

EXHIBIT NO. 1

17
10-19-02

Docket Item # 8
VACATION #2002-0003

Planning Commission Meeting
October 1, 2002

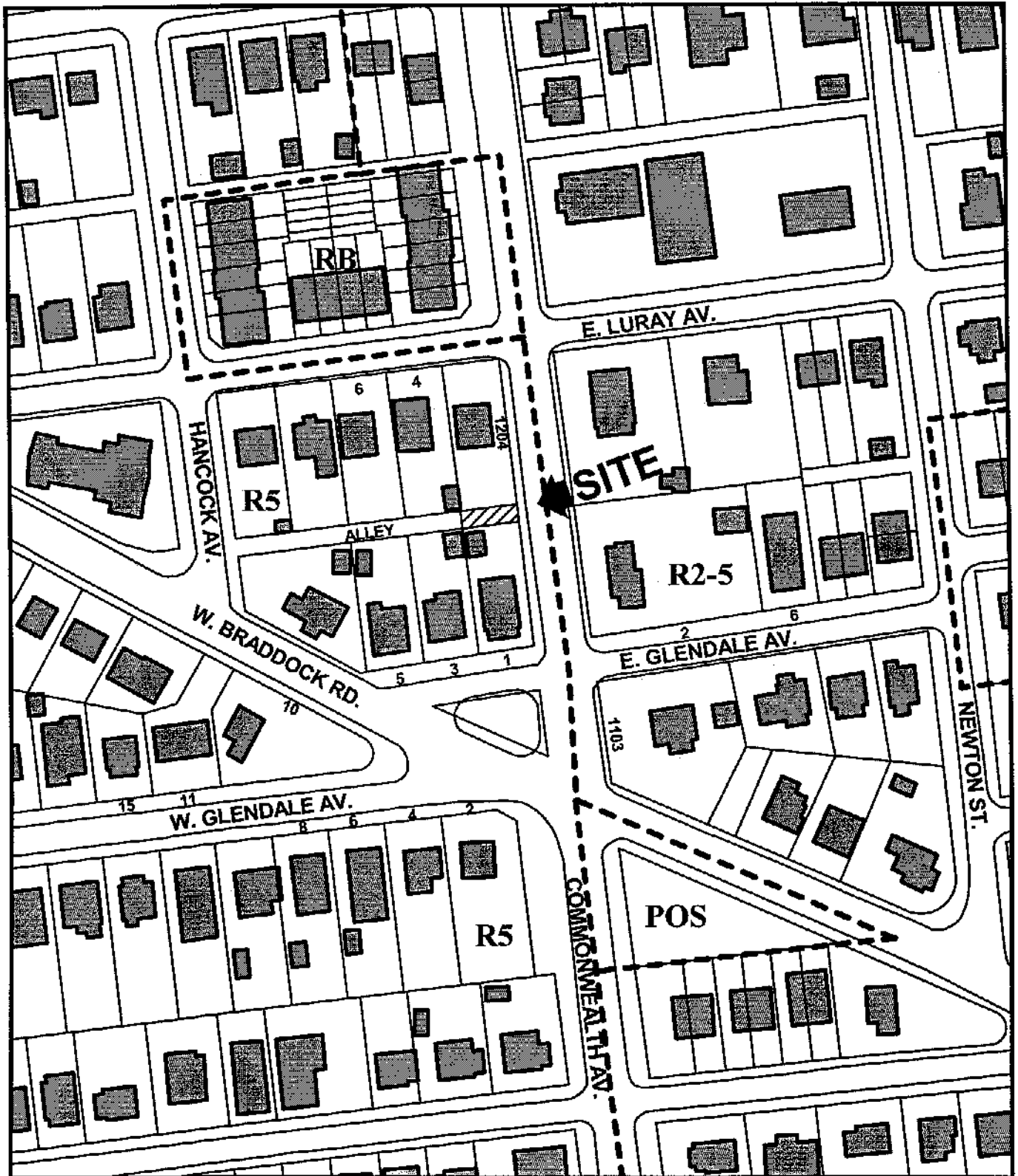
ISSUE: Consideration of a request for vacation of a public alley right-of-way.
APPLICANT: Joseph and Jean Hodges
LOCATION: 1 West Glendale Avenue
ZONE: R-5/Residential

