

Docket Item # 14
TEXT AMENDMENT #2002-0006

Planning Commission Meeting
October 1, 2002

CASE: TEXT AMENDMENT #2002-0006
BIG BOX RETAIL

ISSUE: Consideration of an amendment to the zoning ordinance to require a special use permit for retail uses over 30,000 square feet.

PLANNING COMMISSION ACTION, OCTOBER 1, 2002: On a motion by Mr. Dunn, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the proposed text amendment, with an amendment changing the threshold size for special use permit regulation from 30,000 to 20,000 square feet. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission heard extensive testimony from citizens and civic association representatives as well as from businesses and business groups. It agreed with the staff recommendation generally to regulate big box retail stores, citing the approach as modest and equitable. It recommended the change to include 20,000 square foot stores based on accepted definitions of big box retail, which typically include stores at the 20,000 square foot size. The Commission spoke in favor of a grandfathering provision, as explained by staff, to be included in the ordinance adopting the legislation, to exempt existing stores, including future expansions. Finally, the Commission discussed at length the existing SUP requirement for small uses including restaurants, auto repair businesses, and day care facilities. That process, while it may add an additional step for an applicant, is not onerous and is important for the community; given the SUP review requirement for smaller users, it cannot be unfair to apply it to larger stores. The Commission specifically rejected the idea of a moratorium on large stores, and believed the SUP process was a measured approach to the potential problems with big box retail stores.

Speakers:

Paul Smedberg spoke in support of the proposal, and suggested that the regulation be changed to apply to stores over 25,000 instead of 30,000 square feet.

Duncan Blair, representing Crescent Resources, questioned the application of the ordinance to the Industrial zone.

John Schwartzman, International Council of Shopping Centers, spoke in opposition, suggesting that the text amendment sends a negative message and infringes on a free market economy.

Jason Todd, International Mass Retail Association, spoke in opposition, suggesting more dialogue with the affected parties.

Keith Morris, WalMart Stores, spoke in opposition and questioned how the amendment would affect existing stores.

Joe Bennett, spoke in support, characterizing the amendment as reasonable, prudent, desirable and necessary, and citing the Cameron Station area as one that would be affected because of its proximity to South Pickett Street and Eisenhower Avenue.

Katy Cannady spoke in support.

Carolyn Merck, Old Town Civic Association, spoke in support, and suggested the Commission consider a smaller store threshold for SUP regulation, at least for some of the downtown areas of the City.

George MacKenzie, Washington Real Estate Investment Trust, owners of Bradlee Shopping Center, Foxchase Shopping Center, and the 800 block of South Washington Street, expressed concern that the text amendment would discourage new retail uses such as grocery stores. He suggested the matter be deferred so that it could be fine tuned.

Tom Gallagher, real estate manager, Home Depot, requested a deferral of the matter in order to have time to review the proposal with staff.

Julie Crenshaw spoke in support. She suggested the regulation would have been useful prior to the development of the Potomac Yard retail center, that existing stores should not be grandfathered, and that the City should consider a moratorium on large stores.

David Fromm spoke in support, suggesting a lower size threshold for the SUP. He suggested that the profit derived from big box stores should not be at the expense of the community.

Maria Wasowski spoke in support, noting that the proposal is fair when the existing SUP regulation of smaller uses is considered.

Harry Hart spoke regarding the potential for an SUP covering design only.

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STAFF RECOMMENDATION:

Staff recommends that the Planning Commission on its own motion initiate the following text amendment:

The following language: **[as amended by the Planning Commission]**

Retail shopping establishments larger than 20,000 ~~30,000~~ gross square feet

is proposed to be added as a special use in the following zones:

CL	4-103	(M1)
CC	4-203	(R1)
CSL	4-303	(Y1)
CG	4-404	(Y1)
CD	4-503	(X1)
CD-X	4-603	(U1)
OC	4-803	(BB1)
OCM(50)	4-903	(AA1)
OCM(100)	4-1003	(AA1)
OCH	4-1103	(W1)
I	4-1203	(R2)
CRMU-L	5-103	(O)
CRMU-M	5-203	(O)
CRMU-H	5-303	(O)

[It is staff's intent and recommendation that the legislation adopting the text amendment specifically provide for the grandfathering of existing stores over the size threshold, to include future expansions of those stores.]

DISCUSSION

This text amendment addresses the issue of what is commonly known as “big box” retail, and recommends that those uses be required to obtain special use permit approval.

What is “big box” retail?

“Big-box” retail development consists of large buildings or stores with footprints typically ranging from 20,000 to 200,000 square feet.¹ While generally operating as single-story structures, big-box stores often are 30 feet or more in height (the equivalent of a three-story mass) and require large parking lots. There are four primary types of big boxes:

Discount department stores (e.g., Target, Wal-Mart, Kmart) offer a wide variety of merchandise such as housewares, home furnishings, clothing, and automotive parts and services. Discount department stores are typically 80,000 to 130,000 square feet in size, although a new generation of “super centers” ranges from 100,000 to 210,000 square feet

Category killers (e.g., Home Depot, Toys “R” Us, Circuit City) offer a large selection of low-priced merchandise in a particular product category. These stores range from 20,000 square feet to 120,000 square feet in size.

Outlet stores offer discounted goods from a particular department store chain (e.g., Nordstrom Rack, J.C. Penny Outlet) or manufacturer (e.g., Bass Shoes, Burlington Coat Factory). Outlet stores range from 20,000 square feet to 80,000 square feet in size.

Warehouse clubs (e.g., Sam’s Club, Pace, BJ’s Wholesale Club) offer a variety of goods in bulk at wholesale prices. These stores range from 104,000 to 170,000 square feet in size.

¹ Description of big-box retail development and types drawn from “Big-Box” Retail Development, *Managing Maryland’s Growth: Models and Guidelines*, prepared by the Maryland Department of Planning (available for review in the Department of Planning and Zoning)

Popular with consumers due to their convenience and low prices, big boxes have proliferated across the American landscape. However, the resulting impacts have generated widespread concern and led many communities to enact regulations governing large retail stores. Typical issues of concern include:

- Traffic congestion and associated air quality impacts caused by this automobile-oriented development type;
- Loss of sales by existing stores, leading to retail vacancies in downtowns and other established commercial areas, as well as displacements of independent, community-based businesses;
- Effects on community character and aesthetics caused by the scale and appearance of big-box buildings and associated parking and by the regional serving nature of the use; and
- Environmental effects, such as loss of trees and open space and impacts on water quality.

Alexandria's experience with "big box"

In Alexandria, the "big box" marketing phenomenon is most clearly seen at the Potomac Yard Shopping Center, which contains several large stores, all very popular with citizens and built with City approvals. However, in addition, there are examples elsewhere in the City, such as BJ's, Home Depot and CompUSA in the West End. (See attached chart of Alexandria's large retail stores.)

Each of the above stores, whether part of a center or a stand alone building, exhibits the traditional characteristics of the type and some of the potential negative effects of "big box" retail businesses from both a land use and urban design perspective. Each requires an exceptional amount of land for both the store building and large surface parking areas. Buildings are typically oversized and stark, with exceptionally long blank walls. Each has intense activity associated with it in the form of employees, customers, traffic, delivery trucks, loading areas and trash requirements, in a degree greater than other retail establishments.

While the City's past experience with big box has not been unduly harmful, that is largely because of where the existing stores are located. The City has been approached over the last year by several big box retailers looking for new sites and proposed locations include the Eisenhower Valley as well as specific, individual redevelopment blocks near the Braddock Metro Station. Retailers who have spoken to the City include discount department stores, category killers, warehouse clubs, and grocery stores. In each case, the proposal has been for a suburban model: a single use, one story building with surface parking and virtually no pedestrian or street orientation. Staff is concerned about each of the proposals it has seen as well as those with which it may be presented in the future. Each of the recent proposals could be harmful to the City's long-term vision and planning efforts for the

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respective areas. Especially near the Braddock Metro, these land hungry, single use, automobile oriented developments would run counter to efforts to create a mixed use community and maximize the use of the Metro station.

Approaches to Regulating Big-Box Retail Development

Over the last ten years, many communities across the country and in Virginia have adopted regulations to address unwanted impacts of big-box retail development. In general, the regulations have been designed to either prohibit big box stores altogether or to control the impacts associated with such uses. One of the most commonly used approaches is to require special review of stores that are larger than a certain size threshold. (See attached listing of examples of other cities' approaches.)

