400 CAMERON STATION BV -- BROOKDALE - CAMERON STATION (Phase VII) -- Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct a senior housing and assisted living high-rise building; zoned CDD-9/Coordinated Development District. Applicant: KG Virginia-CS LLC, by Erika L. Byrd, attorney.

COMMISSION ACTION: Recommend approval 6-0-1

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/17/01, and is incorporated herewith as part of this record by reference.)

10. SPECIAL USE PERMIT #2000-0084 -- 400 CAMERON STATION BV -- BROOKDALE - CAMERON STATION -- Public Hearing and Consideration of a request for a special use permit amendment to the Cameron Station transportation management plan (TMP) to incorporate the site area of the proposed senior housing and assisted living development into the existing Cameron Station TMP; zoned CDD-9/Coordinated Development District. Applicant: Cameron Associates LLC and KG Virginia-CS LLC, by Erika L. Byrd, attorney.

COMMISSION ACTION: Recommend approval 6-0-1

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 3/17/01, and is incorporated herewith as part of this record by reference.)

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

Planning and Zoning Director Fogarty made a PowerPoint presentation to the Members of City Council and responded to questions posed to her by the Members of City Council.

Edward Charity, Jr., 134 Tull Place, spoke in support; a copy of Mr. Charity's statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of this item;

Erika L. Byrd, 4714 20th Place, N., attorney representing Brookdale-Cameron Station (Phase VII), spoke in support;

Paul Darby, 5030 Gardner Drive, spoke in support of this application, and he indicated that they have suggested that Transportation and Environmental Services take a look at the need for a controlled left-turn signal at the Duke Street and Cameron Station Boulevard; and

Denny Wetheraw, 241 Murtha Street, spoke in support.

**WHEREUPON**, a motion was made by Councilwoman Pepper and seconded by Councilman Euille to approve the Planning Commission recommendations for docket item nos. 9 and 10.

**THEREUPON**, a substitute motion was made by Vice Mayor Cleveland to defer this project and have both this project and the Archstone Development heard at the same time; which motion DIED for lack of a second.

**WHEREUPON**, City Council returned to the main motion made by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council approved the Planning Commission recommendations for docket item nos. 9 and 10. The voting was as follows:

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

11. SPECIAL USE PERMIT #2001-0004 -- 2320 JEFFERSON DAVIS HY -- EXXON STATION -- Public Hearing and Consideration of a review of a special use permit for an automobile service station with a convenience store and a restaurant; zoned I/Industrial. Applicant: Exxon Corporation, by M. Catharine Puskar, attorney.

**COMMISSION ACTION:** Recommend approval 7-0

(A copy of the Planning Commission report dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 3/17/01, and is incorporated herewith as part of this record by reference.)

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

M. Catharine Puskar, attorney representing the applicant, spoke to condition #37 with respect to lighting. She requested that condition #37 be amended by striking the words "and on public rights-of-way" in the second sentence; which amended condition #37 would read as follows: "37. All lighting shall be directed downward and shall be screened at the sides to avoid glare on adjacent residential properties to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services."

Mayor Donley directed questions to Ms. Puskar relative to the code violations, particularly the food handling violations. It is his understanding that the deficiency has been resolved and requested Ms. Puskar to represent on the record that the management of the service station has a clear understanding of what's required relative to health codes and permits in relation to the convenience/deli portion of the store as opposed to the service station.

Ms. Puskar stated that is why they are all here today to testify to you that we understand that is a serious issue. They were having a few problems getting people certified through the process that they have to go through. They now have four certified food managers. They do understand the requirement that if a certified food manager is not on location, they cannot serve food.

David Fromm, 2307 East Randolph Avenue, expressed concern about the lighting and the number of lights that have a direct glare going into the neighborhood; and

Amy Slack, 2307 East Randolph Avenue, spoke in support of this item with conditions.

Councilwoman Pepper suggested that staff monitor the lights at this site.

