

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 16, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER *P*

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING *EF*

SUBJECT: GATEWAY CENTER (DSP# 2003-0012)
APPEAL OF A SITE PLAN DENIAL BY THE PLANNING
COMMISSION

I. Proposal:

The applicant, 1007 L.L.C., by Harry P. Hart, is appealing the December 2, 2003 denial of a site plan by the Planning Commission. The proposal is to construct a 6,463 sq. ft. retail center at the intersection of Patrick and Franklin Streets. The center will include retail and personal service and office uses.

The denial by the Planning Commission was based on concerns regarding access, traffic and circulation. In particular, the Commission found that the proposed restrictions on the size and/or route of delivery vehicles serving the site, and on the hours during which deliveries to the site would be permitted, are difficult, if not impossible, for realistic and effective enforcement.

Accordingly, the 14-foot width of the alley access from South Patrick Street, even with a modified curb cut, is too narrow to safely accommodate the anticipated type and volume of turning movements into the site without negatively impacting traffic flow on South Patrick Street and elsewhere in the downtown area.

The 14-foot width of the alley access from South Patrick Street, even with a modified curb cut, is so narrow that delivery trucks and other vehicles would be encouraged to use Gibbon, Franklin and South Henry Streets, thus diverting traffic through the adjacent residential neighborhoods. Congestion at this intersection will exacerbate such traffic. Diverting traffic into the adjacent residential neighborhoods is contrary to the provision of the Southwest Quadrant Small Area Plan chapter of the Master Plan which requires the protection of "residential areas from through traffic resulting from the redevelopment of the area."

II. Background:

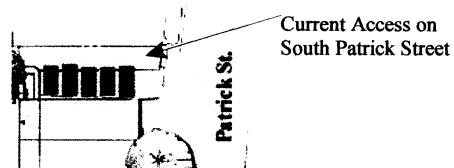
October 7, 2003 Planning Commission Hearing:

Staff initially recommended denial of the site plan because staff concluded that the proposed access from South Patrick Street was inadequate, and that this inadequate access would negatively impact traffic flow on this major arterial road, and would lead directly to trucks and other vehicles using the streets in the adjacent residential neighborhoods to access the site. At the Commission's first public hearing, adjoining residents concurred with the staff analysis. Residents also raised other issues regarding the appropriate use and zoning for this property, but those issues are not germane to this site plan appeal.

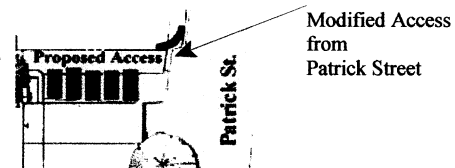
Based upon the access issues, the Commission deferred the application in order to allow the applicant to meet with staff and the residents to attempt a resolution. Planning and T&ES staff met several times with the applicant and members of the Old Town South Civic Association, as well as Old Town Station and members of the Southwest Quadrant Civic Association.

Following these meetings, the applicant suggested that additional radius be provided to better accommodate turning movements into the alley, as depicted below. The applicant does not own or control the lot immediately to the south of the alley, and without using this property no further widening and improvement to the site access from South Patrick Street is reasonably feasible.

Current Access



Reconfigured Access



December 2, 2003 Planning Commission Hearing:

City staff reviewed the modification proposed by the applicant, and concluded that, with the increased radius, and an additional condition prohibiting tractor trailer deliveries to the site, access to the site would be minimally adequate.

At the Commission's second public hearing, it was stated that the reconfigured access would still be inadequate, that the delivery restrictions were unrealistic and unenforceable, and that the consequence would be to divert truck and other traffic through residential neighborhoods.

The Commission denied the proposed site plan because it found that the site plan did not comply with Sec. 11-410(D) of the Zoning Ordinance which states "Reasonable provision shall be made to ensure that development will be served by essential public facilities and services such as highways, streets ..." and Sec. 11-410(K) of the Zoning Ordinance that states "Provision shall be made to ensure that adequate roads access roads or alleys or entrance or exit drives will be provided and will be designed and improved so as to prevent hazards or problems and to minimize traffic congestion in public streets and alleys." The motion to recommend denial carried on a vote of 7 to 0.

Staff has again reviewed the alley access in light of the reconfigured curb cut, and site plan conditions No. 8, restricting delivery hours to 7 a.m. to 3 p.m. and 8 p.m. to 10 p.m., and No. 43, prohibiting tractor trailer deliveries to the site. Staff also reviewed the traffic operations in the Route 1 corridor, and specifically at the intersection of South Patrick and Franklin Streets. Staff notes that this congested urban arterial carries an average of 63,000 vehicles per day, and routinely operates at a level of service D/E (on an A "good" - "F" failing" scale) in the vicinity of this property. Congestion at this intersection, particularly in the lane from which turning movements into the alley would occur, adversely affects the flow of the HOV lane which carries evening rush hour traffic from the north. Because Gibbon Street carries a substantial volume of the traffic exiting the eastern part of Old Town heading to the beltway or south on Route 1, congestion at Franklin and South Patrick Streets also exacerbates evening traffic congestion throughout the Old Town area. In addition, congestion at this intersection is likely to lead vehicles seeking to access the site to use the adjacent residential streets.

Because of its location at this critical intersection, staff firmly believes that strict adherence to the conditions restricting the hours and types of vehicles making deliveries to this site is critically necessary to any determination that access to the site is adequate and meets the requirements of the Zoning Ordinance for site plan approval. Because staff recognizes the inherent difficulty of securing adherence to such restrictions on a day-to-day basis in the field, staff concludes that the Planning Commission reasonably determined that access to this site would not actually function in a safe and adequate manner, as required for approval of this site plan.

Staff:

Eileen Fogarty, Director, Planning and Zoning

Richard Baier, Director, Transportation and Environmental Services

*City of Alexandria, Virginia**17*
1-24-04

MEMORANDUM

DATE: NOVEMBER 24, 2003

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN P. FOGARTY, DIRECTOR OF PLANNING & ZONING *Eileen Fogarty*

SUBJECT: GATEWAY CENTER, DSUP #2003-0012,
621, 623 & 631 SOUTH PATRICK STREET

At the October 7, 2003, Planning Commission hearing, the Commission voted unanimously to defer the applicant's request in order to allow staff to work with the applicant and the residents to provide additional information regarding the land use, vehicle and truck access to the site from Patrick Street.

Following the Planning Commission hearing, staff has had several meetings with the applicant and adjoining residents to discuss the land use, access and transportation issues. Staff has met with the members of the community on a total of three separate occasions since the Planning Commission hearing on October 7, 2003. The members of the community include the Old Town South Civic Association, Old Town Station as well as members of the Southwest Quadrant.

Access - Truck Deliveries:

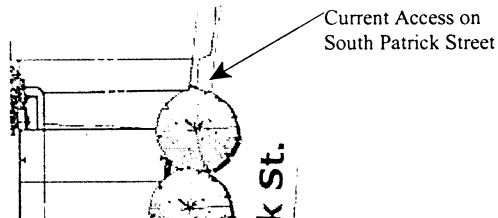
The concern expressed by the Planning Commission, staff and the adjoining residents included the following:

- The curb cut on Patrick Street is insufficient to adequately accommodate turning movements without negatively impacting traffic flow on Patrick Street.
- The width of the curb cut is too narrow to accommodate delivery vehicles. Thus, delivery vehicles will be forced to utilize the adjoining streets of Gibbon, Franklin, and South Henry streets in the adjacent residential neighborhoods.
- Forcing truck traffic into the adjoining residential neighborhoods is contrary to the goal of the Southwest Quadrant chapter of the Master Plan to "*protect residential areas from through traffic resulting from the redevelopment of the area.*"

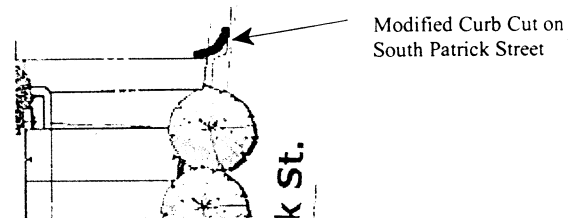
Because the proposed site plan did not adequately address vehicle and truck access and potentially directed commercial traffic into the adjoining residential neighborhoods, staff recommended denial of the applicant's request.

Transportation and Environmental Services (T&ES) staff now support access to the site with improvements to the curb cut on Patrick Street and a condition that prohibits tractor trailer deliveries at the site. The revision to the curb cut that is recommended by T&ES is depicted below.

Graphic # 1
Current Access



Graphic # 2
Reconfigured Access



If the Commission chooses to approve the revised access recommended by T&ES staff, there will need to be two added conditions that include:

(NEW CONDITION) # 42 The curb cut on Patrick Street shall be “flared” as generally depicted in a graphic # 2 to the satisfaction of the Director of T&ES.

(NEW CONDITION) # 43 Tractor trailer deliveries, storage or parking on the site shall be prohibited.

Community Concerns:

During the meetings with staff, the residents have continued to express concerns regarding the proposed access to the site and truck deliveries, despite the T&ES recommendation to provide additional flaring for the entrance on Patrick Street and prohibiting tractor trailer deliveries. Staff acknowledges that enforcement of a prohibition against tractor trailer deliveries will be difficult. In addition, the residents have continued to express concerns regarding the commercial use and zoning. Staff has recommended a condition that will limit the hours of operation of and deliveries to the commercial uses and preclude uses such as laundromats that were a concern of the community. To reduce the potential for loitering and littering, which were also concerns expressed by residents, staff recommends the prohibition of outdoor display, outdoor telephones, and outdoor vending, all of which may contribute to loitering on the site.

Docket Item #17
DEVELOPMENT SITE PLAN #2003-0012
GATEWAY CENTER

Planning Commission Meeting
October 7, 2003

ISSUE: Consideration of a request for a development site plan for construction of a 6,463-square-foot mixed use building consisting of retail, office, and personal service uses at the corner of South Patrick Street and Franklin Street, with modifications.

APPLICANT: 1007 L.L.C. by Harry P. Hart

LOCATION: 621, 623 & 631 South Patrick Street and 1007 Franklin Street

ZONE: CSL/Commercial Service Low

PLANNING COMMISSION ACTION, DECEMBER 2, 2003: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission denied the proposed site plan. The motion carried on a vote of 7 to 0.

Reason:

The Commission found that the site plan did not meet the standards for approval by the planning commission set forth in section 11-409(A) and (B) of the zoning ordinance, which require that the applicable factors of section 11-410 have been appropriately considered in the site plan and that the development will not adversely affect the public health, safety and welfare.

In particular, the Commission felt that the proposal did not demonstrate compliance with the requirements of 11-410(D) and (K) of the zoning ordinance, which require adequate provision to be made for roadways and access into and out of the project and also require that design and location of roadways be compatible with and not adversely affect the surrounding property or create problems on the public streets surrounding the project. Particular concern was expressed about the impact of the proposed access on South Patrick Street.

PLANNING COMMISSION ACTION, NOVEMBER 6, 2003: By unanimous consent, the Planning Commission deferred the request.

PLANNING COMMISSION ACTION, OCTOBER 7, 2003: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to defer the request. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission expressed concern over the unresolved access issue and citizen concern and directed staff to work with the applicant to resolve the access issue.

Speakers: Geary Simon, applicant, spoke in favor of the application and the proposed improvements that the proposed building and uses would bring to this site, the city and the community.

Anthony Morse, Bowman Consulting, representing the applicant discussed access to the site from Patrick Street and loading and unloading.

David Lantzy, 433 Old Town Court, noted the current state of disrepair of the property and would like the site to be redeveloped as a residential development. He referred to a petition signed by the neighbors objecting to the proposed development and noted that the design has the appearance of a strip mall which is not appropriate for Old Town.

Raymond Johnson, 505 South Henry Street, noted that commercial development is inappropriate in that location and that recent residential developments have improved the area. He expressed concern over traffic impacts and trucks using neighborhood streets and alleys to access the site.

Vera Henderson, 634 South Fayette Street and representing Southwest Quadrant Civic Association, noted that open space would be preferable at this location to lessen the impact on traffic and the opportunity for crime and vandalism.

Lillie Finklea, 1210 Franklin Street, noted that historically businesses have been unable to thrive at this location and that residential use would be appropriate for the site. She expressed concern over use of the alley, traffic congestion, and the possibility of changing Franklin Street into a two-way street.

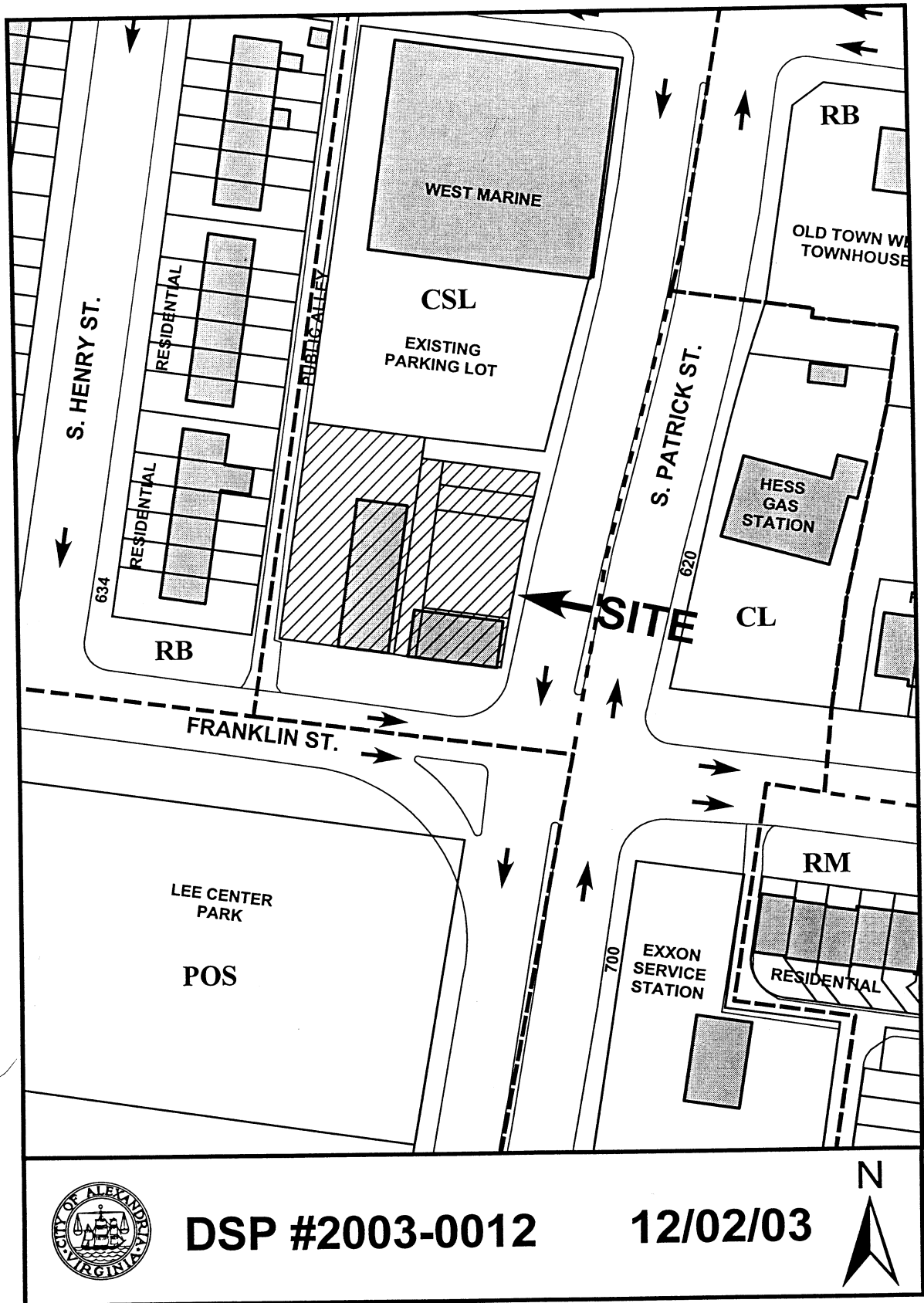
McInnes Lyles, 600 block of South Henry Street, noted that the existing site is in need of maintenance and that the proposed development will increase traffic and truck use of the alley. He also noted that the proposal does not provide adequate parking.