Proposed Text Amendment

Staff recommends that Alexandria regulate big box retail by requiring a special use permit for large retail stores. Specifically, the proposed text amendment creates a new use in each of the commercial and mixed use zones (where retail uses are permitted): retail shopping establishments over 30,000 gross square feet in size, and requires a special use permit for such uses. It simply moves those large retail stores from the permitted uses list to the list of uses in each zone that requires special use permit approval. The SUP requirement applies for each store larger than 30,000 square feet, whether part of a larger development or developed to stand alone.

By requiring a special use permit, the City will have the opportunity to review each proposal on a case by case basis and determine whether the proposed location and the associated impacts are compatible with the surrounding area. The review will allow consideration of issues such as:

Efficient and best use of the land: Because there is so little land left in Alexandria for development, the City must ensure that the sites that are available are used wisely. Big box retail stores require relatively large parcels to accommodate buildings and parking and are best suited to sites with easy highway access. They may not represent the best use of land that is more valuable for other purposes (e.g., transit-oriented development near a Metro station) or where mixed use development is more appropriate.

Traffic and access: Because they are regional shopping destinations, big boxes generate large amounts of automobile traffic. The resulting congestion can negatively affect levels of service at intersections and along arterial roadways, as well as cause increased traffic on local streets. The City has experienced this problem to some degree on Route 1, adjacent to the Potomac Yard Shopping Center. In addition to customer traffic congestion, big boxes typically rely on significant truck traffic. Large delivery vehicles require adequate on site loading areas and circulation routes and may, depending on the location and the design, be inappropriate at a given site.

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Parking: Big boxes may be difficult to accommodate on constrained urban sites because they require large amounts of parking for customers and employees. Spillover impacts on adjacent neighborhoods can result. In addition, the location and access to parking is a particularly important design consideration, so that the new use does not detract from a surrounding neighborhood or development area.

Pedestrian access and circulation: As a heavily automobile-oriented use, big-box retail development can impact established pedestrian networks and connections. In addition, big boxes, with large parking areas, curb cuts and service areas, typically are not designed to provide easy pedestrian access.

Neighborhood compatibility: Inappropriately located and designed big-box developments can negatively affect adjacent neighborhoods. Potential impacts include buildings and parking lots that are incompatible with neighborhood character and scale, as well as associated factors such as noise, lighting, traffic, trash, loading, and exterior storage.

Consistency with adopted plans: Big-box stores may conflict with adopted area plans that prescribe desired types, forms, and patterns of developments in certain locations.

There may be sites proposed for stand alone big box retail in the City which are inappropriately located. Alternatively, there may be proposals that could be appropriate at a given location, if their impacts were reviewed and conditions imposed to restrict negative consequences for the surrounding area. Under today's zoning regulations, the City will have very little review of a big box proposal because retail uses are permitted without a special use permit. The proposed text amendment will give the City the tool it needs to minimize the potential effects of big box retail. Staff therefore recommends that City Council approve the proposed text amendment.

STAFF: Eileen Fogarty, Director, Planning and Zoning;
Barbara Ross, Deputy Director.

Attachments:

Approaches to Big Box Retail
Major Retail Development in Alexandria, 1990 - 2002
Washington Post article, September 16, 2002

APPROACHES TO BIG BOX RETAIL

Communities across the country and in Virginia have taken steps to address unwanted impacts of big-box retail development. Four primary types of regulatory approaches are used, sometimes in combination with each other:

- Impact Assessments
- Size Limits
- Design Standards
- Planning Moratoria

Impact Assessments

Some communities require that new retail developments above a certain size undergo an impact assessment as part of a permit review process. Review criteria can include impacts on traffic, infrastructure, the local economy, environmental quality, and community character. Examples of these communities include:

- (a) ***Santa Cruz, CA:*** Requires new retail stores over 16,000 square feet to obtain a special permit.
- (b) ***Greenfield, MA:*** Requires new stores exceeding 20,000 square feet in size or expected to generate more than 500 vehicular trips per day to undergo a special review.
- (c) ***Middletown, RI:*** Requires a special use permit for retail developments with a floor area larger than 30,000 square feet, a parking lot larger than 60,000 square feet, or projected to generate more than 1,000 vehicle trips a day.
- (d) ***Bozeman, MT:*** Requires economic, traffic, and environmental impact analyses for new retail stores over 50,000 square feet.
- (e) ***Fauquier County, VA:*** Requires retail establishments that are 5,000 to 75,000 square feet in size to obtain a special permit in the C-1 (Neighborhood) and C-V (Village) districts. These uses are permitted by right in the C-2 (Highway) and C-3 (Shopping Center Community/Regional) districts, but special exception review is required for establishments over 75,000 square feet in these districts.

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The following two communities do not have size thresholds for special review/permitting of retail developments, but denied proposed big boxes based upon impact assessments:

- (f) **North Elba, NY:** The planning board denied a conditional use permit for a proposed 80,000-square foot Wal-Mart. The denial was based upon impacts documented in an Environmental Impact Statement (prepared in accordance with New York's State Environmental Quality Review Act) and standards contained in the Town's Land Use Code. The State Appellate Court upheld the decision. As a result of the Wal-Mart case, North Elba adopted a size ordinance limiting single retail stores to 40,000 square feet and shopping centers to 68,000 square feet.
- (g) **Chestertown, MD:** Following a nine-year legal battle which resulted in a remand of the project by the Maryland Court of Special Appeals back to the Kent County Planning Commission, the Commission denied an application for site plan approval of a 107,000-square foot based on economic impacts on the existing business district. The decision was appealed to Circuit Court and the Maryland Department of Planning filed a motion in the case in support of the Commission.

Size Limits

A number of communities have addressed the impacts of big-box retail developments through regulations that prohibit retail establishments above a certain size limit. These limits can apply to an entire community or to a particular zoning district, area, or neighborhood. In addition, size limits can apply to building footprints rather than total building area, thus allowing/encouraging developments with multiple floors. Examples of communities that have enacted size limits include:

- (a) **Boxborough, MA:** Limits the size of buildings used for principal retail purposes to no larger than 25,000 square feet.
- (b) **Wilton, CT:** Prohibits retail stores larger than 30,000 square feet.
- (c) **Easton, MD:** Limits the size of retail stores to no larger than 65,000 square feet and prohibits the Board of Appeals from granting a variance to allow a larger store. Special permits from Town Council are required for retail stores in excess of 25,000 square feet.
- (d) **Rockville, MD:** Prohibits stores over 65,000 square feet within the Rockville Pike Corridor and C-2 districts, and requires those over 25,000 square feet to comply with design and siting guidelines.
- (e) **Coconino County, AZ:** Prohibits retail stores larger than 70,000 square feet. Conditional use permits are required for stores larger than 25,000 square feet.

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- (f) ***Peachtree City, GA:*** Limits the amount of retail space on any zoning lot to 150,000 square feet. No single commercial tenant may occupy more than 32,000 square feet of floor area, no three commercial tenants may occupy more than 80,000 square feet combined, and no six commercial tenants may occupy more than 10,000 square feet each.
- (g) ***San Francisco, CA:*** Prohibits retail stores above 4,000 square feet from locating in the North Beach Neighborhood.

Design Standards

Many communities have addressed the impacts of large stores on community character and aesthetics through standards or guidelines that address visual character and other site design attributes of big-box retail development. Examples of issues commonly addressed by such standards include:

- (a) Building siting and orientation in relation to streets and adjacent neighborhoods
- (b) Architectural appearance (e.g., treatments to break up monotonous building facades)
- (c) Landscaping
- (d) Size, design, and location of parking areas
- (e) Pedestrian and transit connections

The following are a few examples of the numerous communities that have adopted design standards or guidelines for big-box establishments:

- (a) ***Fort Collins, CO:*** An early trendsetter in this area, Fort Collins adopted design standards for big-box development in 1994. These guidelines prohibit long blank walls that discourage pedestrian activity; mandate display windows, awnings, and other features to add visual interest to the stores; and require sidewalks linking stores to transit stops, street crossings, and building entrances.
- (b) ***Santa Fe, NM:*** Adopted design standards for retail buildings greater than 30,000 square feet in size. These standards are intended to break up the apparent mass and scale of large retail structures, promote a pedestrian-scale environment, encourage a mix of uses and sizes of structures, and reduce the visual impacts of large parking areas.
- (c) ***Hernando County, FL:*** Requires retail stores over 25,000 square feet to comply with appearance standards related to landscaping, architectural character, etc.
- (d) ***Gaithersburg, MD:*** Imposed special restrictions on big boxes within a main-street environment through a small-area plan developed by the City. Site criteria required buildings to front streets, parking to be located to the rear of buildings, and building sizes to be limited.