Mayor Donley also requested that staff get back to Council with respect to how it is viewing the lighting issue and the adoption of a potential policy. He mentioned the use of shrouding or shields to at least prevent the spillover light while still maintaining the need to have a safe and lighted area particularly at night.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Planning Commission recommendation with an amendment to condition #37, which amended condition reads as follows: **"37. All lighting shall be directed downward and shall be screened at the sides to avoid glare on adjacent residential properties to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services."** The voting was as follows:

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

#### **Board of Architectural Review**

12. CASE BAR-2000-0244 -- 216 SOUTH WASHINGTON STREET -- Public Hearing and Consideration of an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, on December 6, 2000, denying a request for approval of new replacement windows at 216 South Washington Street, zoned CD Commercial. APPLICANT AND APPELLANT: Downtown Baptist Church by M. Catharine Puskar, Attorney. (#9 2/24/01)

BOARD ACTION: Denied 5-2

(A copy of the Board of Architectural Review report is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 3/17/01, and is incorporated herewith as part of this record by reference.)

M. Catharine Puskar, attorney for the applicant, requested deferral of this item to April. She stated that they have met with members of the Historic Alexandria Foundation and an architect recommended by the Foundation. She indicated that they are pursuing some of the suggestions and trying to get some estimates based on their evaluation and recommendations.

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council deferred this appeal to its Public Hearing Meeting in April. The voting was as follows:

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

## **ORDINANCES AND RESOLUTIONS**

13. Public Hearing, Second Reading and Final Passage of AN ORDINANCE to make supplemental appropriations for the support of the government of the City of Alexandria for fiscal year 2001. (#23 3/13/01) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated March 6, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 3/17/01, and is incorporated herewith as part of this record by reference.)

The City Clerk read the docket item.

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

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

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

The ordinance finally passed reads as follows:

### **ORDINANCE NO. 4191**

AN ORDINANCE making provision for the support of the government of the City of the City of Alexandria, Virginia, for the payment of municipal expenditures by providing supplemental appropriations of amounts required to defray certain expenditures and liabilities of the city for fiscal year 2001, which began on the first day of July 2000 and ends on the thirtieth day of June 2001.

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

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for fiscal year 2001, the source of such amount being external grant awards for which revenues were authorized and adjusted after July 1, 2000, but not appropriated, and further that the Council does hereby allot the amount so appropriated to the several City departments for fiscal year 2001, as follows:

**SPECIAL REVENUE FUND**

**ESTIMATED REVENUE:**

Office on Women	\$ 163,553
Commonwealth's Attorney	2,326
Fire	16,095
Police	226,035
Housing	(13,616)
Mental Health/Mental Retardation and Substance Abuse	549,803
Human Services	1,932,719
Historic Alexandria	83,361
Recreation	<u>6,817</u>
Total Estimated Revenue	<u>\$2,967,093</u>

**APPROPRIATION:**

Office on Women	\$ 162,553
Commonwealth's Attorney	2,326
Fire	16,095
Police	\$ 226,035
Housing	(13,616)
Mental Health/Mental Retardation and Substance Abuse	549,803
Human Services	1,932,719
Historic Alexandria	83,361
Recreation	<u>6,817</u>
Total Appropriation	<u>\$2,967,093</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in fiscal year 2001, the source of such amounts being donations to the City which have been accepted and adjusted after July 1, 2000, but not appropriated, and further, that the Council does hereby allot the amount so appropriated to the several City departments for fiscal year 2001, as follows:

**SPECIAL REVENUE FUND**

**ESTIMATED REVENUE:**

Human Services	\$ 25,000
Historic Alexandria	<u>270,593</u>
Total Estimated Revenue	<u>\$ 295,593</u>

**APPROPRIATION:**

Human Services	\$ 25,000
Historic Alexandria	<u>270,593</u>
Total Appropriation	<u>\$ 295,593</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for fiscal year 2001, the source of such amount being Equipment Replacement Retained Earnings and further, that the Council does hereby allot the amount so appropriated to the various City departments for fiscal year 2001, as follows:

**EQUIPMENT REPLACEMENT FUND:**

**APPROPRIATION:**

Information & Technology Services	\$ <u>510,000</u>
Total Appropriation	\$ <u>510,000</u>

**ESTIMATED REVENUE:**

Information & Technology Services	\$ <u>510,000</u>
Total Estimated Review	\$ <u>510,000</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the Component Unit Schools hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for fiscal year 2001, the source of such amount being Transfers In, and further, that the Council does hereby allot the amount so appropriated for fiscal year 2001, as follows:

**GENERAL FUND**

**APPROPRIATION:**

Human Services	\$ (16,900)
Schools (Transfers Out)	<u>16,900</u>
Total Appropriation	\$ <u>0</u>

**COMPONENT UNIT**

**ESTIMATED REVENUE:**

Component Unit - Schools	
Transfers In (from General Fund)	\$ <u>16,900</u>
Total Estimated Revenue	\$ <u>16,900</u>

**APPROPRIATION:**

Component Unit - Schools	<u>16,900</u>
Total Appropriation	\$ <u>16,900</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures of the City for fiscal year 2001, the source of such amount being Designated General Fund Balance, and further, that the Council does hereby allot the amount so appropriated, as follows:

**GENERAL FUND**

**ESTIMATED REVENUE:**

Designated General Fund Balance	<u>\$ 400,000</u>
Total Estimated Revenue	<u>\$ 400,000</u>

**APPROPRIATION:**

Transportation & Environmental Services	<u>400,000</u>
Total Appropriation	<u>\$ 400,000</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for fiscal year 2001, the source of such amounts being sale of land revenues and insurance recovery and further that the Council does hereby allot the amount so appropriated for and to the following Capital Projects which are included in the fiscal year 2001 capital improvement budget; City project nos. 001790 and 005-303.

**CAPITAL PROJECTS FUND**

**ESTIMATED REVENUE**

Insurance Recovery	\$ 521,530
Sale of Land	<u>875,000</u>
Total Estimated Revenue	<u>\$ 1,396,530</u>

**APPROPRIATION:**

Capital Projects	<u>\$ 1,396,530</u>
Total Appropriation	<u>\$ 1,396,530</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for fiscal year 2001, the source of such amount being intergovernmental revenue and further, that the Council does hereby allot the amount so appropriated for fiscal year 2001 as follows:

**GENERAL FUND**

**ESTIMATE REVENUE:**

Intergovernmental Revenue	<u>\$ 179,221</u>
Total Estimated Revenue	<u>\$ 179,221</u>

**APPROPRIATION:**

Transportation and Environmental Services	<u>\$ 179,221</u>
Total Appropriation	<u>\$ 179,221</u>

Section 8. That the ordinance shall become effective upon the date and time at the time of its final passage.

KERRY J. DONLEY  
Mayor

Introduction:	3/13/01
First Reading:	3/13/01
Publication:	3/15/01
Public Hearing:	3/17/01
Second Reading:	3/17/01
Final Passage:	3/17/01

\* \* \* \* \*

14. Public Hearing, Second Reading and Final Passage of AN ORDINANCE to incorporate the Water Quality Management Supplement as a chapter of the 1992 Master Plan of the City of Alexandria, Virginia (1998 ed.). (#24 3/13/01) **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

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

Councilwoman Pepper reported that a couple of corrections that she had suggested were not made to the document. She noted that on page 7 of the document Lucky Run is mentioned, but it is not listed on the map on page 8 of the document.

Councilwoman Pepper noted that her other concern was that somewhere in the document there was a discussion about Four Mile Run which was from 1997 information which is old, and she had hoped that would be updated. She requested that maybe at a later time, this will be updated.



**WHEREUPON**, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried on an unanimous ROLL-CALL vote, City Council finally passed the ordinance upon its Second Reading and Final Passage, which includes Councilwoman Pepper's amendment to the Supplement. The voting was as follows:

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

The ordinance finally passed reads as follows:

#### ORDINANCE NO. 4192

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the Water Quality Management Supplement heretofore approved by city council as Master Plan Amendment No. 2000-0007 and no other amendments.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2000-0007, the Planning Commission on its own motion initiated the adoption of the Water Quality Management Supplement to the 1992 Master Plan (1998 ed.) of the City of Alexandria, in furtherance of the Chesapeake Bay Preservation Act.
2. Adoption of the said Supplement has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

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

Section 1. That the *City of Alexandria Master Plan Water Quality Management Supplement*, dated December 2000, attached hereto and incorporated herein fully by reference, be, and the same hereby is, adopted as a chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and she hereby is, directed to publish and distribute the said *Supplement* as part of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 3. That the 1992 Master Plan (1998 ed.) of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 4. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

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

KERRY J. DONLEY  
Mayor

Introduction: March 13, 2001  
First Reading: March 13, 2001  
Publication: March 15, 2001  
Public Hearing: March 17, 2001  
Second Reading: March 17, 2001  
Final Passage: March 17, 2001

(Due to the size of the document, a copy of the *City of Alexandria Master Plan Water Quality Management Supplement*, dated December 2000, **as amended**, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 3/13/01, and is incorporated herewith as part of this record by reference.)