Theresa Edwards, 1212 Franklin Street, expressed concern regarding traffic and is opposed to changing Franklin Street into a two-way street.

Kate Gibney, 1110 Wilkes Street and representing Old Town South Homeowners Association, reported that the HOA voted to unanimously oppose the project due to the current traffic congestion on Route 1 and the inability for a commercial use to remain viable at the site. She also noted opposition to changing Franklin Street into a two-way street.

Lynn Selander, representing Old Town South Homeowners Association, expressed concern over traffic cutting through the neighborhood

Harry P. Hart, representing the applicant.



SUMMARY

The applicant proposes to construct a 6,463 sq.ft. retail center on a site with two vacant buildings at the intersection of Patrick and Franklin Streets. The center will include retail and personal service and office uses. This site has remained vacant and in a state of disrepair for over 10 years. The proposed retail center would provide an opportunity to redevelop this property. The applicant has worked with staff to refine the site plan in order to provide parking in the rear of the building, a significantly wider sidewalk on Patrick Street, higher quality building design, and streetscape improvements, which are considerable, and would significantly improve the appearance of this highly visible entrance to the City. However, the access to this commercial site is problematic.

The proposed access to the site from Patrick Street is not sufficient to accommodate the anticipated number of patrons and truck deliveries without significantly impacting the functionality of Patrick Street, one of the most important and heavily-traveled arterial roadways in the City, and without redirecting truck and vehicular traffic through the adjacent residential neighborhoods.

While the uses proposed by the applicant are permitted in the CSL/Commercial Service Low zone, the proposed 15-foot curb cut on Patrick Street is insufficient to adequately accommodate the volume and turning movements of future passenger vehicles for the patrons and employees, without negatively impacting queuing and circulation on Patrick Street. In addition, the proposed width of the curb cut is too narrow to accommodate delivery vehicles. Thus, delivery vehicles will be forced to utilize the adjoining streets of Gibbon, Franklin, and South Henry streets in the adjacent residential neighborhoods, which is contrary to a goal of the Southwest Quadrant chapter of the Master Plan to *“protect residential areas from through traffic resulting from the redevelopment of the area.”*

Therefore, staff cannot support the application as proposed, given the impacts from the access and circulation. These issues must be resolved for this project to proceed.



Aerial photograph showing the site and land uses in the vicinity

A. Building Design

Staff has worked with the applicant to revise the building design, as generally depicted below, to provide higher quality design and materials that result in a well-designed building, appropriate for this gateway site.

B. Streetscape-Landscape Improvements

The proposed landscaping and screening will enable the proposed building to be compatible with the adjoining residential uses, and enhance the adjacent streetscape and pedestrian environment. The pedestrian improvements include generous 12-foot-wide sidewalks and continuous street trees on Patrick Street, which are more typical of an Old Town streetscape. In addition, the applicant proposes to provide street trees and landscaping/screening on Franklin Street. Staff is also recommending a considerable evergreen landscape screening for the adjoining townhomes.

All of the proposed and recommended landscaping and streetscape improvements will provide a significant improvement of the site and the streetscape and will enhance pedestrian circulation in the neighborhood.

C. Types of Commercial Uses

Certain uses permitted in the CSL zone, such as laundromats, may have considerably more negative impacts than other permitted uses on the adjoining residents. Therefore, a staff recommendation will preclude uses such as laundromats. In addition, staff has recommended a condition that will limit the hours of operation of the commercial uses.

D. Community Concerns

Adjoining residents have expressed concern to staff regarding any commercial use of the property, because of the associated traffic impacts, truck deliveries, noise, crime and parking. Staff understands these concerns and recommends that any redevelopment of the property include sufficient buffering for adjoining residents, and has recommended restrictions on the type of retail uses that may occupy the site and further restrictions on the proposed hours of operation.

Many of the uses that are of concern to residents, such as restaurants and convenience stores, are permitted only with the approval of the special use permit, which may include conditions designed to restrict the operations of such uses in order to ensure compatibility with adjoining residential uses and to reduce the potential for negative impacts. In this case, by providing a buffer and restricting the types of higher nuisance-generating retail uses, nearby residents will be afforded some protection from potential negative impacts of future retail uses.

To reduce the potential for loitering and littering, concerns also expressed by residents, a condition has been included which prohibits outdoor display, outdoor telephones, and outdoor vending, all of which may contribute to loitering on the site should the project proceed.

E. Conclusion

The scale, height, and design of the building are appropriate for this highly visible site, and the building is an appropriate intensity of redevelopment of the site. Most of the residents' concerns may be addressed through limiting the types of uses, hours of operation, landscaping/screening, lighting, etc. However, revising the plan to provide safe, adequate access that can accommodate passenger vehicles and deliver vehicles is not something that can be addressed with a staff recommendation. Therefore, staff cannot support the current proposal and is, therefore, recommending denial of the proposed site plan.

STAFF RECOMMENDATION:

Staff recommends **denial** of this development site plan application.

If City Council/Planning Commission approves the application, staff recommends approval subject to the following condition and all applicable codes and ordinances.

1. The final design for the building shall be consistent in architectural style and character and quality as depicted on the architectural elevations dated July 8, 2003, and also provide additional refinements to the satisfaction of the Director of P&Z that shall include:
 - a. The EIFS panels proposed at the pedestrian levels shall be replaced with brick.
 - b. The cornice shall be of a material such as metal and provide the degree of detail indicated on the drawing.
 - c. The building on the northern portion of the site shall be setback 3 ft. or the minimum amount necessary to provide windows on this facade to the satisfaction of the Director of P&Z. Alternatively, false glass windows with internal lighting shall be provided.
 - d. The roof material for the clock tower shall be standing seam metal.
 - e. The elevations shall show proposed dumpster and transformer wood fence screening. (P&Z)
2. The applicant shall provide a 7 ft. wide concrete sidewalk on the adjacent lot, TM 080.01-03-31, to provide a continuous 12 ft. sidewalk on the South Patrick Street frontage. These improvements will require approval of the owners of the adjacent lot, the City will work with the applicant to coordinate these approvals. Should the owner of the adjacent lot not approve the construction of the sidewalk, the applicant shall not be required to install the sidewalk extension. If the owner grants approval to construct the sidewalk, the applicant shall install the sidewalk prior to issuance of the certificate of occupancy permit. (P&Z)
3. The final landscape plan shall be provided with the final site plan to the satisfaction of the Director of P&Z and RP&CA. The plan shall include the level of landscaping depicted on the preliminary landscape plan and shall also provide:
 - a. Street trees along Patrick Street shall be planted in a continuous 4 ft. wide planting strip between the curb and sidewalk.
 - b. A 3-3.5 ft. tall brick wall to screen the loading/unloading, refuse area and parking lot on Franklin Street.
 - c. The screen for the western portion of the parking lot shall be revised to be eastern red cedar that shall be planted 8-10 ft. on-center and shall be 10-12 ft. tall at the time of installation. The proposed board on-board fence shall be eliminated.

- d. Landscaping shall be installed at a time to be determined in consultation with the City Arborist and Planning & Zoning so the survival of the landscaping will not be jeopardized by planting during a season that will not support its survival.
 - e. Sight distances on the landscape plan shall be depicted at all points of access to the site.
 - f. Labeling and identification of screening shrub material. (P&Z) (RP&CA) (T&ES)
4. The applicant shall provide the number of parking spaces required by the Zoning Ordinance. The width of the parking lot drive aisle shall be 22 feet to conform to the requirements of the City Zoning Ordinance. Provide dimensions of the loading space on the final site plan. (P&Z)
5. The applicant shall provide wheel stops for all spaces in the parking lot so that parked vehicles do not encroach onto the adjoining sidewalk along the building or the landscape buffer on the western portion of the parking lot. (P&Z)
6. The proposed curb, pavement and stairs at the north end of the new building are located in the 12-foot private alley outside of the lot (Lot 500) proposed to be consolidated. The boundary of the lot to be consolidated must be revised, or a cooperative agreement with the adjacent property owner and/or an easement shall be required with the final site plan. (P&Z)
7. The uses for the proposed building shall be limited to personal service, retail and business and professional office uses. Personal service uses shall be limited to arts and crafts studio, banks, credit unions, bicycle repair, barbershop, beauty shop, dressmaker, tailor, dry cleaning, locksmith, musical instrument repair, optical center, professional photographers, shoe repair, watch repair and print and photocopying. Retail uses shall be limited to antiques, appliances, art galleries, art supplies, bakery (limited to 3,500 sq.ft.), books, candy, clothing, clothing accessories and dry goods, drugstore, floor coverings, florist, furniture, groceries, hardware, paint and wallpaper, household goods, jewelry, leather, luggage, musical instruments, photographic equipment and supplies, toys, and sporting goods. Business and professional office uses shall be limited to accounting, administration, sales representatives, manufacturer's representatives, engineers, architects, artists, lawyers, accountants, real estate brokers, insurance agents and landscape architects, dentists, physicians and other medical practitioners. (P&Z)
8. The hours of operation shall be limited to 7a.m. to 10 p.m. for the retail and personal service uses. Delivery hours for all uses shall be limited to 7a.m. to 3 p.m. and 8 p.m. to 10 p.m. (P&Z)

9. The colors and materials of the tenant signs shall be designed of high quality materials and shall be designed as an integral part of the building that shall relate in materials, color and scale to the remainder of the building to the satisfaction of the Director of Planning and Zoning.
 - a. Sign messages shall be limited to logos, names and street address information.
 - b. Illuminated or non-illuminated parapet signs or wall signs above the first level are prohibited.
 - c. Signs applied to storefront windows shall cover no more than 20% of the glass.
 - d. Box signs shall be prohibited.
 - e. Permanent or temporary advertising banners on the exterior shall be prohibited.
 - f. Active uses are encouraged for windows facing Patrick Street. Display cases may be permitted to the satisfaction of the Director of Planning and Zoning.
 - g. Freestanding signs other than traffic/directional signs shall be prohibited.
 - h. No outdoor display/sales shall be permitted.
 - i. No outdoor telephones shall be installed.
 - j. No outdoor vending machines shall be permitted. (P&Z)
10. No materials or supplies for the businesses shall be stored outside on the premises. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and or invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
11. The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for ensuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z)
12. Temporary construction trailers and structures shall be permitted. The size, site arrangement and time period of the structures shall be subject to the approval of the Director of Planning and Zoning. (P&Z)
13. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)

14. All utility structures, such as transformers, switch boxes, cable and telephone pedestals, ventilation areas, areaways, etc. shall be located to minimize visibility from the adjoining public streets to the greatest extent possible. The final location and screening of these items will be approved by the Director of Planning and Zoning prior to release of the final site plan. (P&Z)
15. A temporary informational sign shall be installed by the applicant on the site prior to the approval of the building permit for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions about the project. (P&Z)
16. Relocation of the utility pole and guy wire affected by construction of the curb around the three parking spaces along Franklin Street shall be indicated on the final site plan. (T&ES)
17. No amplified sound shall be generated by the use or audible at the property line. (T&ES)
18. The applicant shall provide access on South Patrick Street, with a shared perpetual access easement with the adjoining property owner that shall be a minimum width of 14 feet or an alternative that will enable truck and vehicle access from Patrick Street to the satisfaction of the Director of T&ES and P&Z. (T&ES)
19. The applicant shall remove the existing handicap ramp on the southeast corner of the lot and replace with one aligned to face Franklin Street and one aligned to face South Patrick Street, to the satisfaction of the Director of T&ES. (T&ES)
20. Applicant shall provide \$850 each to the Director of T&ES for the purchase and installation of two (2) City standard street cans along the public streets. (T&ES)
21. The applicant shall provide a site lighting plan to the satisfaction of the Director of T&ES in consultation with the Chief of Police. The plan shall show the existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards and are located to prevent excessive spillover lighting and glare from adjacent properties. (T&ES)
22. The developer shall comply with the peak flow requirements of Article XIII of AZO. (T&ES)

23. The developer agrees to deliver all solid waste, as defined by the Code of the City of Alexandria, to a refuse disposal facility designated by the Director of T&ES. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. (T&ES)
24. The applicant shall provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES)
25. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)
26. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
27. All driveway entrances, sidewalks and handicap ramps in public ROW or abutting public ROW shall meet City standards. (T&ES)
28. The applicant shall replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
29. Show all existing and proposed easements, both public and private. (T&ES)
30. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
31. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
32. The applicant shall provide two (2) bicycle racks on site to the satisfaction of the Director of T&ES. (T&ES)
33. The proposed street trees along South Patrick Street may be on top of existing traffic signal communications conduit. The site plan needs to show the communications conduit. The developer may need to relocate this conduit if there is a conflict. (T&ES)

34. The developer shall change the traffic pole location on the southwest corner of Patrick and Franklin Streets to accommodate the proposed handicapped ramp configuration. Refer to Figure 4E-2 in the Manual On Uniform Traffic Control Devices, Millennium Edition, for typical configuration.(T&ES)
35. The stormwater collection system is part of the Hunting Creek watershed. All on-site stormwater inlets and public curb inlets within 50 feet of the property line shall be duly marked to the satisfaction of the Director of T&ES. (T&ES)
36. The applicant shall demonstrate the effectiveness of the BMP to treat the water quality volume, which is defined as the first 0.5 inches of runoff from the impervious area on the tax parcel. (T&ES)
37. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws. (T&ES)
38. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design engineer or his designated representative. The design engineer shall make a written certification to the City that the BMP(s) are constructed and installed as designed and in accordance with the approved Final Site Plan. (T&ES)
39. The Developer shall furnish the owner with an Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include an explanation of the functions and operations of each BMP and any supporting utilities, catalog cuts on any mechanical or electrical equipment, a schedule of routine maintenance for the BMP(s) and supporting equipment, and a copy of the maintenance agreement with the City. (T&ES)
40. All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. (T&ES)

41. In accordance with the City's Affordable Housing Policy, the applicant shall make a contribution to the City's Housing Trust Fund of \$1.00 per gross square foot of development for all new building area constructed if larger than 3,000 gross square feet. The applicant shall pay the contribution to the City prior to the issuance of the certificate of occupancy. (Housing)

Modifications requested by the applicant and NOT recommended by staff:

1. Reduction in drive aisle width from 22 ft. to 20 ft.

Staff Note: In accordance with section 11-418 (a) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of initial planning commission approval of the plan or the development site plan shall become void.