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- (e) **Falls Church, VA:** Adopted design guidelines for large commercial and office buildings. These guidelines, applied within a designated design district along Broad Street and Washington Street, address site planning and architectural elements such as scale, massing, and building footprint; materials, textures, and colors; and façade orientation and organization.

Planning Moratoria

A number of communities, including some mentioned above, have enacted temporary development moratoria to provide time for development and adoption of big-box regulations. Examples include:

- (a) **Fort Collins, CO:** Adopted a six-month moratorium on stores over 80,000 square feet to provide time for a special task force of citizens, developers, and planners to develop design standards.
- (b) **Easton, MD:** Adopted a 90-day moratorium before adopting its 65,000-square foot size cap on big-box developments. The moratorium and subsequent size limit were prompted by several applications for retail development in excess of 500,000 square feet.
- (c) **Rockville, MD:** Adopted a six-month moratorium prior to adopting a size cap similar to Easton.

MAJOR RETAIL DEVELOPMENT IN ALEXANDRIA 1990 - 2002*

Project	Year	Address	Occupant	Type	Sq. Ft.
Potomac Yard Shopping Center	1998	3601 Jefferson Davis Highway			587,267
			Target	Dept. Store	127,689
			Shoppers Warehouse	Supermarket	76,744
			Best Buy	Home Furnishings	51,639
			Sports Authority	Sporting Goods	43,274
			TJ Maxx	Clothing	30,384
			Barnes & Noble	Books	26,200
			Pets Mart Inc.	Pet Shop	26,040
			Staples	Office Equipment	24,037
Shops at Mark Center	1997	1460 Beauregard Street			63,320
			Giant Food	Supermarket	32,809
The Trade Center	1993	300 S. Pickett Street			180,107
			Home Depot	Hardware	102,205
B.J.'s	1992	101 S. Van Dorn St.	B.J.'s	Discount	116,869
CompUSA		5901 Stevenson	CompUSA	Computer Sales	26,162
Alexandria Commons	1990	3127 Duke Street			132,508
			Giant Food (formerly Hechingers)	Supermarket	50,778
			Mastercraft (formerly CVS)	Furniture	24,000

*Does not include projects with units of less than 20,000 sq. ft., car dealerships, cinemas.

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BUSINESS

WASHINGTON

MONDAY, SEPTEMBER 16, 2002

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Stocks
WashTech

The Urban Invasion of The 'Big Box'

Home Depot, Other Retailers Are Altering the Way People Shop, Live

By NINA LARVIN
Washington Post Staff Writer

Locating a store used to be so simple. In the suburbs, "big boxes." The Wal-Marts, Home Depots, Costcos and Targets of the world reign supreme there, occupying one shopping center after another where an endless stream of shoppers cruise in for their week-end buying.

In the city, small stores line narrow roads. They have higher prices and fewer parking spaces than their suburban counterparts, but they are oh-so-much more close by.

That dichotomy is increasingly being thrown out the window, and that could change the way people in the District, and big cities nationwide, live and shop.

For three months, a Home Depot has been selling power tools and plywood in the Brentwood neighborhood in Northeast, with a Giant grocery store soon to open in the same plaza and perhaps eventually a Kmart. A deal is in place to bring a Target store to a big new development in Columbia Heights. Costco is considering putting a store in Fort Lincoln, along New York Avenue in Northeast. And there is ongoing discussion about finding a new big-box tenant for the old Hechinger store in Hillytown.

Underlying it all, say those famil-

iar with retail, is a need by retailers to keep growing even though many suburbs have become saturated with stores. But the push of such stores into the District, generally endorsed by elected officials and those who live in the neighborhoods where they place their stores, raises some vexing questions about what sort of development cities ought to encourage.

Some experts in urban design argue that the wide open, pedestrian-unfriendly parking lots and sprawling, one-story buildings distant from the street that are routine in suburban stores do not make sense in dense urban neighborhoods. Some worry that big-box retail may be so divergent from the needs of neighborhoods, and bring enough unwelcome side effects, that they could make those areas a less prosperous, less desirable place to live.

"In an ideal world, the big-box stores would be integrated with existing retail development, and that often isn't happening now," said Michael Beyard, a senior resident fellow at the Urban Land Institute.

A June article in Washington City Paper that was sharply critical of the design of the Brentwood Home Depot described it this way: "A huge wall lumbers around the outside of the facility, greeting newcomers with a face full of con-

See STORES, B10, Col. 1

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Debating Big Stores' Place In the Big City

STORES, From E1

crete and carving out a crude square of commerce from the surrounding community."

The developers of the Brentwood site and District officials say they have taken some of these concerns into account, but the question remains: Can the kind of big retail that is increasingly coming to the District, and which communities often covet, coexist with the neighborhoods in which they are sited?

Three months into Home Depot's foray into the District, the Brentwood neighborhood around it offers a look at how big boxes in an urban setting work—and what they do and do not do for the people who live there.

One thing nearly everyone can agree on: The new retail development is better than what preceded it on the stretch of land next to the Rhode Island Avenue Metro Station on Brentwood Road NE. Until the big new parking lot and shopping center were built, it was a barren, unpaved lot, a storage dump for road salt, and a place where driver's license applicants took their road test.

It was an eyesore, right on the edge of a neighborhood where blocks of charming, early 20th-century houses and apartment buildings abut monolithic postwar housing projects, where residents in a single row of houses can range from middle-income to poor.

After a wave of work by D.C. economic development officials and Mayor Anthony A. Williams, Detroit-based developer Graimark-Walker Urban Developments LLC acquired the property and cleared it to make room for Home Depot, Giant and Kmart. The Kmart portion is on hold as the company tries to emerge from bankruptcy; a company spokesman said last week that Kmart Corp. hopes to know by the end of the year whether it will proceed with a Brentwood store. Talks are underway to try to line up a replacement if Kmart indeed cancels its plans.

Some of the officials who pushed

hardest for the project say it is a rousing success, removing a blight from the neighborhood and laying the groundwork for Brentwood to develop a stronger base of jobs and commercial activity.

"I think clearly it's made a significant difference in the quality of life in the area," said D.C. Council member Vincent B. Orange Sr., who represents the area. "People are getting jobs at these stores. People have places to shop. They can walk across the street to work, providing the opportunity to support themselves."

ElChino M. Martin, chief of staff in the District's planning and economic development office, said: "Some of the other retail on Rhode Island Avenue is being renovated, and we have more residential development scheduled. It's having the kind of catalytic effect that we hoped for."

On the ground in Brentwood, the reaction has been mostly positive, too.

Bernard Perry is principal of Calvary Christian Academy, across Rhode Island Avenue from the new development. It has been good, he said, having a neighbor in place that helps make the area safer and may encourage more growth. The one disadvantage may be slightly increased traffic, but having a major thoroughfare a few feet from the entrance to the school means it was already pretty bad.

Johnsie Petite, a lifelong resident of the community who lives on 10th Street NE, said she was thrilled that people now come from all over to shop in her neighborhood, rather than the other way around. And in doing repairs on her own house, she has spent lots of money there herself.

"I almost get myself in trouble going there so often, buying stuff for every little thing that goes wrong in the house," she said.

Others are glad for the jobs, and that residents of Brentwood no longer have to travel downtown or to the suburbs for work.

Others have qualms. R.L. Watson, who lives on 10th Street, is frustrated that the new



Above left, the new Home Depot in Brentwood at 10th St. NE. The neighborhood is being transformed by the "big-box" stores moving in. Above, Daryl Watson walks past the development. His father, R.L. Watson, says he's glad to see business moving into the community but calls the new store "an eyesore."

development backs up close to his house, leaving nothing but a few feet of grass and a big concrete wall between him and a huge retail complex.

"Nobody got the homeowners' approval," Watson said. "It's an eyesore. It's right up against my bedroom window, just a big wall. ... Plus, there's a water outlet in the wall that's going to flood my yard when there's enough rain."

He added, "I'm glad we're getting something in here. It's how they set it up that gets to me."

Others worry that the neighborhood's rising fortunes will push them out.