PLANNING COMMISSION ACTION, OCTOBER 1, 2002: On a motion by Mr. Dunn, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #5 and add Condition #6. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Joe and Jean Hodges, the applicants, requested a reduction in the price of the subject alley in exchange for any land they might grant to the City of Alexandria for a sidewalk easement.



VAC #2002-0003

10/01/02



STAFF RECOMMENDATION:

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. Owners of property located at 1204 Commonwealth Avenue (also known as 2 West Luray Avenue) may have rights to or interest in acquiring the portion of the alley labeled outlot "F" on the vacation plat (attached to application). The applicant must obtain a letter from the owner of the property abutting the alley (1204 Commonwealth) stating that they are not interested in acquiring the half of the alley adjacent to their property and that they have no objections to the applicant acquiring the entire alley width. (T&ES)
2. The applicant shall pay fair market value for the area to be vacated as determined by the Office of Real Estate Assessments. The Director of the Department of Real Estate Assessments has estimated the fair market value of the fee simple interest in the proposed area to be vacated (750 square feet of land) at \$3,400. (T&ES) (REA)
3. Easements must be reserved for all existing public and private utilities, if any, within the area to be vacated. (T&ES)
4. The vacated area shall be formally consolidated into the adjoining property by recording a consolidation plat and filing a copy with the Department of Planning and Zoning and the Department of Transportation and Environmental Services. (T&ES)
5. **CONDITION AMENDED BY PLANNING COMMISSION:** If the applicant agrees to ~~The applicant shall~~ dedicate a public sidewalk easement at the corner of Glendale Avenue and Commonwealth Avenue to the satisfaction of the Director of T&ES, then the City will work with the applicant to relocate or replace any affected landscaping, including trees. (T&ES) (PC)
6. **CONDITION ADDED BY PLANNING COMMISSION:** If the applicant agrees to dedicate the public sidewalk easement referenced in Condition #5, the value of the sidewalk easement area, as determined by the Department of Real Estate Assessments, shall be deducted from the price of the vacated land. (PC)

DISCUSSION:

1. The applicants, Joseph and Jean Hodges, request vacation approval for a portion of the public right-of-way located at the rear of 1 West Glendale Avenue.
2. The subject public right-of-way is an unpaved, green alley that runs east to west behind single-family houses located within the block that is bounded by Commonwealth and Hancock Avenues, West Glendale and West Luray Avenues. The applicants' property, 1 West Glendale, lies adjacent to and just south of the subject alley where the alley meets Commonwealth Avenue. The applicant's property is one of lot of record and is occupied by a single-family house with a freestanding garage.
3. The applicants request a vacation of approximately 750 square feet of the subject alley that lies behind and north of 1 West Glendale Avenue (see attached plats). If the vacation request is approved the existing lot at 1 West Glendale Avenue will be enlarged from 112 feet long to 127 feet long, and from 5,600 to 6,350 square feet.
4. The applicants request the vacation to provide more rear yard space. They intend to construct a fence at their property line once the vacation is granted. Their rear property line is currently obstructed by a tree that straddles the property line between 1 West Glendale Avenue and the rear alley (public right-of-way). The applicants would like the vacation so they can fence the area that encompasses the tree.
5. Master Plan/Zoning: The subject property is zoned R-5 (Single-Family Zone), and is located in the Potomac West Small Area Plan.