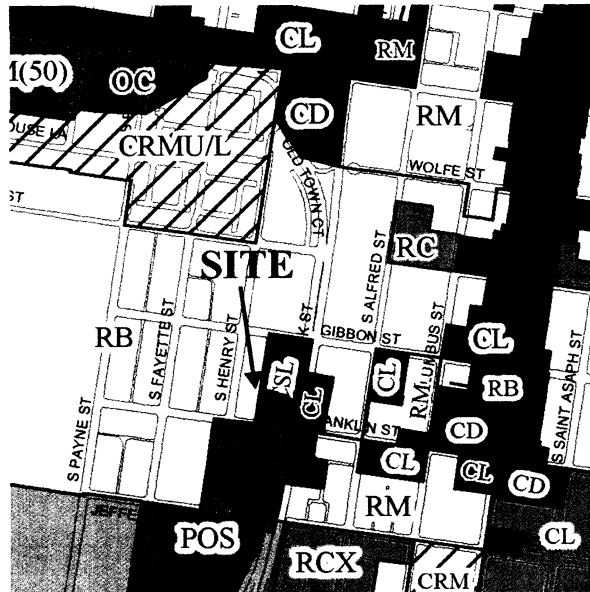
BACKGROUND

The applicant, 1007 L.L.C., requests approval of a development site plan to construct a 6,463-square-foot commercial building at the corner of Patrick and Franklin streets. A 16-foot-wide public alley borders the property along the western property line. A private alley extends south to north through the site and turns eastward to connect to South Patrick Street, a portion of which the applicant is proposing to eliminate as part of this process. Ingress and egress to the site is proposed from Franklin and South Patrick Streets.



View of the site from the north along South Patrick Street

The site consists of four lots of record totaling 14,424 square feet, with approximately 92 feet of frontage on South Patrick Street, including a 12-foot shared private alley and approximately 125 feet of frontage on Franklin Street. To the north and west of the site are residential properties zoned RB/T Townhouse; to the east are properties zoned CL, Commercial-Light (two gas stations); and to the south property zoned POS, Public Open Space (Lee Center Park).



Map showing the site and zoning in the vicinity

A. Proposed Development

The applicant proposes the construction of a commercial building, which will be a one and two story structure with a clock tower feature at the corner of Patrick and Franklin streets. The one-story portion is proposed for retail and personal service uses, and the two-story portion will be used for office space. The existing building at the corner of South Patrick Street will be renovated and incorporated into the new building. The design of the South Patrick Street facade of the building will consist of glass storefronts and a primarily brick facade.

The applicant proposes to access to the property from South Patrick Street and a public alley on Franklin Street. The alley connects Franklin Street to Gibbon Street and is aligned parallel to South Patrick Street. The applicant has requested a modification to reduce the width of the required drive aisle for the parking lot from the required 22 feet to 20 feet. Parking for the proposed development will consist of 22 spaces (12 standard, 8 compact and 2 handicapped) at the western portion of the site and behind the building.

The South Patrick Street facade of the existing building, which is to be renovated, is located at the right-of-way line. The proposed new portion of the building to be added on the north side of the existing structure will be set back to permit street trees and a generous 12-foot wide sidewalk.

B. Zoning

The zoning for the site is CSL/Comercial Service Low zone, which is intended to provide commercial uses compatible with nearby residential neighborhoods and properties. For nonresidential uses, there are no lot size, frontage or open space requirements. The subject property is located in the CSL/Commercial Service Low zone. The CSL permits retail, personal service and professional offices. The proposed floor area ratio (F.A.R.) is less than what is permitted in this zone and less than what is permitted in the adjoining townhouse zones (.75 permitted).

GATEWAY		
Property Address:	621, 623 & 631 South Patrick Street and 1007 Franklin Street	
Total Site Area:	14,424 square feet (.3311 acre)	
Zone:	CSL	
Current Use:	Vacant	
Proposed Use:	Commercial and Office	
	<u>Permitted/Required</u>	<u>Proposed</u>
Floor Area	7,212 square feet	6,463 square feet
FAR	.5	.45
Yards	n/a	n/a
Height	50 feet	30 feet
Open Space	none required	640 sq. ft.
Parking	22 spaces	22 spaces
Loading	1 space	1 space

STAFF ANALYSIS

A. Summary

Staff recommends denial of the development site plan to construct the proposed commercial building, because the access to the site is not sufficient to accommodate the anticipated number of patrons and truck deliveries without significantly impacting the functionality of Patrick Street, one of the most important and heavily-traveled arterial roadways in the City, and without redirecting truck and vehicular traffic through the adjacent residential neighborhoods.

While staff is recommending denial of the proposed site plan, the applicant has worked with staff to refine the site plan to provide the parking in the rear of the building, a significantly wider sidewalk on Patrick Street, higher quality building design, and streetscape improvements, which are considerable and would significantly improve the appearance of this highly visible entrance to the City. The site has remained vacant for over ten years and the existing buildings are in a state of disrepair.

B. Remaining Issues

Community Concerns

Adjoining residents have expressed concerns regarding any commercial use of the property, because of the associated traffic impacts, truck deliveries, noise, crime and parking. Staff understands these concerns and recommends that any redevelopment of the property include sufficient buffering for adjoining residents, restrictions on the type of retail uses, and restrictions on the proposed hours of operation.

Many of the uses that are of concern to residents, such as restaurants and convenience stores, are permitted only with the approval of the special use permit. In this case, by providing a buffer and restricting the types of uses, nearby residents will be afforded some protection from potential negative impacts of future commercial uses.

To reduce the potential for loitering and littering, concerns also expressed by residents, a condition has been included which prohibits outdoor display, outdoor telephones, and outdoor vending, all of which may contribute to loitering on the site.

Access

The applicant proposes to establish vehicular access to the property from a 16-foot-wide public alley on the western portion of the site and a 12-foot-wide access on South Patrick Street. The alley on the western portion of the site connects Franklin Street to Gibbon Street and is aligned parallel to

South Patrick Street. The proposed 15-foot curb cut on Patrick Street is insufficient to adequately accommodate the volume and turning movements of future passenger vehicles for the patrons and employees without negatively impacting queuing and circulation on Patrick Street. In addition, the proposed width of the curb cut is too narrow to accommodate delivery vehicles. Thus, delivery vehicles will be forced to utilize the adjoining streets of Gibbon, Franklin, and South Henry streets in the adjacent residential neighborhoods, which is contrary to a goal of the Southwest Quadrant chapter of the Master Plan to “*protect residential areas from through traffic resulting from the redevelopment of the area.*”

Because the proposed site plan does not adequately address vehicle and truck access and directs commercial traffic into the adjoining residential neighborhoods, staff is recommending denial of the applicant's request. The applicant must explore revised access to the site, such as shared access with the adjoining property owner, or an alternative form of access that will safely and adequately accommodate the number and types of vehicles expected to be generated by the proposed mix of uses.

Access to the site will need to provide adequate turning movements for patrons and delivery vehicles, ensuring that truck deliveries would not occur within the adjoining residential neighborhoods, minimizing through traffic in the adjoining residential neighborhoods.

Parking

Initially, the applicant requested a parking reduction for the site and did not to provide a loading/unloading space. City staff advised the applicant that a parking reduction could not be supported, a sentiment echoed by adjoining residents. Based on staff comments, the applicant revised the building, site plan and programming to provide all of the on-site required parking and a loading/unloading space.

Access to and from the alley on the southwest corner of the site leads to a double-loaded parking lot. The drive aisle is intended to have two-way traffic over the length of the lot. A one-way entrance drive is proposed to enter the north end of the parking lot from the existing private alley, as discussed above. Parking provided includes 22 parking spaces (eight of them compact), including two handicapped spaces and a loading space. The Zoning Ordinance allows for up to 30% of retail and 75% of non-retail spaces to be compact. The applicant also proposes a 12 by 24-foot off-street loading zone, although one is not required for a building of this size.

The proposed uses for the site, as described earlier, are office, personal service, and retail. As each type of use attracts a different number of employees and customers, the parking requirements for each use also differ.

<i>Proposed Use</i>	<i>Gross Square Footage</i>	<i>Percent of Total Parking Required</i>
<i>Office</i>	2,240	35% 1 space/500 sq. ft.
<i>Personal Service</i>	1,483	23% 1 space/400 sq. ft.
<i>Retail</i>	2,740	42% 1 space/210 sq. ft.
<i>Total</i>	6,463	

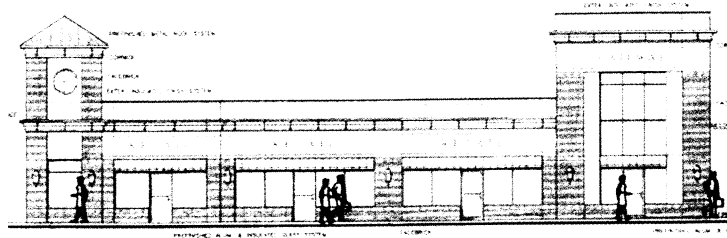
In addition to the 22 parking spaces provided on the plan and required by the Zoning Ordinance, the applicant proposes an additional three parallel parking spaces along Franklin Street which would bring the total number of parking spaces to 25, a 14% increase over the required number of spaces. While the three parallel spaces on Franklin Street are not technically included as parking spaces, they will provide additional parking for the proposed use and the neighborhood.

A modification is requested by the applicant for the width of the drive aisle in the parking lot. The applicant proposes a 20-foot-wide drive aisle, while the minimum required by the Zoning Ordinance is 22 feet. Reductions in the width of a drive aisle are permitted when both sides are flanked by compact parking spaces or 45- and 60-degree angled parking spaces. Neither of those conditions apply to this parking lot, so the reduction in width must be considered on its own merits. The parking spaces cannot be angled because a number of spaces would be lost reducing the parking count to less than that required.

Staff recommends denial of the proposed modification due to the short-term nature of commercial parking and the need to accommodate truck deliveries within the site. The proposed building could be moved 2 feet eastward to accommodate the required drive aisle dimension. This will reduce the proposed sidewalk along South Patrick Street from 14 feet to 12 feet but staff believes that a 12-foot wide sidewalk in this case will provide adequate pedestrian circulation.

Building Design

Because the site is a visually prominent location, at the corner of South Patrick and Franklin streets, staff has worked with the applicant to revise the building design, as generally depicted below, to provide higher quality design and materials that result in a well-designed building appropriate for this gateway site. The South Patrick Street facade of the retail and personal services wing of the building will consist of glass storefronts with a brick base. The storefronts are proposed to be 20 feet in width.



Revised South Patrick Street Elevation

Streetscape-Landscape Improvements

The proposed landscaping and screening will enable the proposed building to be compatible with the adjoining residential uses, and enhance the adjacent streetscape and pedestrian environment. The pedestrian improvements include a generous 12-foot-wide sidewalk and continuous street trees on Patrick Street, which are more typical of an Old Town streetscape. In addition, the applicant proposes to provide street trees, sidewalk and landscaping/screening on Franklin Street.

All of the proposed and recommended landscaping and streetscape improvements will provide a vast improvement of the site and the streetscape and will enhance pedestrian circulation in the neighborhood.

The landscape plan includes additional off-site landscaping, includes street trees along South Patrick Street and Franklin Street, and in ornamental and screening plantings within the Franklin Street right-of-way. Red maple trees are proposed for street trees, with three on South Patrick Street, two on Franklin Street, and one where the two streets intersect.

A recommendation is that a 3-foot-high brick wall that will screen the parked cars from Franklin Street, while also maintaining surveillance of the parking lot. In addition, staff is recommending an evergreen buffer on the western portion of the parking lot and submission of a lighting plan, to ensure adequate lighting levels and to minimize spillover lighting into the adjoining residential neighborhoods.

Retail, Personal Services and Office Uses

Though the site is currently vacant, in the past the eastern half of the block which fronts South Patrick Street between Gibbon and Franklin Streets was home to an auto accessory store, a paint supplier, and a neighborhood grocery store and soda fountain dispensing service supplier. After those businesses closed and the buildings became vacant, they began to deteriorate, and are currently in a state of disrepair.

The applicant proposes a mix of personal service, retail and office uses. Staff is concerned that certain uses permitted in the CSL zone, such as laundromats, may have considerably more negative impacts on the adjoining residents than other permitted uses. Therefore, a staff recommendation will preclude laundromats. In addition, staff has recommended a condition that will limit the hours of operation of and deliveries to the commercial uses. To reduce the potential for loitering and littering, also concerns expressed by residents, a staff recommendation of approval is the prohibition of outdoor display, outdoor telephones, and outdoor vending, all of which may contribute to loitering on the site.

Community Concerns

Adjoining residents have expressed concern regarding any commercial use of the property because of the associated traffic impacts, truck deliveries, noise, crime and parking. Staff recommends that any redevelopment of the property include sufficient buffering for adjoining residents and has recommended restrictions on the type of retail uses that may occupy the site and further restrictions on the proposed hours of operation. Many of the uses that are of concern to residents, such as restaurants and convenience stores, are permitted only with the approval of the special use permit, which may include conditions designed to restrict the operations of such uses in order to ensure compatibility with adjoining residential uses and to reduce the potential for negative impacts. In this case, by providing a buffer and restricting the types of retail uses, nearby residents will be afforded some protection from potential negative impacts of future retail uses. To reduce the potential for loitering and littering, concerns also expressed by residents, a staff recommendation of approval is the prohibition of outdoor display, outdoor telephones, and outdoor vending, all of which may contribute to loitering on the site.

C. Conclusion

The scale, height, and design of the building are appropriate for this highly visible site, and the building is an appropriate intensity of redevelopment of the site. Most of the residents' concerns may be addressed through limiting the types of uses, hours of operation, landscaping/screening, lighting, etc.

However, revising the plan to provide safe, adequate access that can accommodate passenger vehicles and deliver vehicles is not something that can be addressed with a staff recommendation. Therefore, staff is forced to recommend denial of the proposed site plan.