"There's rumors they're going to sell my building and put up more expensive stuff," said Willette Byrd, who lives in a building a half-

block away from Home Depot. "It's just rumors so far, but it makes me nervous."

The people actually making some of the physical transformation of the neighborhood happen, meanwhile, are just glad not to have to drive to Maryland every time they need more lumber.

"I just wish the checkout lines weren't so long," said Norman Washington, of Washington General Contractors Inc., as he and his brothers took a break from demolishing three old bungalows that will make way for a new church sanctuary.

The first set of big-box retailers to open in cities, as at the Brentwood site, is effectively taking the stores normally built in the suburbs and sticking them into "grayfield"

sites in cities, former industrial zones where many contiguous acres are typically available and have good road access, said Beyard of the Urban Land Institute.

The result is stores that, like their suburban counterparts, draw in shoppers from all over. In the parking lot of the Brentwood Home Depot on Thursday afternoon, there were 59 cars with District license plates—and 48 cars with Maryland or Virginia plates. Reversing the outward flow of cash—and sales-tax revenue—strikes many in the District as a huge victory.

"It warms my heart," said Martin, of the District planning office, of suburbanites spending their money in the District, rather than the other way around.

As he and others describe it, with each potential site, the D.C. government must balance the need to attract the big retailers, which generally want the least-expensive, simplest site to work with, and the desire to create neighborhoods where people can walk between stores, the Metro and restaurants without crossing expansive parking lots.

"Each project has to be looked at on its own merits," Martin said.

Beyard said the first-generation urban boxes like those in Brentwood are giving way to a new breed—of which the planned Columbia Heights Target is one—where retailers are being forced by zoning rules, or neighborhood groups, or some other form of pressure to make boxes that are on scale with their surroundings.

For example, the Columbia Heights development, called DCUSA, is to have three levels of un-

derground parking, unlike the single level of open-air parking the big boxes prefer.

"Five years ago, for the store was my way or no way," Beyard said. "The stores want a single level, with wide parking lots out front to fit their standard formats. There's enough competition on sites that they're willing to compromise. We've seen a fundamental change in the willingness of big stores to accept compromise."

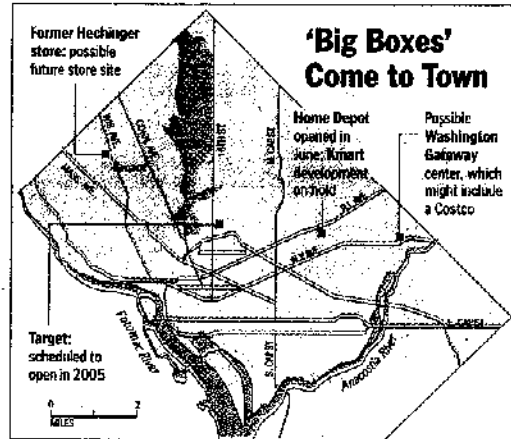
And as it turns out, even big stores in neighborhoods such as Brentwood may be able to learn that kind of mixed development.

Graimark-Walker, the developer of the Home Depot site, is planning a complex next to it. Awarded through the Metro program, the project is meant to connect the Rhode Island Metro with the Brentwood neighborhood while adding 270 units of housing and ground-level retail space.

It is precisely the kind of large-scale development that many urban planners covet: easily accessible by pedestrians and lots of housing options for the denser in the streets around the Metro.

Ed Hord, the Baltimore-based architect of Hord Cuyler Inc. who helped design the Rhode Island Metro project, described this way: "I definitely see its role as a bridge to the neighborhood connecting the big-box store to the rest of the area. It can be accessed by pedestrians more easily, there's still good vehicular access. ... It creates something other than this giant parking lot to drive through."

Staff writer Dina ElBoghdady contributed to this report.



THE WASHINGTON POST



INTERNATIONAL MASS RETAIL ASSOCIATION

The world's leading alliance of retailers and suppliers.

Robert J. Verdisco, President

September 27, 2002

Barbara Ross
Deputy Director
Department of Planning and Zoning
City of Alexandria
301 King Street, Room 2100
Alexandria, Virginia

Dear Ms. Ross:

The International Mass Retail Association (IMRA) strongly urges you to oppose any changes to the City of Alexandria's Zoning Code limiting retail stores over 30,000 square feet because it will restrict growth and dramatically reduce the selection and quality of competitively priced goods enjoyed by consumers.

IMRA-the world's leading alliance of retailers and their product and service suppliers-is committed to bringing price-competitive value to the world's consumers. IMRA members represent over \$1 trillion in sales annually and operate over 100,000 stores, manufacturing facilities, and distribution centers nationwide. Our member retailers and suppliers have facilities in all 50 states, as well as internationally, and employ millions of Americans. As a full-service trade association, IMRA provides industry research and education, government advocacy, and a unique forum for its members to establish relationships, solve problems, and work together for the benefit of the consumer and the mass retail industry.

By restricting growth of large-scale retailers, who are among the fastest-growing businesses in the nation, the 30,000 square foot limitation is a direct assault on the consumers of Alexandria. Consumers enjoy the convenience of "one-stop" shopping, particularly at price-competitive stores, which give them access to a wider selection of merchandise at affordable prices. Large mass retail stores allow shoppers to stick to a budget and have more time to spend with friends and family. They also are valued highly by seniors who live on fixed and limited incomes.

IMRA welcomes the opportunity to meet with Alexandria officials to discuss the effects of this legislation on the mass retail industry. The International Mass Retail Association believes in free and open markets, consumer choice, and a strong commitment to America's communities. We hope that you share this view and will join us in opposing amendments limiting retail store size.

In the meantime, if we may be of any additional assistance, please do not hesitate to contact Jason Todd at (703) 841-2300.

Thank you for your consideration.

Sincerely,

Robert J. Verdisco
President, IMRA

1700 North Moore Street • Suite 2250 • Arlington, VA 22209 • Phone 703.841.2300 • Fax 703.841.1184

www.imra.org

#14. TA 2002-0006
BIG BOX RETAIL



International Council of Shopping Centers
1033 N. Fairfax Street, Suite 404, Alexandria, VA 22314-1540
703/549-7404 • Fax: 703/549-8712 • www.icsc.org

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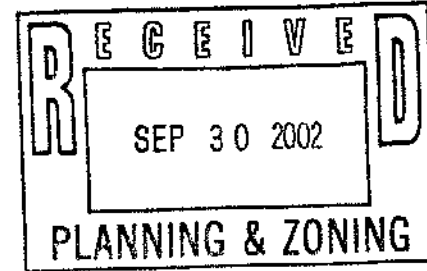
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- 40. DAVID L. KIRBY, Seattle, WA
- 41. JILLIAN L. KIRBY, London, UK
- 42. JAMES L. KIRBY, Charlotte, VA
- 43. *WILLIAM L. KIRBY, JR., Weston, MA
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- 49. *JOHN M. KIRBY, JR., New York, NY
- 50. *MICHAEL W. KIRBY, JR., New York, NY
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- 60. *MICHAEL W. KIRBY, JR., New York, NY

September 27, 2002

Barbara Ross, Deputy Director
Department of Planning and Zoning
City of Alexandria
301 King Street, Room 2100
Alexandria, Virginia



Dear Ms. Ross:

The International Council of Shopping Centers (ICSC) strongly urges the City of Alexandria to not support any changes to the City of Alexandria's Zoning Code limiting retail stores over 30,000 square feet. Such a restriction sends the wrong message to a dynamic industry that provides many jobs, collects sales tax revenues to state and local government and offers competitively priced goods enjoyed by consumers of all income ranges.

As you may recall, ICSC is the trade association of the shopping center industry. We have over 39,000 members from the U.S., Canada and more than 70 other countries who represent shopping center owners, developers, managers, marketing specialists, investors, lenders, retailers and other professionals as well as academics and public officials.

Many local governments have taken *shortcuts* in addressing legitimate public policy issues by banning or forcing "special exception" clauses upon retailers of a given size. Inevitably the "law of unintended consequences" comes into play. We are currently working in two jurisdictions that legislated away retail uses that were desired by the public at large. The costs associated with the special exception clause made the community uncompetitive and undesirable. Market forces must be allowed to play a role and consumer freedom must be the first responsibility of any community. I am concerned that legislative action today may limit the choices of your citizens tomorrow. None of us can predict the retail needs or trends of the future. Why bottleneck the process today by confining size ordinances when your real issues are traffic and other quality of life issues like education and healthcare?