STAFF ANALYSIS:

Staff supports the applicant's request for a vacation of the public right-of-way located adjacent to and north of 1 West Glendale Avenue, and notes that the proposed vacation request is similar to other vacations that the City Council has previously granted for the same alley as it extends eastward between Commonwealth Avenue and Newton Street, East Luray and East Glendale Avenues (see attached map). The proposed vacation will maintain pedestrian access along Commonwealth Avenue and will include easements for the sidewalk and existing public and private utilities. Additionally, the proposed vacation will not interfere with traffic patterns since the public right-of-way is green space and not currently used as an alley, and because the remainder of the subject public right-of-way can still be accessed from its opposite end on Hancock Avenue.

Staff's only concern with this proposal is that it removes open green space from public ownership. However, that green space is already experienced by the public as part of the adjacent private yards. In addition, the zoning ordinance requires that the rear yard of the subject home remain open, although fencing is permitted. On balance, staff recommends approval of the vacation.

Staff also recommends that the applicants dedicate a portion of the corner of their front yard for a sidewalk easement. A telephone pole and the narrow width of the sidewalk along Commonwealth as it intersects W. Glendale Avenue makes passage at that point difficult for pedestrians. The City would like to address the problem by using a portion of the applicant's front yard to increase the size of the sidewalk.

Staff supports the applicant's request for a vacation subject to the list of recommended conditions.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Mary Hashemi, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 Owners of property located at 7 West Luray Avenue may have rights to or interest in acquiring the portion of the alley labeled outlot "F". Applicant must obtain letter from the other owner of property abutting the alley stating that they are not interested in acquiring the half of the alley adjacent to their and that they have no objections to the applicant acquiring the entire alley width.
- R-2 The applicant shall pay fair market value for the area to be vacated as determined by the Office of Real Estate Assessments.
- R-3 Easements must be reserved for all existing public and private utilities, if any, within the area to be vacated.
- R-4 The vacated area is to be consolidated into the adjoining property.
- R-5 The applicant shall dedicate a public sidewalk easement at the corner of Glendale Avenue and Commonwealth Avenue to the satisfaction of the Director of T&ES.

Code Enforcement:

- F-1 No comments.

Police Department:

- F-1 No objections.

Historic Alexandria - Archaeology:

- F-1 No comments.

Recreation, Parks & Cultural Activities - Arborist:

- F-1 No comments.

Real Estate Assessments:

- F-1 The Director of The Department of Real Estate Assessments has estimated the fair market value of the fee simple interest in the proposed area to be vacated (750 square feet of land) at \$3,400.

APPLICATION for VACATION

VAC # 2002-0003

MH

[must use black ink or type]

PROPERTY LOCATION: 1 WEST GLENDALE AVE. (ALLEY BEHWD HOME)

TAX MAP REFERENCE: 043.03-09-42 ZONE: R-5

APPLICANT'S NAME: JOSEPH AND JEAN HODGES

ADDRESS: 1 WEST GLENDALE AVENUE, ALEXANDRIA, VA 22301

PROPERTY OWNER NAME: CITY OF ALEXANDRIA

(Owner of abutting area to be vacated)

ADDRESS: P.O. BOX 178, CITY HALL, ALEXANDRIA, VA 22313

VACATION DESCRIPTION: THE VACATION AND PURCHASE OF A 15'x50' SECTION OF ABANDONED ALLEYWAY, BY JEAN & JOE HODGES, LOCATED AT THE REAR YARD (NORTH SIDE) OF THEIR PROPERTY

THE UNDERSIGNED hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia, the Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.