STAFF:

Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffery Farner, Development, Division Chief;
Rob McLeod, Urban Planner;
Laura Durham, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Planning & Zoning:

- C-1 Location surveys for all physical site improvements, including landscaping for the entire project, shall be submitted by the applicant and approved by the Director of Planning and Zoning prior to issuance of a certificate of occupancy permit. (P&Z)

Transportation & Environmental Services

- F-1 Proposed on-street parking will be allowed as a temporary condition and the City may remove as needed.
- C- 1 Bond for the public improvements must be posted prior to release of the plan. (T&ES)
- C- 2 All down spouts must be connected to a storm sewer by continuous underground pipe. (T&ES)
- C- 3 The sewer tap fee must be paid prior to release of the plan. (T&ES)
- C- 4 All easements and/or dedications must be recorded prior to release of the plan. (T&ES)
- C- 5 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan. (T&ES)
- C- 6 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval. (T&ES)
- C- 7 All utilities serving this site to be underground. (T&ES)
- C- 8 Provide site lighting plan to meet minimum city standards. (T&ES)
- C- 9 The applicant must comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control which includes requirements for pollutant load reductions and treatment of the Water Quality Volume Default (WQV). (T&ES)
- C- 10 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

- C- 11 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)

Code Enforcement

- C-1 Relocate proposed fire hydrant west on Franklin Street to just prior to public alley entrance.
- C-2 Amend General Note 4 to refer to "1996 USBC".
- C-3 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. Insert this provision under General Notes.
- C-4 A soils report must be submitted with the building permit application. Insert this provision under General Notes.
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-7 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0.
- C-8 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11.
- R-1 An automatic sprinkler system is recommended.

Police Department

- R- 1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R- 2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

- R- 3 Trees are not to be planted under or near light poles.
- R- 4 All trees are to be limbed up a minimum of 6 feet as they mature to allow for natural surveillance.
- R- 5 No shrubs higher than 3 feet shall be planted within 6 feet of walkways.
- F- 1 No lighting plan was submitted.

Archaeology

- F-1 Tax records indicate that there was some development on the block bounded by Patrick, Gibbon, Franklin and Henry Streets (primarily along Gibbon Street) by as early as 1830. According to the G.M. Hopkins insurance map, a row of townhouses was present on this property at the corner of Patrick and Franklin Streets by 1877. The property therefore has the potential to yield archaeological resources which could provide insight into residential life at the edge of the town in the 19th century.
- C-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-2 The above statement must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.

APPLICATION for DEVELOPMENT SITE PLAN

DSP # 2003-0012

PROJECT NAME: Gateway Center

PROPERTY LOCATION: 621, 623 & 631 S. Patrick Street and 1007 Franklin Street

TAX MAP REFERENCE: 080.01-03-32, -33, -34 & -30 ZONE: CSL

APPLICANT Name: 1007 L.L.C. , c/o Geary S. Simon

Address: 2010 N Street, N.W., Washington, DC 20036

PROPERTY OWNER Name: Alvin or Elva J. Simon

Address: 9211 Sligo Creek Pkwy, Silver Spring, MD 20901-3361

DEVELOPMENT SITE PLAN PROPOSAL: Request to construct a 6,463 square foot

retail/office center at the corner of S. Patrick Street and Franklin Street, with a

modification in the drive aisle of 2 feet and vacating a portion of a private alley.

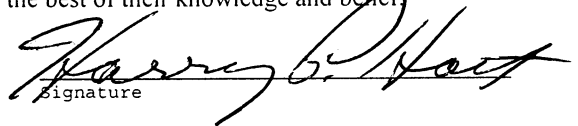
THE UNDERSIGNED hereby applies for Development Site Plan approval in accordance with the provisions of Title 7, Chapter 5 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notices 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.

Harry P. Hart

Print Name of Applicant or Agent


Signature

HART, CALLEY, GIBBS & KARP, P.C.

Mailing Address

(703) 836-5757

Telephone Number

307 N. Washington St., Alex. VA 22314

Mailing Address

June 5, 2003

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____

Fee Paid & Date: \$ _____

Legal Advertisement: _____

Received Plans for Completeness: _____

Received Plans for Preliminary: _____

Property Placard: _____

ACTION - PLANNING COMMISSION: 10/07/03

DEFERRED

7-0

12/02/03

Denied

7-0

All Applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto oriented uses and freestanding signs requiring special use permit approval.

1. The Applicant is the (check one)

☐ Owner ☒ Contract Purchaser

☐ Lessee or ☐ Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation in which case identify each owner of more than ten percent.

Geary S. Simon, 2010 N Street, N.W., Washington, DC 20036

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes. Provide proof of current City business license.

☐ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

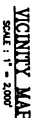
CITY OF ALEXANDRIA, VIRGINIA

THE CITY OF ALABAMA DEPARTMENT OF TRANSPORTATION AND ENVIRONMENTAL SERVICES, DIVISION OF ENVIRONMENTAL QUALITY MUST BE NOTIFIED IF UNUSUAL OR UNANTICIPATED CONTAMINATION OR UNDERGROUND STORAGE TANKS, POUNDS AND CONTAINERS ARE ENCOUNTERED AT THE SITE. IF THERE IS ANY DOUBT ABOUT PUBLIC SAFETY OR A RELEASE TO THE ENVIRONMENT, THE ALABAMA PRE-DEVENTION MUST BE CONTACTED IMMEDIATELY BY CALLING 911. THE TANK OR CONTAINERS REMOVAL, ITS CONTENTS, ANY SOIL CONTAMINATION AND RELEASES TO THE ENVIRONMENT WILL BE HANDLED IN ACCORDANCE WITH FEDERAL, STATE AND CITY REGULATIONS.

MONDAY THROUGH FRIDAY FROM 7 AM TO 6 PM AND SATURDAYS FROM 9 AM TO 6PM, NO CONSTRUCTION ACTIVITIES ARE PERMITTED ON SUNDAYS. PILE DRIVING IS FURTHER RESTRICTED TO THE FOLLOWING HOURS:
MONDAY THROUGH FRIDAY FROM 9 AM TO 6 PM AND SATURDAYS FROM 10 AM TO 4 PM.

UTILITY ALERT:
THE DEPTHS AND LOCATIONS OF ANY UNDERGROUND ELECTRIC, WATER, TELEPHONE, AND GAS MAIN LINES OR SERVICES CANNOT BE PRECISELY DETERMINED BY THE CITY OF CHICAGO. THEREFORE, THE CITY OF CHICAGO RECOMMENDS THAT ALL CONSTRUCTION PROJECTS INVOLVING ANY OF THE ABOVE UTILITIES BE CONDUCTED IN THE PRESENCE OF A PROFESSIONAL ENGINEER OR SURVEYOR. THE CITY OF CHICAGO RECOMMENDS THAT ALL CONSTRUCTION PROJECTS INVOLVING ANY OF THE ABOVE UTILITIES BE CONDUCTED IN THE PRESENCE OF A PROFESSIONAL ENGINEER OR SURVEYOR. THE CITY OF CHICAGO RECOMMENDS THAT ALL CONSTRUCTION PROJECTS INVOLVING ANY OF THE ABOVE UTILITIES BE CONDUCTED IN THE PRESENCE OF A PROFESSIONAL ENGINEER OR SURVEYOR.

UTILITY INFORMATION
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND DESTINY DRAWINGS. THE SURVEYOR WAIVES THE UNDERGROUND UTILITIES SHOWN COULD BE MISSED UTILITIES IN THE FIELD OTHERS IN SERVICE OR ABANDONED. NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COULD BE MISSED UTILITIES IN THE FIELD OTHERS IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. IN NO EVENT SHALL THE SURVEYOR BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY. THE SURVEYOR WILL PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



SCALE : 1" = 2,000'

THIS PROJECT PROPOSES TO REMOVE THE EXISTING BUILDING AND CONSTRUCT NEW RETAIL OFFICE AND COMMERCIAL SPACE ON APPROXIMATELY 0.33 ACRES. CLIENT SHALL PROVIDE PARKING IN THE REAR OF THE NEW AND EXISTING BUILDINGS. PROJECT WILL REQUIRE A REDUCTION IN ISLE WIDTH FROM 22' TO 20'.

GEARY S. SIMON
2010 'N'. STREET, NW
WASHINGTON, DC 20036

2010 'N' STREET, NW
WASHINGTON, DC 20036

1. COVER SHEET
2. NOTES, ABBREVIATIONS AND LEGEND
3. CONTEXTUAL PLAN
4. EXISTING CONDITIONS
5. PRELIMINARY DEVELOPMENT PLAN
6. BMP CALCULATIONS AND DRAINAGE DIVIDES
7. LANDSCAPE PLANS
8. ELEVATIONS
9. CONSOLIDATION PLAN

APPROVED	
CITY PLAN NO. _____	
DEPARTMENT OF PLANNING & ZONING	
REVISION _____	DATE _____
DEPARTMENT OF TRANSPORTATION & COMMUNICATIONS SERVICES	
SITE PLAN NO. _____	
REVISION _____	DATE _____
CITY PLANNING DIVISION	
DATE APPROVED _____	DATE _____
APPROVED BY _____	
STAMP NO. _____	DATE _____

	
COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF REVENUE No. 12518 PROFESSIONAL	
P-AM STATUS	
DATE	DESCRIPTION
GP	SRW AM
DESIGN	DRAWN CHANCE
SCALE	AS SHOWN
408 No. 227.4-01-OC DATE: FEBRUARY 3, 20 FILE NO.	
SHEET 1 OF 9	

COVER SHEET

GATEWAY CENTER


CITY OF ALEXANDRIA

VIRGINIA

Boerman Consulting Group, Ltd.
2121 Eisenhower Avenue
Suite 302
Alexandria, Virginia 22314
Phone: (703) 548-2188
Fax: (703) 683-5781
www.boermanconsulting.com

Bowman
CONSULTING

[illegible]

SHEET 2 OF 9	<div style="text-align: center;">  <p>STATE OF VIRGINIA PROFESSIONAL ENGINEER MATTHEW J. SMITH NO. 12518</p> </div>	<div style="text-align: center;"> <p>NOTES, ABBREVIATIONS AND LEGEND</p> <p>GATEWAY CENTER</p> <p>CITY OF ALEXANDRIA 32 VIRGINIA</p> </div>
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>SP- NUMBER _____</p> <p>COUNTY PROJECT NUMBER _____</p> <p>DATE _____</p> <p>CD / SHW / DATE _____</p> <p>SCALE: 1" = _____</p> <p>ADN No. 227-24-01-001</p> <p>DATE: FEBRUARY 2003</p> <p>FILE No. _____</p> </div> <div style="width: 65%;"> <p>Bowman Consulting Group, Ltd. 2121 Eisenhower Avenue Suite 302 Alexandria, Virginia 22314</p> <p>Phone: (703) 542-2188 Fax: (703) 583-5781</p> <p>www.bowmanconsulting.com</p> <p>© Bowman Consulting Group, Ltd.</p> </div> </div>		



APPROVED	
CITY PLAN NO. _____	
DEPARTMENT OF PLANNING & ZONING	
SECTION _____	SUB _____
DEPARTMENT OF TRANSPORTATION & COMMUNICATION SERVICES	
CITY PLAN NO. _____	
SECTION _____	SUB _____
DEPARTMENT OF PLANNING & ZONING	
PLAN REVISIONS _____	SUB _____
REVISION NO. _____	DATE 2000 NO. _____
	DATE NO. _____

CONTEXTUAL PLAN

GATEWAY CENTER

CITY OF ALEXANDRIA VIRGINIA

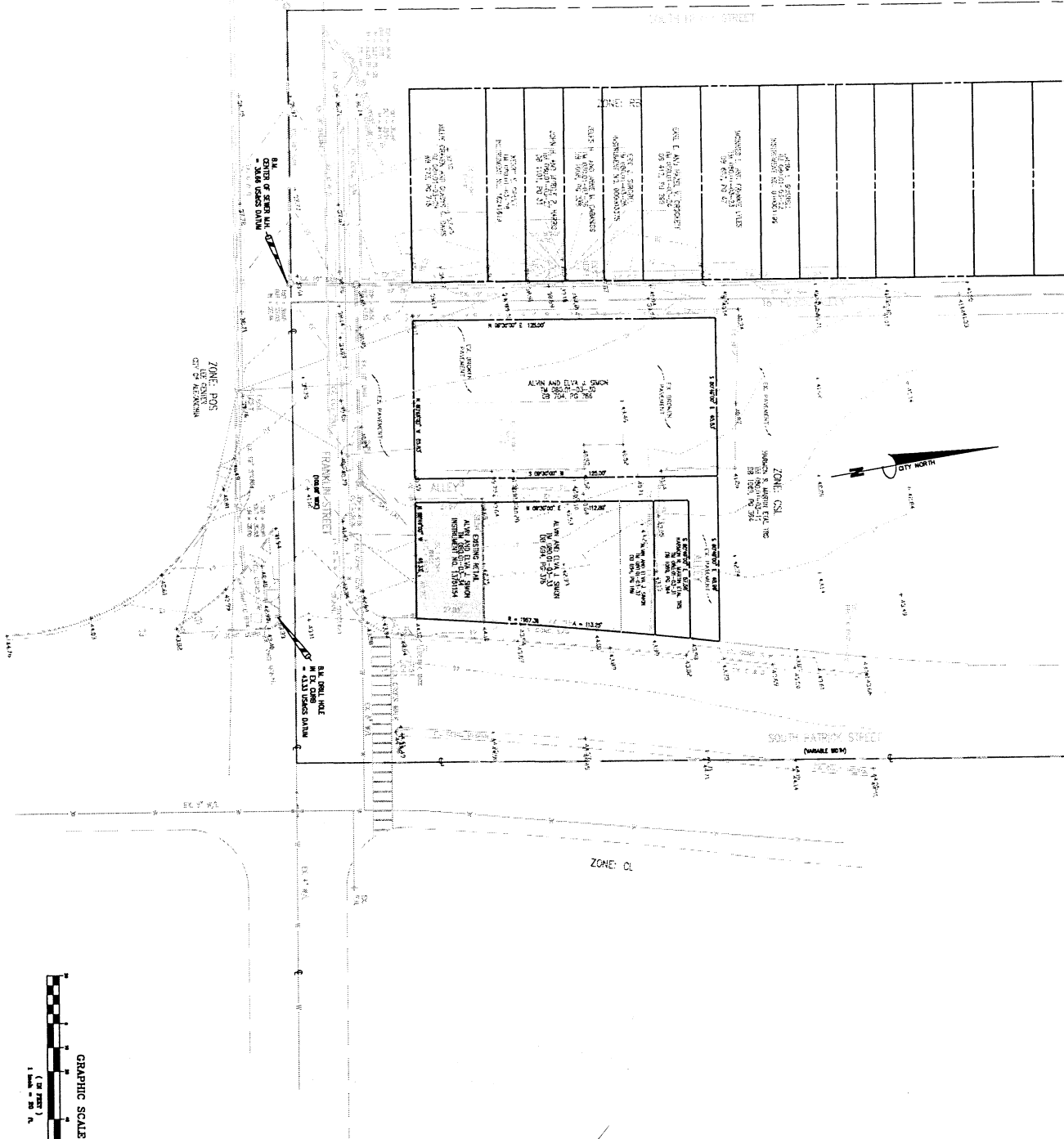
Bowman Consulting Group, Ltd.
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Suite 302
Alexandria, Virginia 22314