Another jurisdiction voted to ban retail activity of a certain size the same month that its county executive was at our annual meeting and recruiting retailers to his community. What a mixed message. Our industry works closely with the US Conference of Mayors, NACCO and the Nat'l League of Cities on important growth management, economic development and environmental issues. They, as a group, understand that these legislative bans do not work and further distort economic markets as bordering jurisdictions counter legislate. Our members seek to work with zoning staffs to ensure use, design, and impact are

* International Council of Shopping Centers
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consistent with community needs and desires as well as realistic about market forces, opportunity and revitalization.

ICSC welcomes the opportunity to meet with Alexandria officials to discuss the effects of this legislation on the retail estate industry and its impact on free markets and consumer choice. Please do not hesitate to call me at (703) 549-7404 if you have any questions.

Thank you for your consideration.

A large, stylized handwritten signature in black ink, appearing to read 'Herbert L. Tyson', is written over the typed name and title.

Herbert L. Tyson
State Vice President, Government Relations

Cc: John Schwarzman, ICSC Northern Virginia Government Relations
Chairman

#14. TA 2002-0006

304 East Spring Street
Alexandria, Virginia 22301
October 1, 2002

Members of the Planning Commission
City Hall
Alexandria, Virginia

Dear members of the Planning Commission:

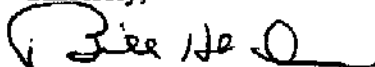
I strongly support the planning staff's proposal to require a special use permit for retail uses over 30,000 square feet in size.

I find it appalling that, under current city rules, a large big box store could be located near or adjacent to a residential neighborhood and citizens would not have the right to comment on it at a public hearing.

Big box retail can be an asset to the city, but it can also have potentially large negative effects on residential areas. But there are ways to mitigate these effects and integrate a big box store into the fabric of the city through use of underground parking, superior building design and landscaping, and pedestrian-oriented features. Such features are being incorporated into a growing number of big box retail developments around the United States. The requirement for an SUP would allow this process to occur in Alexandria.

I understand that economic development and business interests in the city, including the Chamber of Commerce, are lobbying very hard against this proposal, presumably because they think it might discourage big box stores from locating here. That is an understandable position, but I believe that these fears are misplaced. Because of its growing population and affluence, Alexandria is an exceptionally attractive place to locate large retail stores. We ought to use that leverage to seek the most attractive development possible, development that improves the city's overall quality of life, not just its economic prospects.

Sincerely,



Bill Hendrickson

#14. TA 2002-0006

Bob A. Barron
723 North Fayette Street
Alexandria, Virginia 22314
September 30, 2002

I'm a resident at the newly constructed **Lofts at Braddock Metro** and I'm in favor of the amendment to the commercial zone to require a special use permit for retail space for over 30,000 sq. ft.

One of the main reasons for buying into the area was because of the unique urban feel that is being developed around Alexandria's Braddock Road Metro Station. Placing a BIG BOX retail store adjacent to prime urban growth areas is just poor urban planning.

Variously called BIG BOX retailer, Warehouse Clubs, or – more accurately - category killers, these new MEGA stores are sprouting up all over the country. These BIG BOX stores are HUGE and require proportionally HUGE amounts of additional valuable land to park cars. The proposed amendment is for stores in excess of 30 THOUSAND square feet. That is about three quarters the size of a football field. This dimension fails to acknowledge that these BIG BOX retailers also require HUGE parking lots.

Environmentalists say that BIG BOX stores cause serious pollution by generating HUGE volumes of automobile traffic. This traffic negatively impacts our quality of life by emitting large amounts of carbon dioxide into the air and leaking oil into our waterways. A single BIG BOX store can generate as many as 10,000 car trips a day. These BIG BOX stores disrupt the quality of life in nearby neighborhoods. BIG BOX stores exert pressure to widen adjacent roads thus further degrading the livability of nearby neighborhoods. Have any of you traveled along Route One next to Potomac Yards on a weekend afternoon? Do you really want that level of congestion coming into a compact urban neighborhood like Old Town – even the North End of Old Town?

BIG BOX stores send this message: "This is an automobile friendly – as opposed to pedestrian friendly – environment. Don't bother walking here. There is a HUGE sea of asphalt for parking in front of uniformly unattractive, one story, fortress-like, inward-looking buildings."

Eakin/Youngentob Associates, the developer of the **Lofts at Braddock Metro** is the Washington Metropolitan Area's leading urban infill homebuilder. They have won numerous awards for their innovative urban developments including several in Old Town. The planning commission is to be complimented for promoting this type of urban planning. However, BIG BOX retailers are the antithesis of good urban planning. Does it make any sense to have these two diametrically opposed visions of urban planning within a few blocks of each other?

People, who live near BIG BOX stores complain that the HUGE parking lots are ugly and bring trash, noise and traffic congestion into formerly attractive, livable neighborhoods - creating a negative net impact on the area. I would not want to live near one and I expect that the other 39 new families taking up residence at the **Lofts at Braddock Metro** would feel the same.

Has the economic impact of BIG BOX retailers been adequately assessed? Large volumes of traffic require taxpayer-subsidized roads. BIG BOX retailers tend to displace existing businesses - especially small, locally owned stores. This has the effect of draining the vitality of the older downtown, and stimulates disinvestments in existing buildings downtown. Is this what you want for Old Town?

Much is at stake in the debate over BIG BOX stores. The proliferation of wasteful and inefficient sprawl development undercuts many well proven goals: saving the environment, reducing air pollution, revitalizing older communities, preserving and promoting a sense of community in the Braddock Road Metro area. I expected that the **Lofts at Braddock Metro** were an indication of a positive trend toward exemplary urban planning that would revitalize the neighborhood. I thought that was the Planning Commission's overall commitment to this neighborhood. That is why I moved here.

Chairman Wagner and Members of the Planning Commission:

I am Katy Cannady. I live at 20 East Oak Street.

I've grown to love the Target store. But I remember when the Potomac Yard shopping center popped up like a field of giant toadstools in the lawn. Many people found the whole conglomeration less welcome than weeds in the flowerbed. There may well still be a few people around who are keeping their pledge never to shop there. Potomac Yard still generates an unwelcome weekend traffic jam and no one could claim that the acres of asphalt in the parking lot enhance our landscape.

If I remember things correctly, it all came about as an interim use in a coordinated development district. We as a community never considered whether or not we wanted that use on that valuable land. As far as I know, the Target loading dock still offers one of the best views of the Washington Monument anywhere in this area.

Big boxes change the character of their surrounding areas. They are automobile dependent and they gobble up land. One expects to find them in areas where land is plentiful and relatively cheap, not squeezed into our compact, very nearly overstuffed little city.

Yet the big box retail concept offers consumers something they really want -- a wide selection of merchandise at relatively cheap prices. It may well be that there are neighborhoods in this city that would welcome a big box. By requiring a special use for this type of retail, we merely require would-be big box retailers to inquire of the neighbors whether or not they would be welcome in a particular neighborhood. Considering how intrusive a big box, its vast parking lot, and the traffic and delivery trucks it generates would be; that's little enough to ask.

Frankly I don't know how any reasonable person could object to this simple requirement. Of course, every big box that seeks to locate here should have a special use permit. I don't know how we could operate any other way.

Thank you.

POUL HERTEL

October 1, 2002

SUBJECT: ITEM 14

Mr. chairman, members of the planning commission.

For many years criticism, and at time severe criticism, has been levied against the City for what has been coined "lack of planning". The lack of a holistic approach has left the City open to the charge of implementing a piecemeal approach toward development.

The staff report addresses one of the issues and in doing so points out the weaknesses of many of the applications. Notably, the ever-increasing urbanization of the City of Alexandria requires greater care to ensure the zoning regulations follow suit.

Two issues have been raised repeatedly. Firstly, the notion of a suburban mindset is incompatible with the level of development envisioned in the master plan, and consequently, brings forth conflict and even calls for lower density.

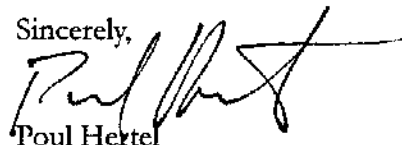
Secondly, the City has lacked firmness in ensuring that development actually fits within the fabric of the community.

The myopic search for density maximization has shown its inability to address the needs of an ever-increasing urban setting. We often hear about the need for density, but as my wife Connie Graham has been asking for years, where are the urban amenities? For urbanism entails more than just giving incentives for development.