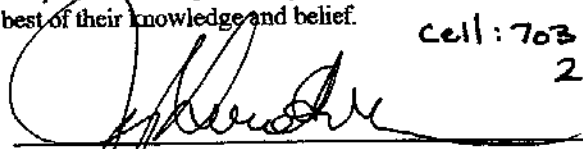
THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

cell: 703-930 2267

JOSEPH L. HODGES IV

Print Name of Applicant or Agent



Signature

1 WEST GLENDALE AVE

Mailing/Street Address

(703) 549-0598

Telephone #

(703) 549-0498

Fax #

ALEXANDRIA, VA 22301

City and State

Zip Code

FEBRUARY 28TH, 2002

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

VAC. 2002-0003

ALEXANDRIA SURVEYS INTERNATIONAL, LLC
6343 SOUTH KINGS HIGHWAY & ALEXANDRIA, VIRGINIA 22306
(703) 660-6615 & FAX (703) 768-7764

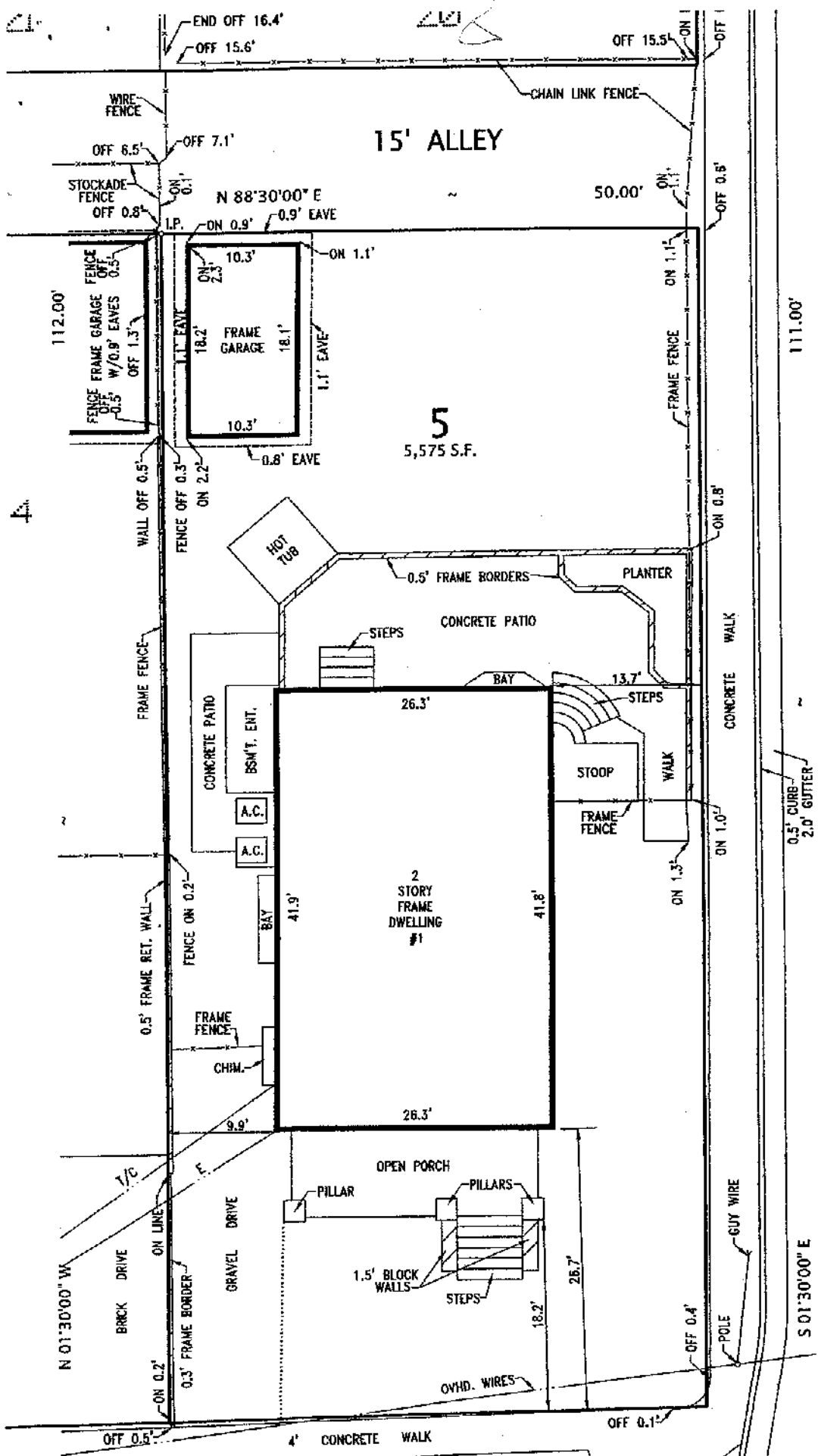
JULY 23, 2002

**DESCRIPTION OF
A PORTION OF A
15 FOOT PUBLIC ALLEY
TO BE VACATED
BEING A PART OF
NORTHWEST ALEXANDRIA
IMPROVEMENT COMPANY SUBDIVISION
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point on the westerly right-of-way line of Commonwealth Avenue, between West Glendale Avenue and West Luray Avenue, said point being a corner common to Lot 5, Block 8, Northwest Alexandria Improvement Company Subdivision; Thence running with the northerly line of Lot 5 S 88°30'00" W 50.00 feet to the northwest corner of Lot 5; Thence running through a 15 foot public alley N 01°30'00" W 15.00 feet to a corner common to Lot 21 and Lot 20, Block 8, Northwest Alexandria Improvement Company Subdivision; Thence running with the southerly line of Lot 20 N 88°30'00"E 50.00 feet to a corner common to Lot 20 on the westerly right-of-way line of Commonwealth Avenue; Thence running with the westerly right-of-way line of Commonwealth Avenue S 01°30'00"E 15.00 feet the point of beginning, containing 750 square feet of land.

VAC. 2002-0003

VAC. 2002-0003



COMMONWEALTH AVENUE
R/W VARIES

WEST GLENDALE AVENUE
40' R/W

112.00'

111.00'

5
5,575 S.F.

112.00'