Phone: (703) 548-2188
Fax: (703) 663-5781

www.bowmanconsulting.com

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APPROVED	
CITY PLAN NO. _____	
DEPARTMENT OF PLANNING & ZONING	
SECTION _____	SUB _____
DEPARTMENT OF LANDMARKS & HISTORIC SERVICES	
CITY PLAN NO. _____	
SECTION _____	SUB _____
CITY PLANNING DIVISION	
DATE RECEIVED _____	DATE _____
CERTIFICATE NO. _____	7-20-00

S/P-NUMBER COUNTY PROJECT NUMBER		COMMUNICATIONS AMTORG MOSES No. 12316 RECORD RECORD	
P-LM STATUS			
DATE	05/28/97	NON	
GP	JR	AM	
DESIGN	DRWN	CHGCD	
SCALE	1"=30'		
JOB No. 22774-01-00-00			
DATE: FEBRUARY 1, 20			
DLE No.			
SHEET	4	OF	9

EXISTING CONDITIONS AND DEMOLITION PLAN

GATEWAY CENTER

CITY OF ALEXANDRIA

VIRGINIA

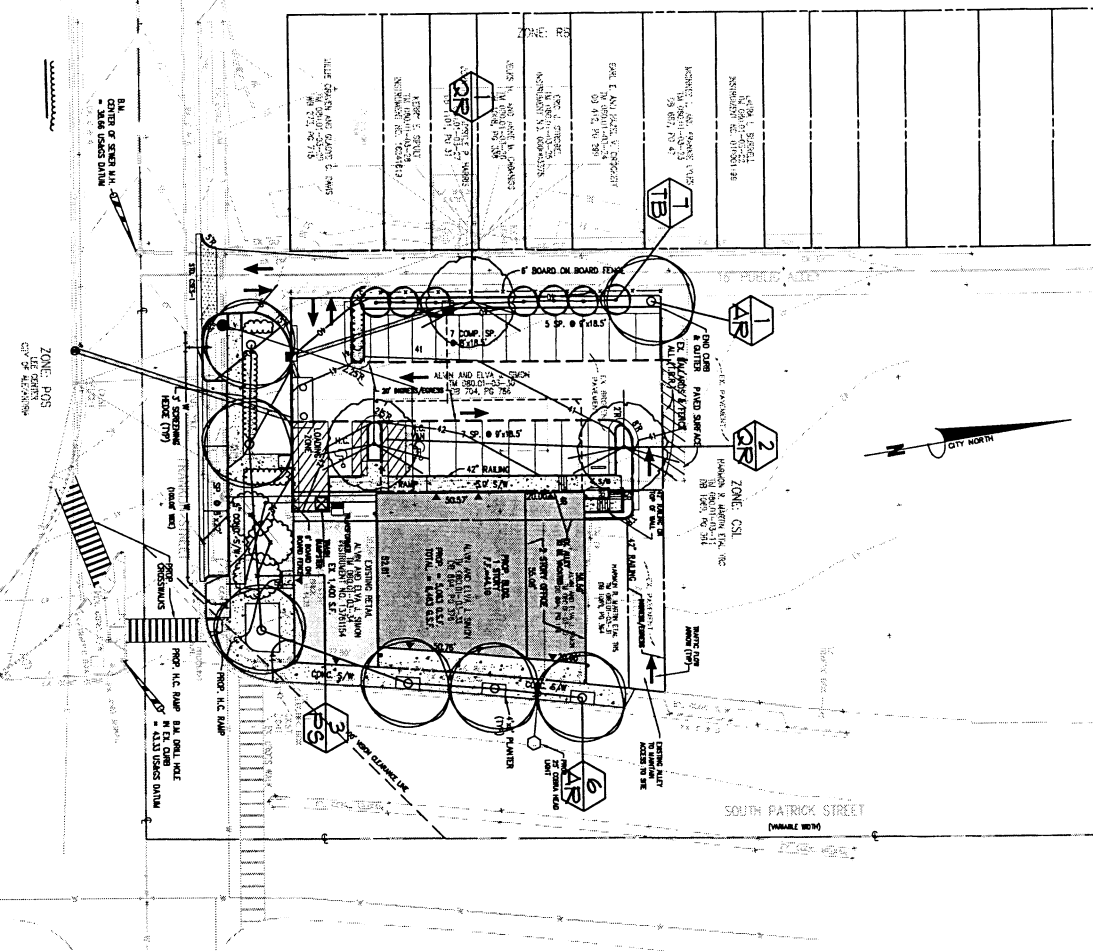
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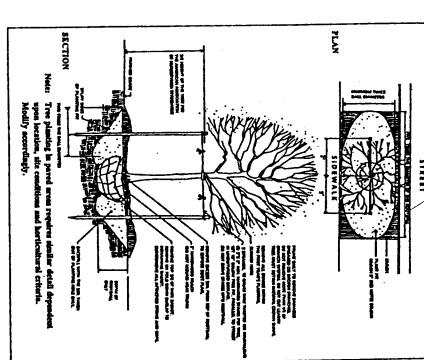
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Bowman
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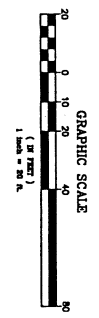


- GENERAL PLANTING NOTES:**
1. ALL PLANT MATERIALS AND SPECIFICATIONS SHALL BE IN ACCORDANCE WITH THE CURRENT AND MOST UP-TO-DATE EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANS Z60.1) AS PRODUCED BY THE AMERICAN ASSOCIATION FOR NURSERYMEN, WASHINGTON, D.C.
 2. ALL PLANT MATERIALS SHALL BE GRADED AND HANDLED IN COMPLIANCE WITH ANSI Z60.1 - THE AMERICAN STANDARD FOR NURSERY STOCK (CURRENT AND MOST UP-TO-DATE EDITION). SIZES TO CONFORM TO STANDARD FOR NURSERY STOCK (CURRENT AND MOST UP-TO-DATE EDITION). SIZES TO CONFORM TO STANDARD FOR NURSERY STOCK (CURRENT AND MOST UP-TO-DATE EDITION).
 3. MAINTENANCE AFTER INSTALLATION, OTHER THAN WARRANTY REPLACEMENT, IS THE RESPONSIBILITY OF THE OWNER. MAINTENANCE, PRIOR TO APPROVAL OF THE WORK, IS THE RESPONSIBILITY OF THE CONTRACTOR.
 4. CHARACTERISTICS OF INDIVIDUAL SPECIES.



ITEM	DESCRIPTION	QTY	SIZE/HT	CONDITION	COVER
1	BRITISH COLUMBIA	1	12" x 12"	100%	100%
2	BRITISH COLUMBIA	1	12" x 12"	100%	100%
3	BRITISH COLUMBIA	1	12" x 12"	100%	100%
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SITE AREA: 1,437 SF
TOTAL COVER: 1,437 SF
TOTAL COVER: 1,437 SF



APPROVED

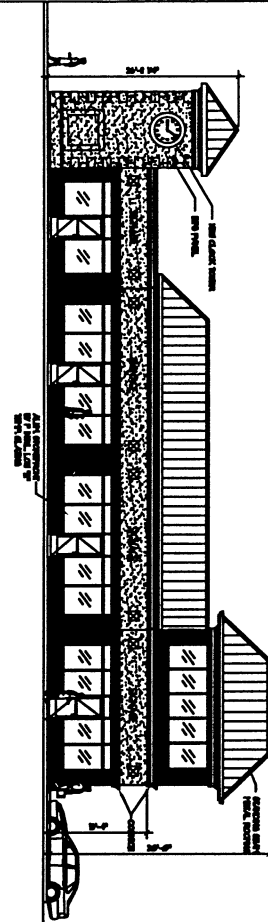
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BY: [Signature]
FOR: [Signature]
TITLE: [Signature]
DATE: 02/27/2014
BY: [Signature]
FOR: [Signature]
TITLE: [Signature]

PRELIMINARY LANDSCAPE PLAN
GATEWAY CENTER
CITY OF ALEXANDRIA 37 VIRGINIA

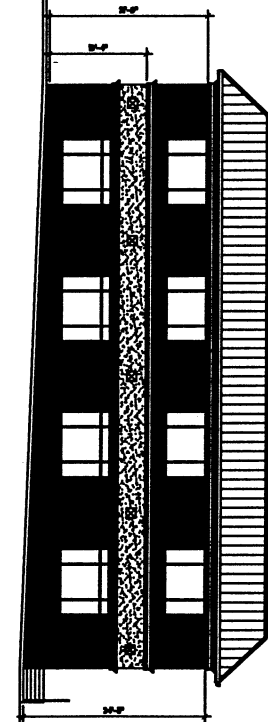
Bowman Consulting Group, Ltd.
2121 Eisenhower Avenue
Suite 202
Alexandria, Virginia 22314
Phone: (703) 544-2166
Fax: (703) 543-9781
www.bowmanconsulting.com
© Bowman Consulting Group Ltd.



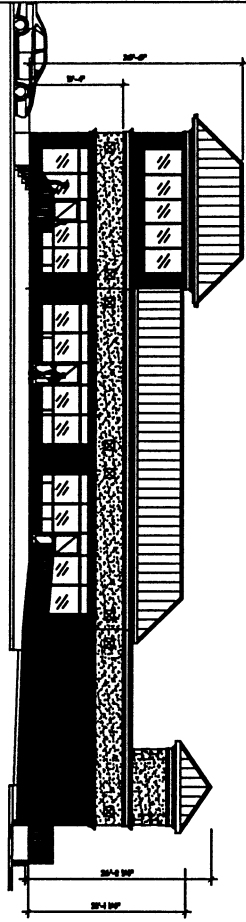
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FOR: [Signature]
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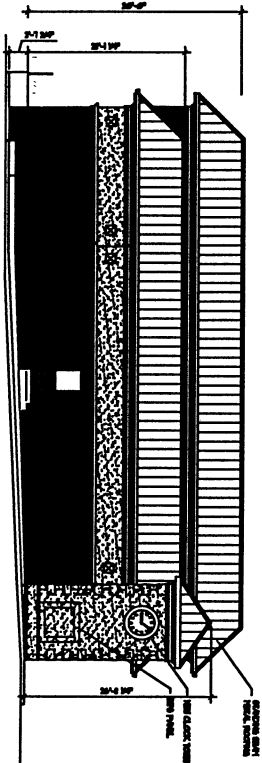
SOUTH PATRICK STREET/FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



FRANKLIN STREET/LEFT SIDE ELEVATION

APPROVED	
DNC ARCHITECTS, INC.	
1370 Piccard Drive, Rockville, Maryland 20850	
(301) 840-1100 Fax (301) 977-9193	
DNC@DNCARCH.COM	
DATE: 5-29-03	
BY: [Signature]	
CHECKED BY: [Signature]	
PROJECT: Gateway Center	
SHEET: 8 OF 9	

<p>Gateway Center City of Alexandria, VA</p> <p>Elevations</p>	<p>DATE: 5-29-03</p> <p>BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>	<p>PROJECT: Gateway Center</p> <p>LOCATION: 1370 Piccard Drive, Rockville, MD 20850</p> <p>ARCHITECT: DNC ARCHITECTS, INC.</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>38</p>
	<p>DATE: 5-29-03</p> <p>BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>	<p>PROJECT: Gateway Center</p> <p>LOCATION: 1370 Piccard Drive, Rockville, MD 20850</p> <p>ARCHITECT: DNC ARCHITECTS, INC.</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>38</p>

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

October 6, 2003

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
c/o Ms. Eileen Fogarty, Director
Department of Planning and Zoning
City Hall, Room 2100
Alexandria, VA 22314

PC Docket Item # 21
DSP 2003-0012

Re: Docket Item No. 21, Gateway Center
DSP # 2003-0012

Dear Mr. Wagner and Members of Planning Commission:

The Applicant proposes the following changes to the conditions of the above referenced development site plan as agreed to by the Staff:

Condition No. 7:

The uses for the proposed building shall be limited to personal service, retail and business and professional office uses. Personal service uses shall be limited to arts and crafts studio, banks, credit unions, bicycle repair, barbershop, beauty shop, dressmaker, tailor, dry cleaning, locksmith, musical instrument repair, optical center, professional photographers, shoe repair, watch repair and print and photocopying. Retail uses shall be limited to antiques, appliances, art galleries, art supplies, bakery (limited to 3,500 sq.ft.), books, candy, clothing, clothing accessories and dry goods, drugstore, floor coverings, florist, furniture, groceries, hardware, paint and wallpaper, household goods, jewelry, leather, luggage, musical instruments, photographic equipment and supplies, toys, and sporting goods. Business and professional office uses shall be limited to accounting, administration, sales representatives, manufacturer's representatives, engineers, architects, artists, lawyers, accountants, real estate brokers, insurance agents and landscape architects, dentists, physicians and other medical practitioners and other uses permitted by Special Use Permit within the CSL zone.

Mr. Eric Wagner, Chairman
and Members of Planning Commission
October 6, 2003
Page 2 of 2

Condition No. 18:

The applicant shall provide access on South Patrick Street, with a shared perpetual access easement with the adjoining property owner that shall be a minimum width of 14 feet at the right of way line or an alternative that will enable truck and vehicle access from Patrick Street to the satisfaction of the Director of T&ES and P&Z.

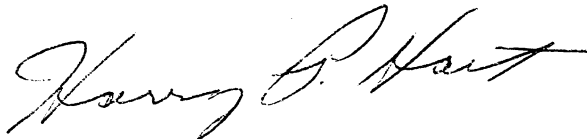
With regard to vehicular access to the site, enclosed for your information please find a template showing the turning radius into the proposed Gateway Center from S. Patrick Street for a 19 foot long 7 foot wide automobile. We believe that this access works for the access to the shopping center for all of its customers. As an alternative, the applicant is willing to accept a condition that provides access from S. Patrick Street onto Franklin Street with signage that reads, 'Travel Lane for access to shopping center/public alley only,' with the existing 10' alley being used for exit only onto S. Patrick Street.

In that vein, if the Commission is so inclined, we propose the following alternative language for Condition No. 18:

The applicant shall provide access on South Patrick Street, with a shared perpetual access easement with the adjoining property owner that shall be a minimum width of 14 feet at the right of way line or an alternative access from Patrick Street onto Franklin Street with proper signage that will enable truck and vehicle access from Patrick Street to the satisfaction of the Director of T&ES and P&Z. Signage should read "Traffic Lane For Shopping Center/Public Alley Only" or similar language satisfactory to the Director of T&ES. The existing alley onto S. Patrick Street is to be used for exit only.