\* \* \* \* \*

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

### **Board of Architectural Review (continued)**

15. CASE BAR-2000-0250 -- 224 NORTH COLUMBUS STREET -- Public Hearing and Consideration of an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, denying a request for approval of an awning at 224 North Columbus Street, zoned RM/Residential. Applicant and Appellant: Karon Cullen. (#18 1/13/01; #21 12/16/00)

BOARD ACTION: Denied 4-3

(A copy of the Board of Architectural Review report is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 3/17/01, and is incorporated herewith as part of this record by reference.)

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

Karon Cullen, 224 North Columbus Street, representing her sister and herself, spoke in support of the appeal; and

Oscar Fitzgerald, 206 West Monroe Avenue, representing the Board of Architectural Review, spoke in support of the Board's decision and responded to questions asked by Members of Council.

Members of Council, BAR support staff Smith, Ms. Cullen, Mr. Fitzgerald and City Attorney Pessoa participated in the discussion of this item.

**WHEREUPON**, a motion was made by Councilwoman Pepper, seconded by Vice Mayor Cleveland to uphold the decision of the Board of Architectural Review and deny the appeal.

**THEREUPON**, a substitute motion was offered by Councilwoman Eberwein, seconded by Councilman Speck that City Council remand this back to the Board of Architectural Review to consider alternative awning designs with a maintenance agreement that would be satisfactory to staff, and with the owner being allowed to keep the current awning in place pending a BAR decision on an alternative design; which motion to consider the substitute motion carried on a vote of 6-1. The voting was as follows:

Eberwein	"aye"	Cleveland	"aye"
Speck	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"no"
		Woodson	"aye"

**WHEREUPON**, Council now considered the substitute motion made by Councilwoman Eberwein, seconded by Councilman Speck and carried on a vote of 6-1, City Council remanded this back to the Board of Architectural Review to consider alternative awning designs with a maintenance agreement that would be satisfactory to staff, and with the owner being allowed to keep the current awning in place pending a BAR decision on an alternative design. The voting was as follows:

Eberwein	"aye"	Cleveland	"aye"
Speck	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"no"
		Woodson	"aye"

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

### **DEFERRAL/WITHDRAWAL CONSENT CALENDAR (16-27)**

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

16. SPECIAL USE PERMIT #2000-0167 -- 2514 JEFFERSON DAVIS HY -- ALEXANDRIA TOYOTA -- Public Hearing and Consideration of a request for a special use permit to change the ownership of the existing automobile sales business; zoned I/Industrial. Applicant: Jack Taylor, Alexandria Toyota Inc. or Alexandria Hyundai LLC, by Harry P. Hart, attorney.

COMMISSION ACTION: Withdrawn by Applicant

17. SPECIAL USE PERMIT #2001-0011 -- 2412 JEFFERSON DAVIS HY -- ALEXANDRIA TOYOTA -- Public Hearing and Consideration of a request for a special use permit amendment to allow a change of ownership of the existing automobile sales business; zoned I/Industrial. Applicant: Jack Taylor, Alexandria Toyota Inc. or Alexandria Hyundai LLC, by Harry P. Hart, attorney.

COMMISSION ACTION: Withdrawn by Applicant

18. SPECIAL USE PERMIT #2000-0152 -- 4500 WHEELER AV -- Public Hearing and Consideration of a request for a special use permit expansion to allow the following uses: contractor's storage yard, motor vehicle parking for more than 20 vehicles and/or motor vehicle storage yard; zoned I/Industrial. Applicant: AMT, LLC, by M. Catharine Puskar, attorney.