If the City of Alexandria is serious about development it needs to change toward a mind set that acknowledges the necessity of incorporating urban guidelines into the zoning regulations.

The text amendment does precisely that. Suburbanism is characterized by lots of land and the ability to build relatively cheaply. Urbanism requires greater care if the same density is to be implemented. In the final analysis, urbanism is more than mere development, it is a mindset and this text amendment moves us in that direction.

Sincerely,



Poul Hertel


*City of Alexandria, Virginia*19
10-19-02

MEMORANDUM

DATE: OCTOBER 18, 2002

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHIL SUNDERLAND, CITY MANAGER

FROM: EILEEN FOGARTY, DIRECTOR
PLANNING AND ZONING 

SUBJECT: BIG BOX RETAIL

Councilwoman Claire Eberwein has asked that staff set out the parameters of the grandfathering provisions proposed to apply to existing big box retail stores. As stated on page 2 of the staff report delivered to City Council, it is staff's recommendation that existing retail stores that fall within the big box threshold size be grandfathered. In other words, existing stores that are over 20,000 square feet (as proposed by the Planning Commission) in size would not be subject to the SUP requirement. It is further staff's recommendation that the grandfathered stores be permitted to expand without the necessity of a special use permit. As is common practice, the specific language of the grandfathering provision will be part of the ordinance adopting the text amendment.

EXHIBIT NO. 319
10-19-02304 East Spring Street
Alexandria, Virginia 22301
October 17, 2002Mayor Kerry Donley and
Members of the City Council
City Hall
Alexandria, Virginia

Dear Mayor Donley and Council members:

I strongly support the planning staff's proposal to require a special use permit for retail uses over 30,000 square feet in size.

I find it appalling that, under current city rules, a large big box store could be located near or adjacent to a residential neighborhood and citizens would not have the right to comment on it at a public hearing.

Big box retail can be an asset to the city, but it can also have potentially large negative effects on residential areas. But there are ways to mitigate these effects and integrate a big box store into the fabric of the city through use of underground parking, superior building design and landscaping, and pedestrian-oriented features. Such features are being incorporated into a growing number of big box retail developments around the United States. The requirement for an SUP would allow this process to occur in Alexandria.

I understand that economic development and business interests in the city, including the Chamber of Commerce, are lobbying very hard against this proposal, presumably because they think it might discourage big box stores from locating here. That is an understandable position, but I believe that these fears are misplaced. Because of its growing population and affluence, Alexandria is an exceptionally attractive place to locate large retail stores. We ought to use that leverage to seek the most attractive development possible, development that improves the city's overall quality of life, not just its economic prospects.

Sincerely,


Bill Hendrickson

Del Ray Citizens Association

19
10-19-02

PO Box 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

To: Honorable Members of City Council
Eileen Fogarty, Director, Office of Planning and Zoning

From: Rob Krupicka, President
David Fromm, Third Vice President

Date: October 18, 2002

Subject: Text Amendment # 2002-0006, Big Box Retail
Consideration of an amendment to the zoning ordinance to require a special use permit for retail uses over 30,000 square feet.

On Monday, October 14, the Del Ray Citizen Association voted to support the "Big Box" Text Amendment (#2002-0006) as amended by the Planning Commission.

We recognize that retail plays an important role in our quality of life, our tax base and the services provided as a result of our tax base. We also recognize that large retail establishments, or so called "Big Box" retail, often create traffic, noise and other inconveniences to the neighborhoods in which they locate. Given the importance of retail's role and the scale of its potential neighborhood inconveniences, we believe that large expanses of retail should go through the same "special use permit" process that restaurants and other businesses must go through to establish themselves in our city.

Alexandria is a dense city that provides attractive opportunities for retail. We should not be forced to accept the standard suburban or countryside versions of the "Big Box" product. The convenience, job creation and price benefits of large scale retail are often very attractive. Nevertheless, if those businesses want to provide services in Alexandria, we would like them to work with the city so that they provide a product that is suitable to our unique urban environment.

We request your support for this position and welcome your questions and comments. Please feel free to contact President Rob Krupicka at 703-838-0280 or Third Vice President David Fromm at 703-549-3412.

October 9, 2002

19
10-19-02

Kerry J. Donley
Mayor
City of Alexandria
City Hall, 301 King Street
Alexandria, VA 22314

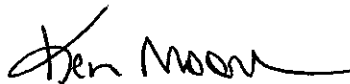
RE: Text Amendment #2002-0006 Big Box Retail

Dear Mayor Donley:

As you are aware, in the past month, the Department of Planning & Zoning initiated text amendment #2002-0006 entitled "Big Box Retail," which was heard by the Planning Commission at its October 1, 2002 public hearing. It appears, from both the staff report and discussion at the Planning Commission, that the intent of the text amendment was to regulate "big box" retail. However, the text amendment, as recommended by the Planning Commission, would impact any retail establishment 20,000 square feet or more in virtually every commercial zone and could have unintended consequences that would negatively impact the City of Alexandria from both a land planning and economic development perspective.

Regretfully there was little opportunity to discuss this matter prior to it being sent to the Planning Commission. Our meeting with staff occurred only a day before the Planning Commission meeting. Because there has not been an adequate discussion of the potential far reaching implications of this text amendment, we ask that the City Council defer action until the text amendment can be fully analyzed and addressed. We would be pleased to have a representative of the Alexandria Chamber of Commerce involved in further discussions regarding this matter.

Sincerely,



Ken Moore
President & CEO

Cc: City Council Members
City Manager

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Accredited by the
Chamber of Commerce
of the United States of America

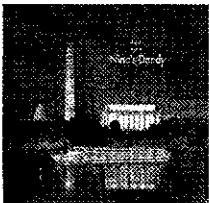
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CORPORATE SPONSORS:



POTOMAC YARD



MARTIN FOCUS GROUP CENTRES
WE FOCUS ON VIRGINIA



19
10-19-02



elizabeth.wright@baesy
stems.com

10/17/02 11:00 PM

To: billclev@comcast.net @ INTERNET, wmeuille@wdeuille.com @
INTERNET, eberweincouncil@comcast.net @ INTERNET,
dspeck@aol.com @ INTERNET, delpepper@aol.com @ INTERNET,
council@joycewoodson.net @ INTERNET, kdonley@vcbonline.com
@ INTERNET

Subject: Big Box SUP Requirements

Dear Councilors and Mayor,

My neighborhood is concerned with Big Box Stores because on the West End, we seem to have several businesses that fit this category. Our understanding is BJs was supposed to have several requirements that have either gone unnoticed or unenforced, such as "living trees" on the property, not dead twigs.

The rules outlined by the Planning Commission are fair, sensible, and make good URBAN planning sense. The wasted land area in Potomac Yard is ridiculous when we consider we live in an urban area with expensive, precious little available land. If Urban Planning was executed in Potomac Yard, affordable housing could have been planned above the retail areas much like Pentagon City did in Pentagon Row. I continually find myself looking to Arlington for how to "do things right." I'd rather keep my eyes on my own community.

What if better land use/planning had been executed in Potomac Yard? Does this mean there might have been more land available for an elementary school? A new high school? A new park? (I keep wondering where all the Sept 11 babies will go to Kindergarten in 2006.)

The time to employ solid planning is now. Please address this issue on Saturday, October 26th. The Planning Commission has done the city well by studying this issue and passing Text Amendment 2002-0006 unanimously. Please show the citizens, Arlington, and future shoppers, visitors, and residents improved city planning started October 26, 2002 in Alexandria regarding efficient, responsible, land use with Big Box Stores.

Respectfully yours,

Elizabeth Wright



Rlrmiller@aol.com

10/18/02 09:13 AM

To: Beverly I Jett@Alex
Subject: Oct 19 council meeting

19
10-19-02

Reference "Big Box" buildings:

Support Planning Commission's decision to allow SUP's for these behemoth buildings. Do not defer. Vote now to support Planning Commission.

Judy Miller -- Rosemont resident.

WAL★MART

WAL-MART STORES, INC.
CORPORATE OFFICES
702 S.W. 8TH ST.
BENTONVILLE, AR 72716
(501) 273-4317

October 18, 2002

Mayor Kerry J. Donley
City Of Alexandria
301 King Street
Alexandria, VA

19
10-19-02

Dear Mayor Donley:

On behalf of Wal-Mart Stores, Inc., I would like to take this opportunity to comment on Zoning Text Amendment #2002-0006 which would require a special use permit for any retail use over 30,000 square feet. I previously spoke in opposition to this amendment at the planning commission meeting held on October 1, 2002, but will be unable to attend Saturday's hearing due to a previous commitment.