Thank you for your consideration. We look forward to working with you towards the successful approval of this project.

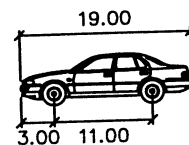
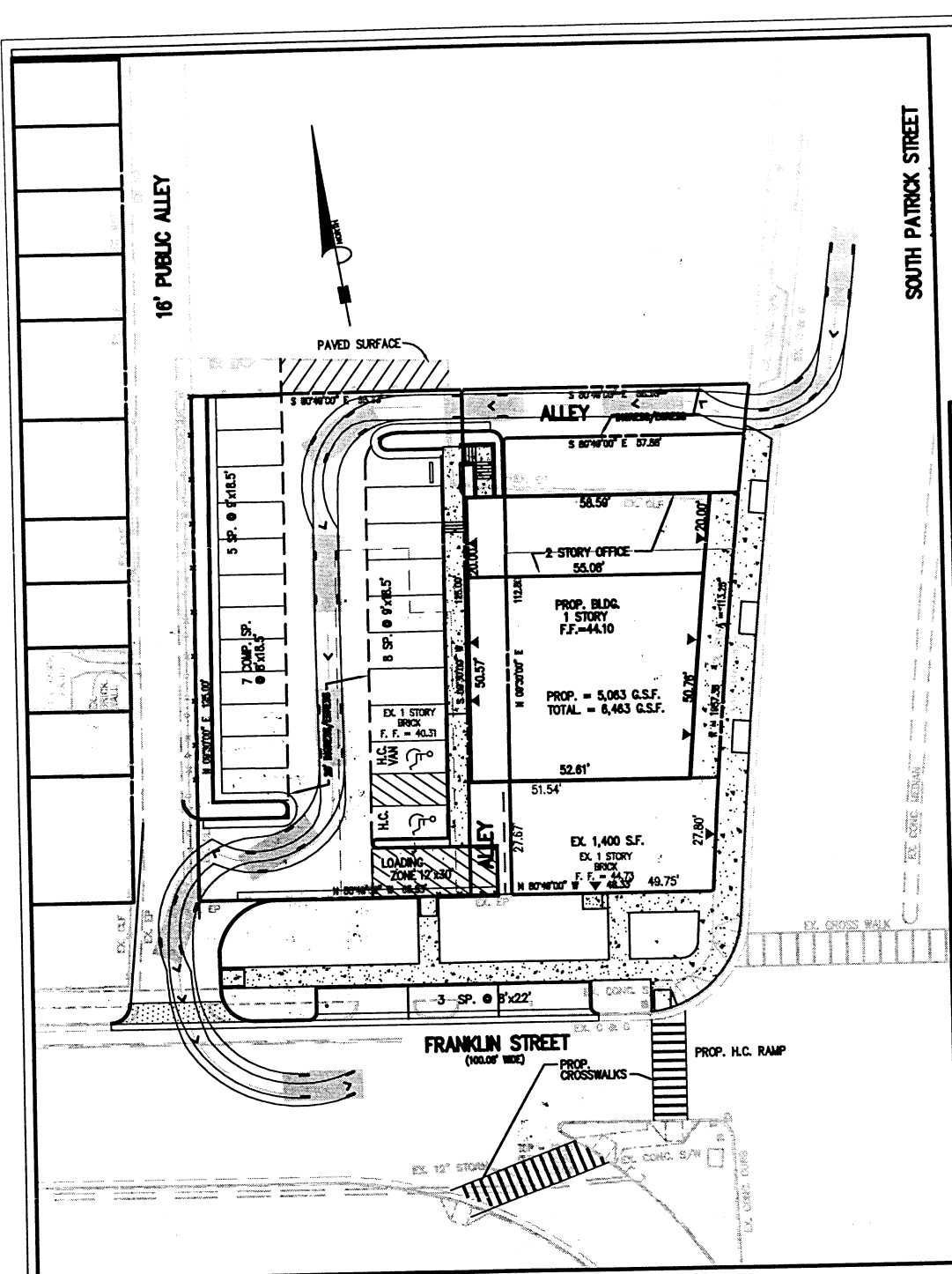
Very truly yours,



Harry P. Hart

Enclosure

cc: Geary Simon



P	feet
Width	: 7.00
Track	: 6.00
Lock to Lock Time	: 6.00
Steering Angle	: 31.24

VEHICLE TURNING MOVEMENT (CAR)

DWG:

SCALE:

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
2121 Eisenhower Avenue, Suite 302
Alexandria, Virginia 22314

Phone: (703) 548-2188
Fax: (703) 683-5781
www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

TURNING MOVEMENT EXHIBIT
GATEWAY CENTER
CITY OF ALEXANDRIA, VIRGINIA

42

433 Old Town Court
Alexandria, VA 22314
September 28, 2003

Planning Commission
City of Alexandria
City Hall
301 King Street, Suite 2100
Alexandria, Virginia 22314

*PC Packet Item # 21
DSP#2003-0012*

Dear Chairman and Commissioners:

We, the undersigned, submit the attached petitions in opposition to the current development plans for the site known as the "Gateway Market," located at the North West corner of Franklin St. and Route 1. As of the date of this letter, more than 150 people have signed these petitions. We have found overwhelming support by the residents to oppose the current planned development. This modest effort at gathering signatures indicates that many more residents of the immediate and surrounding areas oppose commercial development on this property.


We have uncovered absolutely no support for this project by any of the neighborhood residents. In the meetings held by the owner/developer with the various community associations, the communities have expressed their strong objections to this project. The owner/developer has failed to address any of these objections and made no material changes to his plans despite community concerns.

This site has stood for the past 15 years as a blight on the Southwest Quadrant neighborhood. Efforts by the community to have the owners cut the grass and clean up the property have been rebuffed. The City government has not supported the neighbors in their attempt to maintain the standards of their community.

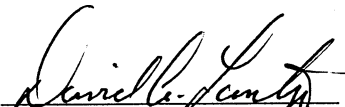
During the past 25 years, all the development in the Southwest quadrant of Old Town Alexandria has been residential. Old Town South, Old Town Station, and Old Town Village have all been developed exclusively as residential communities. Any commercial development of the Gateway Market site is entirely out of step with the character of the neighborhood and needs of the community and the City.

We implore the Planning Commission to deny this proposal on the basis of lack of parking, highly inadequate security and safety, dangerous traffic patterns, and disregard by the developer for the concerns of the surrounding community.

Respectfully submitted,



Vera Henderson
Southwest Quadrant
Civic Association



David A. Lantzy
Old Town Station
Owners' Association



Lynn Sealander
Old Town South
Owners' Association

SUBC A

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	Jacqueline Bailey	Jacqueline Bailey	516 S Payne St
2	Mr. & Mrs. Goffe	MR & MRS Goffe	512 S Payne St.
3	Mr & Mrs David Taylor	MR & MRS TAYLOR	510 S. PAYNE ST
4	Charlene Dendy	CHARlene Dendy	510 So Payne St
5	Mr & Mrs Wilbur Moore	WILBUR MOORE	508 So. Payne St
6	Westin T. Jameson	WESTIN T. JAMESON	506 S. Payne St.
7	Annette Tyler	Annette Tyler	518 S. Payne St
8	Kiyah Tyler	Kiyah Tyler	518 South PAYNE ST.
9	George Jacobs	GEORGE JACOBS	504 S Payne St
10	Mr & Mrs John Taylor	John & Beatrice Taylor	520 So Payne St.
11	Mrs. Virginia Bentley	VIRGINIA BENTLEY	522 So. Payne St.
12	Valerie Harris	Valerie Harris	1216 Wilkes St.
13	Maxine Darrin	MAXINE DARRIN	1218 WILKES T
14	Samuel A. Murrin	SAMUEL A. MURRIN	1214 WILKES ST.
15	Etta Bates	ETTA BATES	1204 WILKES ST.
16	Norma Green	NORMA GREEN	1208 Wilkes St.
17	John W. McCauley	John W. McCauley	1206 Wilkes St.
18	Harvey & Ella Lewis	HARVEY & ELLA LEWIS	1202 WILKES ST
19	Jim Faulkner	JIM FAULKNER	627 S Fayette St
20	Hattie Blackwell	HATTIE BLACKWELL	1213 GIBSON ST
	DORIS LEO JACKSON	DORIS LEO JACKSON	1209 GIBSON ST

the Towne West Civic Assoc.

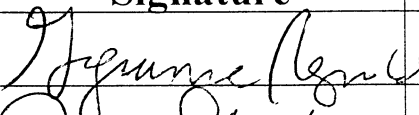

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	Ebony Locke	Ebony Locke	909 Gribben St
2	Jermaine Foster	Jermaine Foster	904 Wolfe St
3	Kyara J.	Kyara Jones	906 Wolfe St
4	Markene Bell	Markene Bell	910 Gribben St
5	Marguerite P.	Marguerite T.	
6	Makeia Judkins	Makeia Judkins	
7	Crystle Thompson		3419 Wheat Wheel
8	Sharon Frazier		
9	Caitlyn Alexander		911 Franklin Ave
10	Sharon Frazier		
11	Shawana Hill	Shawana Hill	9420 Andrew Mill Ln
12	Jamal Mitchell		12502 Manly Ave
13	Monica Karoo		3012 S. ... R1
14	Sharon Frazier	—	—
15	Ebony Roberts		
16	Vikki Brown	—	—
17	Jaquinta Ford	—	—
18	Pierre Clark	—	1200 Towers
19	Tiffany Young	Tiffany Young	Tower 2000
20	Dominique Justice		614 Columbus St.
21	Catherine Ward	Catherine Ward	607 S. ... St.

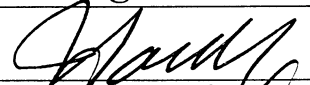



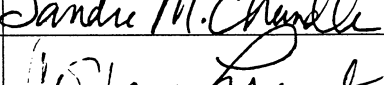
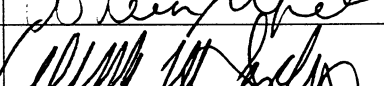
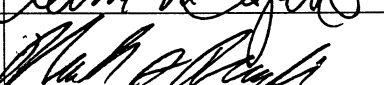
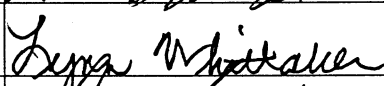


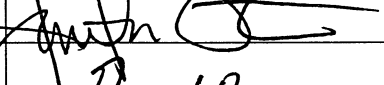
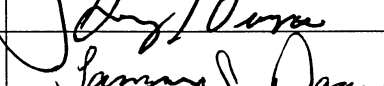
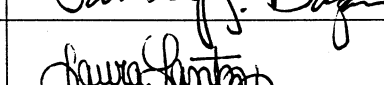
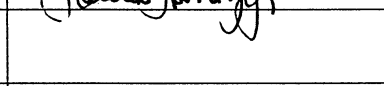
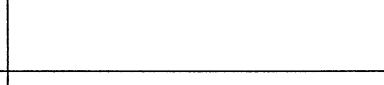
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	Signature	Name (Print)	Address
1	<i>M. Race</i>	Mimi Race	731 S. Fayette St Alexandria VA 22314
2	<i>Roman Martie</i>	Roman Martino	726 S. Fayette St. 22314 Apt G-2 Alexandria Va.
3	<i>Maureen Marcias</i>	Maureen Marcias	726 S. Fayette St # 32 Alexandria VA 22314
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	Signature	Name (Print)	Address
1		Georgeanne Reynolds	4197 OLD TOWN CT 22314
2		Jan Stanton	443 Old Town Ct 22314
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Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		JOSE VIRELLI	465 OLD TOWN CT
2		DAVID LANTER	433 OLD TOWN CT.
3		JACK K. HENES	404 PRINCE ST
4		Cynthia Edwards	6 E. Del Ray Ave
5		Sandra Chandler	451 Old Town Ct
6		Colleen Lynch	437 Old Town Ct
7		ALBERT M. SYKES	435 OLD TOWN COURT
8		RICCARDO, MICHAEL	409 Old Town Ct.
9		Lynn Whittaker	427 Old Town Court
10		DEAN KRATZEMBERG	425 OLD TOWN COURT
11		Kathy Van Kleeck	439 Old Town Court
12		Jennifer Stern	457 old Town Ct
13		GARY L. DAGAN	405 Old Town Ct
14		Tammy J. Dagan	405 Old Town Ct.
15		Laura Kantzy	433 Old Town Ct.
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Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Edward C. Benson</i>	Edward C. Benson	602 South Henry St.
2	<i>Jessie R. Ingram</i>	Jessie R. Ingram	606 S Henry St.
3	<i>Joe H. Hallums</i>	JOE H. HALLUMS	600 S. HENRY ST
4	<i>Bernice Wallace</i>	Bernice Wallace	609 S. Henry St
5	<i>Regina Williams</i>	Regina Williams	607 S. Henry St.
6	<i>Bradley Bostick</i>	Brad Bostick	609 S. Henry St
7	<i>Sylvia L. Brown</i>	Sylvia L. Brown	625 S. Henry St
8	<i>Eric Strobel</i>	ERIC STROBEL	626 S. Henry St.
9	<i>McInnes Lyles</i>	McINNES Lyles	622 So " "
10	<i>Marlin Sikes</i>	Marlin Sikes	615 So Henry St
11	<i>Angela Cooper</i>	Angela Cooper	614 South Henry St
12	<i>Jessie R. Ingram</i>	Jessie Ingram	603 South Henry St.
13	<i>Rahim Moussaif</i>	RAHIM MOUSSAIF	604 South Henry St
14	<i>Mike Boderson</i>	MIKE BODERSON	605 South Henry St.
15	<i>Walter Marx</i>	WALTER MARX	611 S HENRY ST.
16	<i>Chris Marfori</i>	Chris Marfori	613 S. Henry St.
17	<i>John Harris</i>	John Harris	630.50 Henry St
18	<i>Shirley Harris</i>	Shirley Harris	630 So Henry St
19	<i>Dorothy P. Mitchell</i>	Dorothy P. Mitchell	616 S. Henry St.
20	<i>Joyce Webster</i>	Joyce Webster	518 So Fayette St.