N 01°00'00" W

S 01°30'00" E

S 87°27'15" W

50.00'

50.00'

4

9

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 1, 2002
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING
SUBJECT: VAC #2002-0003
1 West Glendale Avenue



The applicants requested and staff has agreed to add Condition #6. Staff also revised Condition #5 to address the applicants' concerns regarding how the proposed sidewalk easement will affect their front yard.

ADD Condition #6: If the applicant agrees to dedicate the public sidewalk easement referenced in Condition #5, the value of the sidewalk easement area, as determined by the Department of Real Estate Assessments, shall be deducted from the price of the vacated land. (P&Z)

CHANGE Condition #5: If the applicant agrees to ~~The~~ applicant shall dedicate a public sidewalk easement at the corner of Glendale Avenue and Commonwealth Avenue to the satisfaction of the Director of T&ES, then the City will work with the applicant to relocate or replace any affected landscaping, including trees. (T&ES)

PLEASE SELECT 3 VIEWERS AND NAME ONE AS CHAIR

VIEWERS LIST

Mr. Donald Allen
102 Monroe Avenue
Alexandria, VA 22301
703-836-0094

Mr. Ross Bell
820 S. Washington Street, #B-329
Alexandria, VA 22314
703-836-2001 [cme-10/00]

Ms. Amoret Bunn
607 Melrose Street
Alexandria, VA 22302
703-683-1836

Mr. Rodger Digilio
1900 Mt. Vernon Avenue
Alexandria, VA 22301
703-548-6066 [cme-10/00]

Ms. Katrine Fitzgerald
307 East Mason Avenue
Alexandria, VA 22301
703-683-1617

Ms. Gila Harris
5435 Richenbacher Avenue
Alexandria, VA 22304
703-671-9055 [wde-7/00]

Mr. John Hines
13 East Myrtle Street
Alexandria, VA 22301
703-683-9659

Mrs. Judy Lowe
14 West Mount Ida Avenue
Alexandria, VA 22305
703-548-1713 [wde-9/00]