I would not argue with the right of any citizen to provide feedback on future development plans by means of a public hearing process. Rather, our concern stems from the subjective nature of the proposed amendment guidelines, specifically as it relates to "efficient and best use of land, circulation and compatibility" which were mentioned in the staff report. We do not believe that the amendment guidelines give enough direction to prospective applicants in understanding what would be expected from them.

Another concern would be the impact this proposed amendment might have on our existing stores, and others like them, which may look to expand in the future should the market dynamics prove to be successful. Will existing stores be subject to a whole new set of guidelines which may hinder their expansion or will they somehow be exempt from any new changes?

We believe there should be some form of open dialogue and discussion which would allow the business community to provide input before such changes are put into motion. We would welcome the opportunity to meet with city officials to discuss this legislation and its impact on the business community before it proceeds further, and ask that you consider delaying a vote on this amendment until such dialogue can be facilitated.

We look forward working with you in the future.

Sincerely,


Keith Morris
Community Affairs Manager
Wal-Mart Stores, Inc.



alsdmf@earthlink.net

10/16/02 10:27 AM

19

10-19-02

To: mayoralx@aol.com @ INTERNET, billclev@comcast.net @
INTERNET, wmeuille@wdeuille.com @ INTERNET, dspeck@aol.com
@ INTERNET, delpepper@aol.com @ INTERNET,
eberweincouncil@comcast.net @ INTERNET,
eberweincouncil@comcast.net @ INTERNET
Subject: Support for "Big Box" Text Amendment #2002-0006

To Alexandria City Council:

I understand that the Council is being asked to defer the public hearing on the "Big Box" Text Amendment (#2002-0006).

I am asking that the matter NOT be deferred, but that it remain on Saturday's docket and that City Council approve it as amended by the Planning Commission.

It is often noted that Alexandria is the 10th most dense urban area in the country and that we have one of the lowest per capita amounts of open space and parklands. Except for a few large tracts of open land, the future promises redevelopment and in-fill. These are activities that will take place within existing dense urban neighborhoods and will connect to already crowded roads.

I believe we do not have the luxury of space and infrastructure resources to support without review, comment and approval, the continued consequences of the typical "Big box" business plan. Requiring a special use permit for retail uses over 20,000 square feet, is a change to the zoning ordinance that is long overdue.

In reviewing the letters sent to the Planning Commission from the International Mass Retail Association and the International Council of Shopping Centers, it was evident that they did not understand the SUP process. They equated the text amendment with the effective prohibition of stores over 20,000 sq.ft. (30,000 at the time of the PC). And although they spoke of many important things like free and open markets, neither letter addressed the importance of fitting into the neighborhood.

It has been my experience that unless a permit/review process brings a business to the bargaining table, the corporate approach to business plans and designs for a specific site is often inflexible, intractable, and unimaginative. The "Big box" text amendment will help to bring an important stakeholder to the table.

I see many other encouraging changes happening to the planning process for the city, such as; text amendment #2002-0005 (which I hope you will also approve) seeks to improve the process for development approvals and procedures, the open space study and the recreational needs assessment, the "Plan for Planning" efforts (with the Upper Potomac West plan as an example), and finally, citizen groups putting in significant time, energy and good-faith effort into the process. The "Big box" text amendment should be part of this and to delay its implementation will hamper effective planning in key areas of the city.

So in conclusion, do not defer the "Big box" text amendment. Instead, do as the Del Ray Citizens Association did on 14 October and unanimously approve text amendment #2002-0006.

To paraphrase Robert Frost, in the city, good planning makes for good neighbors. A robust, good-faith SUP process involving ALL the stakeholders results in good planning, good design, good neighbors.

Sincerely,
David Fromm
2307 E. Randolph Ave
Alexandria, VA 22301
703-549-3412

cc: Clerk of Council, Department of Planning and Zoning



INTERNATIONAL MASS RETAIL ASSOCIATION

The world's leading alliance of retailers and suppliers.

Robert J. Verdisco, President

October 16, 2002

The Honorable Kerry J. Donley
 Mayor, City of Alexandria
 301 King Street
 Alexandria, Virginia

19
 10-19-02

Dear Mr. Mayor:

The International Mass Retail Association (IMRA) strongly urges you to defer the text amendment that limits retail stores over 20,000 square feet in the City of Alexandria to staff for further study. As it stands, such an ordinance would restrict growth and dramatically reduce the selection and quality of competitively priced goods enjoyed by Alexandria consumers.

IMRA—the world's leading alliance of retailers and their product and service suppliers—is committed to bringing price-competitive value to the world's consumers. IMRA members represent over \$1 trillion in sales annually and operate over 100,000 stores, manufacturing facilities, and distribution centers nationwide. Our member retailers and suppliers have facilities in all 50 states, as well as internationally, and employ millions of Americans. As a full-service trade association, IMRA provides industry research and education, government advocacy, and a unique forum for its members to establish relationships, solve problems, and work together for the benefit of the consumer and the mass retail industry.

By restricting growth of large-scale retailers, who are among the fastest-growing businesses in the nation, the 20,000 square foot limitation is a direct assault on the consumers of Alexandria. Consumers enjoy the convenience of "one-stop" shopping, particularly at price-competitive stores, which give them access to a wider selection of merchandise at affordable prices. Large mass retail stores allow shoppers to stick to a budget and have more time to spend with friends and family. They also are valued highly by seniors who live on fixed and limited incomes.

IMRA welcomes the opportunity to meet with Alexandria officials to discuss the effects of this legislation on the mass retail industry. The International Mass Retail Association believes in free and open markets, consumer choice, and a strong commitment to America's communities. We hope that you share this view and will join us in opposing this amendment that ultimately limits consumer choice in Alexandria.

In the meantime, if we may be of any additional assistance, please do not hesitate to contact Jason Todd at (703) 841-2300.

Thank you for your consideration.

Sincerely,

Robert J. Verdisco
 President, IMRA

CC: Vice Mayor William C. "Bill" Cleveland
 Councilwoman Claire M. Eberwein
 Councilman William D. Eulle

Councilwoman Redeffa S. "Del" Pepper
 Councilman David G. Speck
 Councilwoman Joyce Woodson

1700 North Moore Street • Suite 2250 • Arlington, VA 22209 • Phone 703.841.2300 • Fax 703.841.1184

www.imra.org



jcbzx@mindspring.com

10/12/02 06:39 PM

19
10-19-02

To: mayoralx@aol.com @ INTERNET, billclev@comcast.net @
INTERNET, eberweincouncil@comcast.net @ INTERNET,
wmeuille@wdeuille.com @ INTERNET, delpepper@aol.com @
INTERNET, dspeck@aol.com @ INTERNET,
council@joycewoodson.net @ INTERNET
Subject: Docket Item 19, Big Box Retail, at 10/19/02 Council Meeting

Dear Mayor and Council Members,

This letter concerns docket item number 19 (Big Box Retail) at your public hearing meeting on October 19, 2002. At our most recent meeting on October 3, 2002, the Holmes Run Park Committee unanimously passed a resolution supporting the Alexandria Department of Planning and Zoning's proposed text amendment #2002-0006 (Big Box Retail). For the reasons that Staff outlines in its October first report to the Planning Commission, we feel this will give the City an important tool to avoid potential negative effects of big box retail. The HRPC can see the value of this amendment for future development at Foxchase Shopping Center, the Trade Center on S. Pickett and the Landmark area. We understand that there may be big boxes looking at west Eisenhower valley and the Braddock Road Metro station. While the SUP process gives some added protection to keep bad things from happening, it also offers opportunities to get good ones such as the Fresh Fields proposed for Duke Street. The Holmes Run Park Committee urges the Alexandria City Council to follow the recommendation of Staff and the Planning Commission on this issue.

Sincerely,

Jeff Bernholz
Chair, Holmes Run Park Committee



jb900@yahoo.com
10/16/02 11:29 PM

19

10-19-02

To: billclev@comcast.net @ INTERNET, mayoralx@aol.com @
INTERNET, eberweincouncil@comcast.net @ INTERNET,
wmeuille@wdeuille.com @ INTERNET, delpepper@aol.com @
INTERNET, dspeck@aol.com @ INTERNET,
council@joycewoodson.net @ INTERNET
Subject: Big Box Retail - Docket item #19

Do you Yahoo!?