SWGA

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Theresa J. Edwards</i>	Theresa J. Edwards	1212 Franklin St.
2	<i>Deborah E. Taylor</i>	Deborah E. Taylor	1214 Franklin St.
3	<i>Lillie Finkler</i>	Lillie Finkler	1210 Franklin St
4	<i>William Henderson</i>	William Henderson	715 S. Fayette St
5	<i>William and V. Horton</i>	William and V. Horton	717 S Fayette St.
6	<i>Bernice Dismuke</i>	Bernice Dismuke	727 S Fayette St
7	<i>James Moore</i>	James S. Moore	733 south Fayette
8	<i>Edna Williams</i>	Edna Williams	732 S. Payne St
9	<i>Paul Wilson</i>	Paul Wilson	732 S. Payne St.
10	<i>Dianne Robinson</i>	Dianne Robinson	722 S Payne St.
11	<i>Kyla Kelly</i>	Kyla Kelly	714 S. Payne St
12	<i>Owen Patrick</i>	Owen Patrick	718 S PAYNE ST
13	<i>Bryce P. Kelly</i>	714 S. Payne St	714 S. Payne St.
14	<i>Lorraine P. Williams</i>	710 S. Payne St	Lorraine P. Williams
15	<i>Regina Brooks</i>	1214 Franklin St	REGINA BROOKS
16	<i>Alfred D. Brooks</i>	1214 Franklin St	Alfred D. Brooks
17	<i>Linda Hall</i>	1218 Franklin St	LINDA HALL
18	<i>Erica Thompson</i>	1220 Franklin St	ERICA Thompson
19	<i>Victoria Talley</i>	1208 Franklin St	VICTORIA TALLEY
20	<i>Margiretti McDonald</i>	1206 Franklin St	Margiretti McDonald

St 6C 4

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Queen Gilbert</i>	QUEEN GILBERT	1262 Franklin St
2	<i>Jeremiah Ulmer</i>	JEREMIAH ULMER	1202 FRANKLIN ST
3	<i>Elizabeth Giese</i>	Elizabeth Giese	713 S. Fayette St
4	<i>Lenaah Fields</i>		728 S. Henry St
5	<i>L.A. Randall</i>	L.A. RANDALL	708 S. PALME ST
6	<i>Andrew Burke</i>	Andrew Burke	711 S. Fayette St.
7	<i>David C. Bertocci</i>	David C. Bertocci	677 South Henry Street
8	<i>MARY L. Hallums</i>	Mary L. Hallums	600 So. Henry St.
9	<i>Ntoetse Bertocci</i>	Ntoetse Bertocci	617 S. Henry St.
10	<i>Robert Hill</i>	Robert Hill	619 S. Henry St
11	<i>Doretha P. Mitchell</i>	Doretha P. Mitchell	610 So. Henry St.
12	<i>Jessie R. Griffin</i>	Jessie R. Griffin	606 So Henry St.
13	<i>Roberta Melton</i>	Roberta Melton	622 South Fayette St
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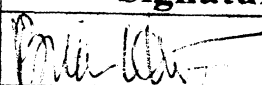
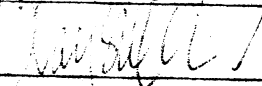

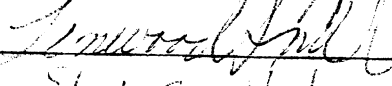
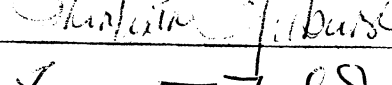
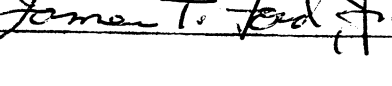
5066 H

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Dorothy White</i>	DOROTHY WHITE	606 S. PAYNE ST.
2	<i>Corretta White</i>	LORETTA WHITE	606 S. PAYNE ST.
3	<i>Ethel V. Nelson</i>	Ethel V. Nelson	600 S. Payne St.
4	<i>Charles H. Nelson</i>	Charles H. Nelson	600 S. Payne ST.
5	<i>Jaie K. Moon</i>	JAIE K. MOON	622 S. Payne St.
6	<i>Camille Moon</i>	Camille Moon	622 S. Payne St.
7	<i>Saunders Moon</i>	Saunders Moon	622 S. Payne St.
8	<i>Cameron Moon</i>	Cameron Moon	622 S. Payne St.
9	<i>Mellowese Pegues</i>	MELLOWESE PEGUES	620 S. PAYNE ST.
10	<i>Henriette Compell</i>	HENRIETTE COMPELL	624 S. PAYNE ST.
11	<i>Laura A. Rzepka</i>	LAURA A. RZEPKA	614 S. PAYNE ST.
12	<i>Kim V. Frey</i>	KIM V. FREY	618 S. PAYNE ST.
13	<i>Vernice Huggins</i>	Vernice Huggins	628 S. Payne ST
14	<i>Sallye M. Hill</i>	630 S. PAYNE ST. ^{Alex}	<i>Sallye M. Hill</i>
15	<i>M. Sackles</i>	M. SACKLES	616 S. Payne St
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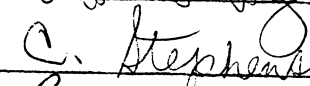
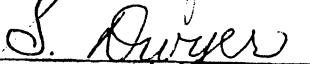
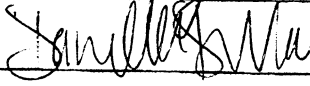
3005CA

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		Brian J. Hunt	516 South Henry St, Alexandria
2		Nancy S. Williams	516 S. Henry St., Alexandria
3		PATRICIA T. GRIFFIN	1013 GIBBON ST. ALEX. VA 22314
4		Linwood Smith	1007 GIBBON ST ALEX VA 22314
5		Shantana Williams	1005 GIBBON ST. ALEX. VA 22314
6		James T. Ford Jr	515 S. Patrick St Alex Va 22314
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SCA

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		David Boettinger	1109 Gibbon
2		Charie Stephens	1111 Gibbon Street
3		Sheila Dwyer	1113 Gibbon Street
4		Danielle Devere	1109 Gibbon Street
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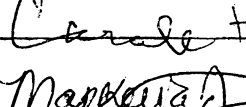
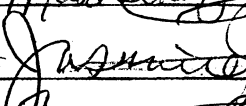
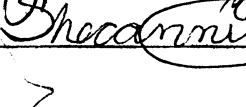
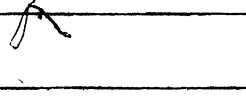
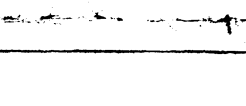
SUGGEST

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	Bobby Archer	Bobby Archer	618 S. Henry St. 22314
2	Joshua Cowdery	Joshua Cowdery	632 S. Henry St. 22314
3	McRobert Carroll	Robert Carroll	34 East Linden St 22301
4	SARA PINOWAR	SARA PINOWAR	620 S. Henry St. 22314
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CH TOWNE WEST CIVIC ASSOC.

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		V. Bell	910 Gilkison St
2		Mary Colbert	324 S. Whiting St
3		Carole Harper	609 S. Alfred St
4		Markenia Bell	910 Gibbon St
5		Jasmine Jones	1207 Quaker Hill Dr
6		Sheranntha Bell	910 Gibbon St
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Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	Katie Johnson	KATIE JOHNSON	234 S FAYETTE ST
2	E. Tracy Brown	Tracy Brown	702 S. Fayette St. #12
3	Ted Booth	TED BOOTH	702 S. FAYETTE ST #21
4	Danielle Simonds	Danielle Simonds	702 S. Fayette St #22
5	Pearl Turner	PEARL TURNER	706 S FAYETTE #11
6	Bernice Miller	BERNICE MILLER	706 S Fayette #21
7	Patrick Noel	PATRICK NOEL	706 S. FAYETTE ST #12
8	Tishaun Miller	TISHAUN MILLER	3713 RUXBURY LANE
9	James Miller	James Miller	3713 Foxbury Lane
10	Marsha Hunt	MARSHA HUNT	1207 GIBBON STREET
11	Aaron Owens	AARON OWENS	1705 GIBBON ST
12	Earl Fisher	Earl Fisher	511 Fayette St
13	Harold Robinson	HAROLD ROBINSON	516 So FAYETTE ST
14	Clayton Robinson	CLAYTON ROBINSON	516 So FAYETTE ST
15	Earlie Simon	EARLIE SIMON	1105 GIBSON ST
16	Eva Morrissey	EVA MORRISSEY	1103 GIBBON ST.
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DSP 2003-0012

433 Old Town Court
Alexandria, VA 22314
October 6, 2003

Planning Commission
City of Alexandria
City Hall
301 King Street, Suite 2100
Alexandria, Virginia 22314

Dear Chairman and Commissioners:

We, the undersigned, submit the attached petitions in opposition to the current development plans for the site known as the "Gateway Market," located at the North West corner of Franklin St. and Route 1. As of the date of this letter, more than 150 people have signed these petitions. We have found overwhelming support by the residents to oppose the current planned development. This modest effort at gathering signatures indicates that many more residents of the immediate and surrounding areas oppose commercial development on this property.


We have uncovered absolutely no support for this project by any of the neighborhood residents. In the meetings held by the owner/developer with the various community associations, the communities have expressed their strong objections to this project. The owner/developer has failed to address any of these objections and made no material changes to his plans despite community concerns.

This site has stood for the past 15 years as a blight on the Southwest Quadrant neighborhood. Efforts by the community to have the owners cut the grass and clean up the property have been rebuffed. The City government has not supported the neighbors in their attempt to maintain the standards of their community.

During the past 25 years, all the development in the Southwest quadrant of Old Town Alexandria has been residential. Old Town South, Old Town Station, and Old Town Village have all been developed exclusively as residential communities. Any commercial development of the Gateway Market site is entirely out of step with the character of the neighborhood and needs of the community and the City.

We implore the Planning Commission to deny this proposal on the basis of lack of parking, highly inadequate security and safety, dangerous traffic patterns, and disregard by the developer for the concerns of the surrounding community.

Respectfully submitted,


Scheryl Bell
Olde Towne West Civic Association

DSP 2003-0012

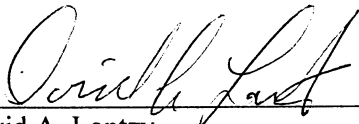
433 Old Town Court
Alexandria, VA 22314
October 7, 2003

Planning Commission
City of Alexandria
City Hall
301 King Street, Suite 2100
Alexandria, Virginia 22314

Dear Chairman and Commissioners:




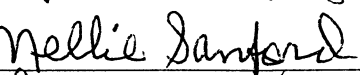
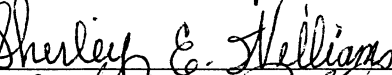
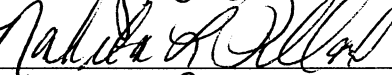


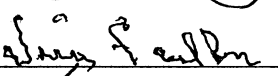

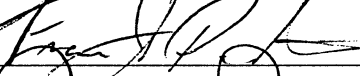
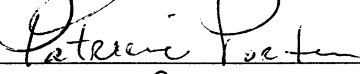



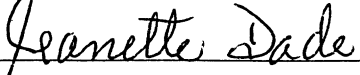
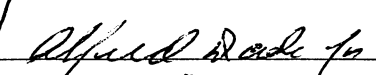


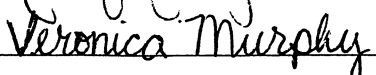
Attached are 4 additional petitions signed by the residents of the Southwest Quadrant and adjacent neighborhoods concerning the development of the "Gateway Market" site on South Patrick Street at Franklin Street.

Respectfully submitted,



David A. Lantzy
Old Town Station
Wilkes and Henry Streets

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		Pam Pegues	632 So. Fayette Street
2		RODNEY NELSON	628 SO. FAYETTE ST ALEX, VA.
3		Willis Streets	624 S Fayette St.
4		Fayette Street	615 SO. FAYETTE ST. alex, Va.
5		SHIRLEY E. WILLIAMS	615 SO. FAYETTE ST. ALEX, VA. ²²³¹⁴
6		NAKETA L. POLLARD	629 S FAYETTE STREET ²²³⁰³
7		Sandra Chase	623 S Fayette St Alex Va
8		DAVID FOSTER	625 S Fayette St
9		Don Paul Kren	627 S. Fayette St
10		634 So. Fayette	634 So. Fayette St.
11		620 S Fayette St	Francis Perlman
12		PATRICIA PORTER	620 S Fayette St
13		ERIC PORTER	620 S Fayette St
14		HUBERT WARD	618 S. FAYETTE ST.
15		Susan Minkin	610 S. Fayette St.
16		JEANETTE DADE	607 S Fayette St alex va
17		ALFRED DADE JR.	607 S Fayette St
18		MARLON NICHOLS	609 S. Fayette St
19		Kenneth Henry	613 S. Fayette St
20		VERONICA MURPHY	602 S FAYETTE ST

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Douglas Rice</i>	Douglas Rice	515 S. Fayette St
2	<i>Jean E. Lee</i>	Jean E. Lee	519 S. Fayette St.
3	<i>Clayton Robinson</i>	Clayton Robinson	515 S. Fayette St
4	<i>Martha Fisher</i>	MARTHA Fisher	511 So. Fayette St. Alex Va
5	<i>Clayton Robinson</i>	CLAYTON ROBINSON	516 So. Fayette St
6	<i>Barbara Pearson</i>	Barbara Pearson	514 S. Fayette St Alex Va
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	Signature	Name (Print)	Address
1	<i>[Signature]</i>	JAMES SWEAT	630 S. FAYETTE
2	<i>[Signature]</i>	Denise Sweat	630 S. Fayette St. Alex. Va 22314
3	<i>[Signature]</i>	JANIE B. NELSON	628 S. Fayette St. Alex. Va 22314
4	<i>[Signature]</i>	Kate Murphy	602 S. Fayette St.
5	<i>[Signature]</i>	Geneva Richey	605 S. Fayette St. Alex. Va 22314
6	<i>[Signature]</i>	FRANK & TO. FRANCIS	617 SOUTH FAYETTE ST. ALEX. VA. 22314
7	<i>[Signature]</i>	Tonialyn S. Gavin	601 South Fayette St Alex. Va 22314
8	<i>[Signature]</i>	Carolyn L. Lewis	601 South Fayette St Alex. Va 22314
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Gateway Center

DSP #2003-0012

Overview

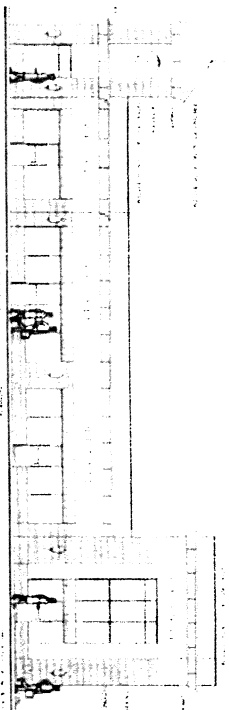


- DSP for 6,463 sq. ft. retail center with retail, personal service, and office uses.
- Planning Commission Denial 7-0. December 2, 2003. Applicant is appealing the denial of site plan by Planning Commission.
- Denial of the site plan by the Planning Commission is based on access from South Patrick Street.