Ms. Kellie Meehan
801 West View Terrace
Alexandria, VA 22301
703-836-1787

Mr. Lee Roy Steele
516 North Patrick Street
Alexandria, VA 22314
703-549-7737 [wde-9/00]

Mr. Warren Almquist
201 East Monroe Street
Alexandria, VA 22302
703-684-3657

Mr. Bill Brandon
727 Upland Place
Alexandria, VA 22314
703-683-0927 [cme-10/00]

Ms. Libby Cooperman
205 Yoakum Parkway, #215
Alexandria, VA 22304
703-370-9064

Ms. Marilyn Doherty
12 West Mount Ida Avenue
Alexandria, VA 22301
703-548-3095

Mrs. Ruby Fitzgerald
305 Summers Drive
Alexandria, VA 22301
703-548-7088

Ms. Debbera Hayward
5911-303 Edsall Road
Alexandria, VA 22304
703-370-7360

Mr. Jesse Jennings
1019 Oronoco Street
Alexandria, VA 22314
703-549-5229 [wde-9/00]

Ms. Cathy Major
1431 Oronoco Street
Alexandria, VA 22314
703-836-2521

Mr. Paul Smedberg
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Alexandria, VA 22305
703-549-7754



City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314



Kerry J. Donley
Mayor

October 21, 2002

(703) 838-4500
Fax (703) 838-6433

Mr. Ross Bell
829 South Washington Street, #B-329
Alexandria, Virginia 22314

Re: Consideration of a request for vacation of a public alley right-of-way

Dear Mr. Bell:

Pursuant to authorization given to Mayor Donley by the City Council at its Public Hearing Meeting on October 19, 2002, you, as Chairperson, together with Ms. Gila Harris, and Mr. John Hines, were appointed as viewers to view the public right-of-way property described in the attached pages and to report in writing whether in the viewers' opinion any inconvenience or harm to the public would result from discontinuing and vacating the public right-of-way use of this property. I have enclosed a sample viewers' report. For further information concerning this matter, you may contact the Director of the Department of Planning and Zoning at 703-838-4666.

If possible, would you please have your report, signed by all three viewers, in the Office of the City Clerk on or before Monday, November 4, 2002. If this date is not convenient, please call my office so that we can place your report on a later docket.

Please bill Mr. Joseph L. Hodges, IV, 1 West Glendale Avenue, Alexandria, Virginia 22301. If payment is not made within thirty (30) days, please advise the City Clerk at 703-838-4550.

Sincerely,

Beverly I. Jett, CMC
City Clerk and Clerk of Council

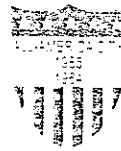
Enclosures: Docket Item No. 17
Sample Viewers' Report
Ms. Gila Harris, 703-671-9055
Mr. John Hines, 703-683-9659



City of Alexandria, Virginia

301 King Street, Suite 2300

Alexandria, Virginia 22314



Kerry J. Donley
Mayor

October 21, 2002

Beverly I. Jett, CMC
City Clerk and
Clerk of Council
beverly.jett@ci.alexandria.va.us

William C. Cleveland
Vice Mayor

(703) 838-4550

Fax: (703) 838-6433

Members of Council
Claire M. Eberwein
William D. Euille
Redella S. Pepper
David G. Speck
Joyce Woodson

Mr. John Hines
13 East Myrtle Street
Alexandria, Virginia 22301

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Sincerely,

Beverly I. Jett, CMC
City Clerk and Clerk of Council

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Mr. Ross Bell, 703-836-2001
Ms. Gila Harris, 703-671-9055

"Home Town of George Washington and Robert E. Lee"



City of Alexandria, Virginia

*301 King Street, Suite 2300
Alexandria, Virginia 22314*



Kerry J. Donley
Mayor

October 21, 2002

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City Clerk and
Clerk of Council
beverly.jett@ci.alexandria.va.us