COMMISSION ACTION: Deferred 7-0

19. DEVELOPMENT SPECIAL USE PERMIT #2000-0032 -- 5010 DUKE ST -- CAMERON STATION - PHASE V -- Public Hearing and Consideration of a request for a development special use permit amendment to remove the area west of Tancreti Lane from the Phase V townhouse plan; zoned CDD-9/Coordinated Development District. Applicant: Cameron Associates LLC, by David T. McElhane, engineer.

COMMISSION ACTION: Deferred (Applicant's request)

20. DEVELOPMENT SPECIAL USE PERMIT #2000-0031 -- 450 FERDINAND DAY DR -- ARCHSTONE - CAMERON STATION (Phase VI) -- Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct apartment buildings; zoned CDD-9/Coordinated Development District. Applicant: Archstone Communities Trust, by Anthony C. Morse, engineer, and Jonathan Rak, attorney.

COMMISSION ACTION: Deferred (Applicant's request)

21. SPECIAL USE PERMIT #2000-0085 -- 450 FERDINAND DAY DR -- ARCHSTONE - CAMERON STATION -- Public Hearing and Consideration of a request for a special use permit amendment to the Cameron Station transportation management plan (TMP) to incorporate the site area of the proposed apartment buildings; zoned CDD-9/Coordinated Development District. Applicant: Archstone Communities Trust, by Anthony C. Morse, engineer, and Jonathan Rak, attorney.

COMMISSION ACTION: Deferred (Applicant's request)

22. DEVELOPMENT SPECIAL USE PERMIT #2000-0051 -- 124 S WEST ST -- Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct an office building, with waiver of zone transition setback requirement, increase in permitted floor area ratio and modification to crown coverage requirements; zoned CD/Commercial Downtown. Applicant: Riverport Land Company, by Duncan W. Blair, attorney.

COMMISSION ACTION: Deferred (Applicant's request)

23. SPECIAL USE PERMIT #2000-0150 -- 1116 N FAIRFAX ST and 1125 N ROYAL ST -- WINDOWS CATERING CO -- Public Hearing and Consideration of a request for a special use permit for expansion of a catering business; zoned CDX/Commercial Downtown. Applicant: Windows Catering Company, by Jonathan P. Rak, attorney.

COMMISSION ACTION: Deferred (Applicant's request)

24. SPECIAL USE PERMIT #2000-0165 -- 304 CALVERT AV -- Public Hearing and Consideration of a request for a special use permit for general automobile repair and sales; zoned I/Industrial. Applicant: Julio A. Benevides.

COMMISSION ACTION: Deferred (Applicant failed to attend meeting)

25. SPECIAL USE PERMIT #2000-0159 -- 3014 JEFFERSON DAVIS HY -- Public Hearing and Consideration of a request for a special use permit for expansion of a noncomplying automobile repair facility to include automobile sales; zoned CSL/Commercial Service Low. Applicant: Ajmal Ghani, by William C. Thomas, Jr., attorney.

COMMISSION ACTION: Deferred 7-0

26. SPECIAL USE PERMIT #2000-0166 -- 3006 JEFFERSON DAVIS HY; -- 406-408 E GLEBE RD -- ALL USA IMPORTS -- Public Hearing and Consideration of a request for a special use permit for automobile repair and sales; zoned CSL/Commercial Service Low. Applicant: All USA Imports Inc., by Daryush Daraie.

COMMISSION ACTION: Deferred (Applicant's request)

**Board of Architectural Review  
Old and Historic Alexandria District**

27. CASE BAR-2000-0217 -- 311 COMMERCE STREET -- Public Hearing and Consideration of an appeal of a decision of the Board of Architectural Review. Old and Historic Alexandria District, denying a request for approval of a permit to demolish a dwelling at 311 Commerce Street, zoned CD/COMMERCIAL. Applicant and Appellant: Heffner Architects by William C. Thomas, Attorney. (#19 1/13/01)

BOARD ACTION: Denied 7-0

**The attorney for the applicant has requested that this item be deferred to the September 15, 2001 Public Hearing Meeting.**

**END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Without objection,** City Council noted the deferrals and withdrawals.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED,** upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 1:40 p.m., the Public Hearing Meeting of Saturday, March 17, 2001, was adjourned. The voting was as follows:

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

\*\*\*\*\*

**APPROVED BY:**

**KERRY J. DONLEY** **MAYOR**

ATTEST:

**Beverly I. Jett, CMC** City Clerk