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TO: MAYOR AND CITY COUNCIL

RE: BIG BOX RETAIL, DOCKET ITEM# 19

Please approve the text amendment that is on Saturday's docket concerning Big Box Retailers. We believe this amendment is a prudent requirement for reviewing plans of these retailers, just as is required for several other type businesses in the City. The SUP requirement has served the City and its residents well and in the long run, the businesses that are covered by the requirement. It creates the necessary dialogue between the City, applicants and residents to make for a high quality project, and helps assure that both businesses and residents are good and understanding neighbors.

Living in a new community that is adjacent to one of these big box stores (granted the store was there before we were), we can assure all who have not had the experience, that there are many transitions, connections, views, noise controls, visual controls and esthetic stimuli that would have been planned much better had that store been subject to some kind of SUP process. On your travels through the City, please drive to the Home Depot in the Trade Center, and pay particular attention to the abrupt and unsatisfactory transition between the south side of Home Depot with Cameron Station, and imagine what it's like having that in your back yard. On the other hand, two car dealers adjacent to Cameron Station had to go through the SUP process recently to expand their operations. In both cases, the City and the community were able to negotiate improvements and enhancements that benefited the community, such as noise and light controls, enhanced fencing and landscaping and improved streetscapes. The process also facilitated all involved in becoming more understanding neighbors and more sensitive to each other's needs and aspirations.

I hear through scuttlebutt that some people in the business community want this matter deferred, some, perhaps cynically, say to allow one of these big boxers to slide under the radar screen near the Braddock Road Metro station and get plans approved before the amendment can take affect. I hope this isn't true and am confident you would not allow it to occur.

I will speak in support of the amendment on Saturday.

Joseph S. Bennett, President
Cameron Station Civic Association

19
10-19-02

Text Amendment

Big Box Retail
City Council – October 19, 2002

TA # 2002-0006



EXHIBIT NO. 7

Text Amendment

Analysis of Significant Issues

- Land intensive use - suburban
- Regional draw-traffic
- Auto oriented – excessive parking loading
- Neighborhood Scale
 - mass
 - character
 - Metro



Big Box Retail

Text Amendment



Issues of Neighborhood Compatibility

Text Amendment

Planning Commission recommends approval 7 – 0

- Extensive public testimony
- Clear need for city to review “Big Box” retail
 - size
 - neighborhood compatibility
 - impacts
 - mass/scale and pedestrian-friendly design
- SUP is required for existing uses with impacts
 - restaurants
 - small businesses
 - child care
- Endorsed grandfathering approach
- Recommended 20,000 sq. ft. threshold for fairness and to control impacts

Big Box Retail

Text Amendment



Compatibility With Existing Development Pattern

19
10-19-02**GIANT FOOD INC.**

BARRY F. SCHER
VICE PRESIDENT
PUBLIC AFFAIRS

DEPT. 599
BOX 1804, WASHINGTON, D.C. 20013
(301) 341-4710
FAX (301) 618-4967
bscher@aholdusa.com

October 18, 2002

Mayor Kerry J. Donley and
Members of the Alexandria City Council
301 King Street
Alexandria, Virginia 22314

Dear Mayor Donley and Members of the Alexandria City Council:

Giant operates six combination food and drug stores in the City of Alexandria and we have always considered the city to be a very friendly business environment. This has allowed Giant to build new stores, such as the Alexandria Commons store, that benefit local consumers by offering larger selections of products at competitive prices. Giant has also provided hundreds of jobs to city residents over the past 50 years, which benefits the local economy. In order to continue to serve our consumers in the future, it's important that we have the flexibility to build new stores that offer consumers the convenience of one-stop shopping with large selections of merchandise throughout our market area. This is a win-win situation for everyone involved including consumers, Giant and local governments.

Giant is extremely concerned about the proposed text amendment to require a Special Use Permit for all retail establishments 20,000 square feet or greater. We believe that the text amendment, as currently proposed, stands to have negative implications for both existing and potential future Giant Food stores within the City of Alexandria. Although we have been assured that existing retail would be grandfathered, with expansions permitted, we have not had the ability to review and consider that language. We are also not sure whether this grandfathering would include a tear down and rebuild of existing stores. As to new stores, the proposed legislation would make us reluctant to pursue new locations within the City in favor of other surrounding jurisdictions where our stores are welcomed without the added layer of time, cost and uncertainty associated with the Special Use Permit process.

Page 2

Giant has had a strong presence in the City of Alexandria for over 50 years and it's important that we be able to continue to operate in a market that allows us to best serve our customers. We respectfully request that consideration of the text amendment be deferred to allow additional time for further evaluation and discussion regarding this very important matter.

If I may be of any additional assistance, please feel free to contact me at 301-341-4712.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Barry F. Scher". The signature is written in a cursive style with a long horizontal stroke at the end.

Barry F. Scher

R

19

TEXT AMENDMENT # 2002-0006

ISSUE DESCRIPTION: BIG BOX RETAIL
amendments to the commercial
zones to require a special use
permit for retail space over
30,000 square feet.

ZONING ORDINANCE SECTION: _____

CITY DEPARTMENT: PLANNING + ZONING

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.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

~~Planning Commission (continued)~~

Councilman Euille asked how this text amendment evolved outside of a friendlier, collaborative process involving business, citizens and others, and Planning and Zoning Deputy Director Ross explained the steps that were taken to notify people of the proposed text amendment.

The Mayor would like staff to develop some guidelines, undertake a formal study group and come up with some discussions. He suggested looking at the definition to see if there is a better way to define exactly what we're talking about in terms of big box retail. This gets to the intensity as opposed to just the overall square footage. Look at the possibility of using overlay zones as an incentive. It is much easier to use our Zoning Code to say where we want things and not where they want them, making overlay zones an important tool here.

Councilman Euille requested that economic impact and design criteria be addressed by staff as well.

A motion was made by Councilwoman Woodson and seconded by Vice Mayor Cleveland to accept the Planning Commission recommendation.

Councilwoman Eberwein offered the following friendly amendments. Staff is to address the following issues regarding grandfathering: That regardless of the change of use, the building would be grandfathered. That regardless of the change of ownership, the building would be grandfathered as was stated by staff. Further, that if it is an expansion below 20,000 square feet, it would be grandfathered, but above that it would not. Additionally, that with regard to a teardown, if the new store is no larger than the square footage of the existing store, plus 20,000 square feet, it would be grandfathered. Beyond that, it would require the full process.

These amendments were accepted by the maker and seconder of the motion, and the motion was passed unanimously.

Council Action: _____

20. SPECIAL USE PERMIT #2002-0026
4111 DUKE ST
DANCING PEPPERS RESTAURANT
Public Hearing and Consideration of review of a special use permit for a restaurant; zoned CC/Commercial Community. Applicant: Grupo Dos Chiles, LLC, by Alfred W. Shriver, III. Staff: Department of Planning and Zoning.

COMMISSION ACTION: Recommend Approval 6-1

In regard to the photographs submitted by the applicant showing other locations with unscreened dumpsters, Councilwoman Pepper requested of staff that if there are problems elsewhere in the City, we need to get these pictures and make sure the same rules apply to these people too.

City Council approved the Planning Commission recommendation with the requirement that there be a gate and fence around the dumpster.

Council Action: _____

SPEAKER'S FORM

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

DOCKET ITEM NO. 19

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Brod Cedeno
2. ADDRESS: 6110 Exprohce Boulevard Rockville MD 20852
TELEPHONE NO. 301-255-0857 E-MAIL ADDRESS: Bcedeno61@GMAIL.COM
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Washington Re-Estate Investment
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: _____ OTHER: Deferre
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Property Owner
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES NO

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

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DOCKET ITEM NO. 19

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: M Catharine Puskar
2. ADDRESS: 2200 Clarendon Blvd Ste 1300
TELEPHONE NO. 703 528-4700 E-MAIL ADDRESS: _____
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Washington Real Estate Investment Trust
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: _____ OTHER: X
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES X NO _____

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2. ADDRESS: 2200 Clarendon Blvd Ste 1300
TELEPHONE NO. 703-528-4700 E-MAIL ADDRESS: _____
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Giant Food
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: _____ OTHER: X
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES X NO _____

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