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David G. Speck
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Fax: (703) 838-6433

Ms. Gila Harris
5435 Richenbacher Avenue
Alexandria, Virginia 22304

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Mr. Ross Bell, 703-836-2001
Mr. John Hines, 703-683-9659

"Home Town of George Washington and Robert E. Lee"

APPLICATION for VACATION

MT

VAC # 2002-0003

[must use black ink or type]

PROPERTY LOCATION: 1 WEST GLENDALE AVE. (ALLEY BEHWND HOME)

TAX MAP REFERENCE: 043.03-09-42 ZONE: R-5

APPLICANT'S NAME: JOSEPH AND JEAN HODGES

ADDRESS: 1 WEST GLENDALE AVENUE, ALEXANDRIA, VA 22301

PROPERTY OWNER NAME: CITY OF ALEXANDRIA

(Owner of abutting area to be vacated)

ADDRESS: P.O. BOX 178, CITY HALL, ALEXANDRIA, VA 22313

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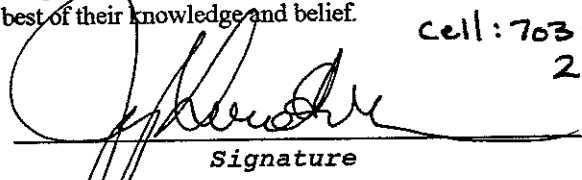
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THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

cell: 703-930-2267

JOSEPH L. HODGES IV
Print Name of Applicant or Agent


Signature

1 WEST GLENDALE AVE
Mailing/Street Address

(703) 549-0598 (703) 549-0498
Telephone # Fax #

ALEXANDRIA, VA 22301
City and State Zip Code

FEBRUARY 28TH, 2002
Date

==== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 10/01/02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 10/19/02PH -- SEE ATTACHED.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

City Council requested that the salary for Mayor be raised to \$30,500, commensurate with Arlington County; that the salary of the City Council members be raised to \$27,500; the staff component of one full-time staff member for the Mayor and part-time Aides for City Council Members would remain the same; Council would also be eligible, as are Arlington officials, for fringe benefits, those being health insurance, life insurance, disability, retirement and deferred compensation, as we so elect. There will be no change in the overall expense accounts; no change in the travel allowance; and, also in line with Arlington County, COLAs will be automatically applied to the salary.

Council Action: _____

~~17~~ VACATION #2002-0003
1 W GLENDALE AV

Public Hearing and Consideration of a request for vacation of a public alley right-of-way; zoned R-5/Residential. Applicant: Joseph and Jean Hodges, and appointment of viewers for same.

COMMISSION ACTION: Recommend Approval 7-0

Real Estate Assessments Director Smith-Page responded to questions from Councilwoman Pepper about the value of the alley; Council and Planning and Zoning Deputy Director Ross participated in the discussion on the property's value and the actual valuation process.

City Council approved the Planning Commission recommendation and authorized the appointment of viewers. Ross Bell, chair, Gila Harris, and John Hines were appointed as viewers.

Council Action: _____

18. DEVELOPMENT SPECIAL USE PERMIT #2002-0018
1200 FIRST ST; 950 N FAYETTE ST
POTOMAC CLUB RESIDENCES

Public Hearing and Consideration of a request for a development special use permit amendment to allow parking garage user fees; zoned OCH/Office Commercial High. Applicant: Potomac Club Residences LP, c/o Paradigm Development Company, by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Approval 7-0

City Council approved the Planning Commission recommendation.

Council Action: _____

19. TEXT AMENDMENT #2002-0006
BIG BOX RETAIL

Public Hearing and Consideration of amendments to the commercial zones to require a special use permit for retail space over 30,000 square feet.

COMMISSION ACTION: Recommend Approval 7-0

Mayor Donley expressed that there need to be additional controls on this type of development, and Planning & Zoning Director Fogarty discussed the issues raised.