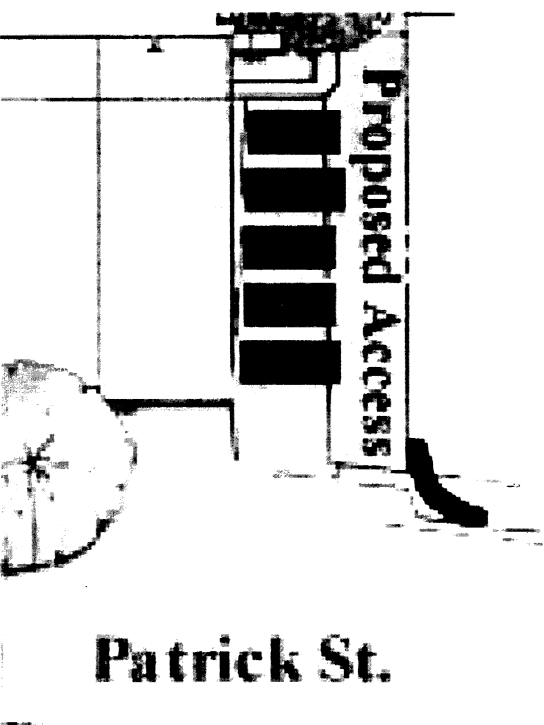
DSP #2003-0012

Gateway Center

Elevation



Proposed Site Plan



City Council

January 24, 2004

Planning Commission DSP #2003-0012

Planning Commission found the plan did not
comply with the Zoning Ordinance:

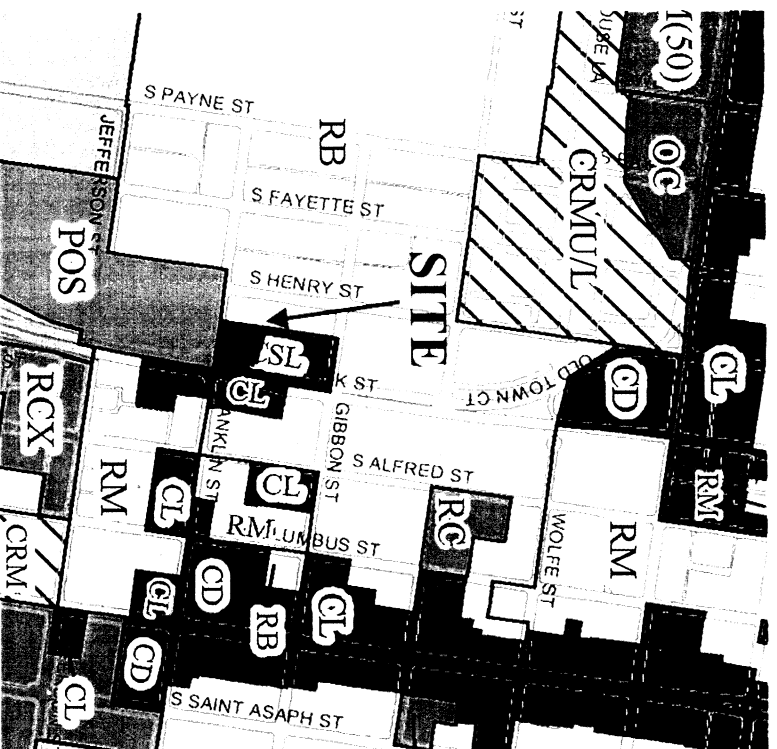
Section 11-410(D) and (K) require adequate provision to be made for roadways and access into and out of the project and also require that design and location of roadways be compatible with and not adversely affect the surrounding property or create problems on the public streets surrounding the project.

Particular concern was expressed about the impact of the proposed access on South Patrick Street.

Gateway Center

DSP #2003-0012

Traffic - Access



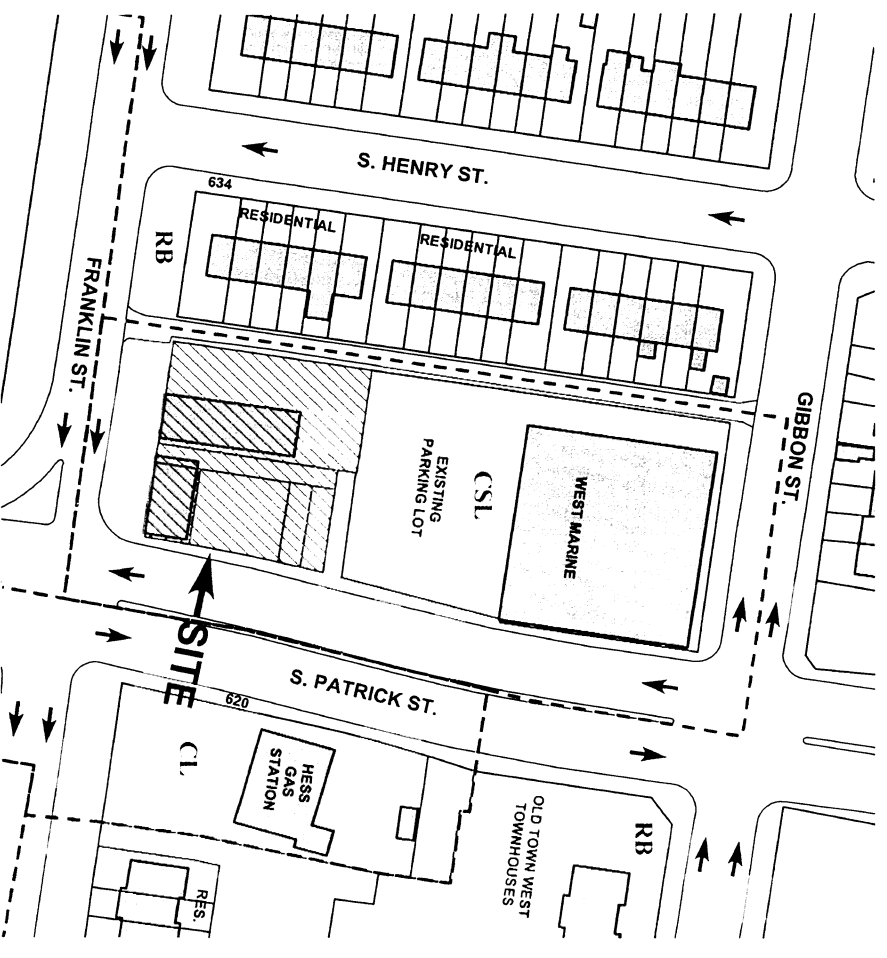
***"...to protect
residential
areas from
through traffic
resulting from
local
development"***
Master Plan

Gateway Center

DSP #2003-0012

Access

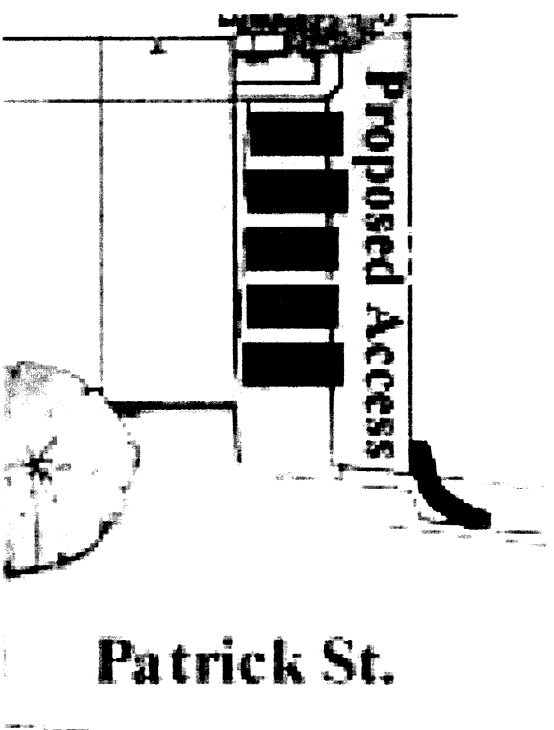
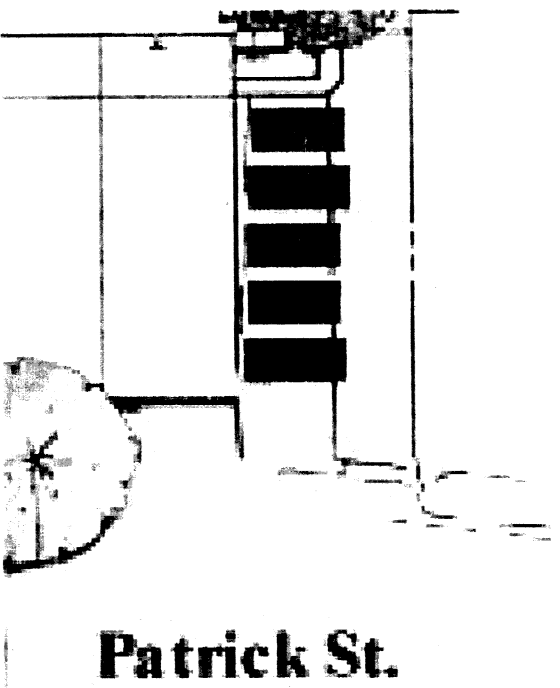
- Enforcement
- Impacts on arterial roadway
- Truck traffic
- 63,000 vehicles per day/Level of Service D-E
- Reasonable Access through one entrance on Franklin



Gateway Center

DSP #2003-0012

Proposed Access From Patrick Street



17
1-24-04

MEMORANDUM

DATE: JANUARY 24, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RAYMOND T. JOHNSON, CITIZEN OF ALEXANDRIA AND RESIDENT OF
505 S. HENRY STREET

SUBJECT: OPPOSITION TO THE PROPOSED GATEWAY CENTER DEVELOPMENT
PLAN (DSP#2003-0012)

I am Raymond T. Johnson, owner of the property at 505 S. Henry Street. I have resided at that address for approximately 25 years and am a member of the Old Town South Townhouse Association. I am here in opposition to the Gateway Center development that is proposed to be located at the northwest corner of the intersection of the 600 block of S. Patrick Street and the 1000 block of Franklin Street. I am in opposition to the proposed development for the following reasons:

1. U.S. Route 1 (south bound and north bound U.S. Route 1), has some of the highest traffic volumes in the City which severely limits access to the site. Also because of the directions of traffic flow in this area, access to the site from south is almost non-existent without traveling through the residential streets such as the 500 and the 600 block of S. Henry Street, the 1000 blocks of Wilkes and Gibbon Streets and the 1000 block of Franklin Street.
2. The high volume of traffic on U.S. Route 1 and on Duke Street severely limits access the community during the A.M. and the P.M. rush (peak) periods. Any additional trips that commercial development of this site would generate, would further increase the amount of traffic in the area.
3. The intersection of S. Patrick Street and Gibbon Street has a high incidence in the number of vehicles that "run through the red light". The month of December 2003, experienced more than 191 vehicles running through the red light at this intersection.
4. Most retail establishments are served by venders who transport their products in tractor-trailer type vehicles. Venders would have difficulty serving this development without traveling through the residential areas of the neighborhood. There would be insufficient loading area for deliveries to be made by multiple vehicles at the same time.
5. Because of the close proximity of this site to existing residential development, commercial activity on this site could not be adequately buffered and screened.

DOCKET ITEM 17, GATEWAY CENTER, (DSP#2003-0012)
ALEXANDRIA, VIRGINIA CITY COUNCIL MEETING
9:30 A.M., SATURDAY, JANUARY 24, 2004

6. The housing in the 600 block of S. Henry Street and immediately adjacent to the site has no off-street parking and on-street parking is severely limited. If experience is an indicator, the residents fear that the parking demand of the development would absorb all the available on-street parking.
7. The proposed development is not consistent with the development trends or patterns that have occurred in this neighborhood over the past 25 to 30 years. During this time period a large portion of this neighborhood has undergone a transformation through an urban renewal program changing from a predominately industrial area to a residential area. New development that has occurred in the neighborhood include:
 - Old Town South Townhouse development
 - Old Town West Townhouse development
 - Old Town Village Townhouse development
 - Wilkes Corner Townhouse developmentExisting development or uses that have undergone renovation or redevelopment include:
 - Fayette Court Homes
 - Lee Center
 - Alexandria Sanitary Authority development.
8. The CSL zone of this property amounts to a spot zone in the area which is inconsistent with the City's zoning and land use policies. It is also incompatible with land use and zoning patterns of the area.
9. The proposed development would be detrimental rather than beneficial to the neighborhood. The scale (size) of the property would allow the types of commercial uses that the homeowners fear would be incompatible with the residential character of the neighborhood.
10. The commercial uses that could potentially be located on this property already exist within a short, convenient walking distance on S. Washington Street, King Street and Duke Street.

In conclusion, I wish to request that City Council deny the appeal to develop this site under the proposed development plan. It is felt that this site could be developed under a plan that would be complementary to and compatible with the residential character of the neighborhood. Thank you for your support.

17
1-24-04

Old Town South HOA
P.O. Box 21283
Alexandria, VA 22314

January 22, 2004

Mayor William Euille
Vice Mayor Pepper
Councilman Gaines
Councilman Krupicka
Councilman Macdonald
Councilman Smedberg
Councilwoman Woodson

Dear Mayor Euille and Councilmembers,

As President of the Old Town South Homeowners Association, I am writing to you to reaffirm our homeowner's vigorous opposition to the Gateway Center (Docket item 17) based on the following:

- * **Failure of the Applicant and/or his representative to meet with OTS homeowners, as directed by the Planning Commission on October 7, 2003, to work in good faith with residents to resolve outstanding problems.**
- * **Lack of a comprehensive Traffic Analysis for this project, taking into account its unique location on the Route 1 corridor which serves 63,000 vehicles per day. This site experiences severe vehicular congestion daily, and it must be considered that the proposed project access is in the traffic lane serving the Bridge, the Beltway and Route 1 South. The matrix of one way streets and no turn lanes in the surrounding neighborhood has not been addressed. In this critical area, one car breaking down has held up traffic far along Duke Street and Route 1. Already this corner and the adjacent corner at Gibbon Street are listed among the top 10 most accident prone in Alexandria. Cars or delivery trucks attempting to enter or exit the proposed Gateway Center will increase gridlock and be an additional hazzard to motorists and pedestrians.**
- * **The lack of access to this site will force consumer, trash pick up and delivery truck traffic into the adjoining neighborhood. This will be in direct contradiction to the Southwest Quadrant Small Area Plan, which stresses the need to protect neighborhoods from cut through traffic, to moderate commercial densities (p. 15)...which may not be appropriate adjacent to low and medium density residential areas (p. 14), which did not recognize land use patterns and did designate some commercial property for residential use (p. 11) The Addendum of March 21, 1989 goes on to present (p. 10) the rezoning of commercial properties, (p. 11) the concept of compatible transition and the phasing out of industrial to residential uses.**

*** This property is not currently a commercial enterprise. The land has been vacant and derelict for over 15 years, a blight on the community. The applicant has not maintained the vacant property, and cannot demonstrate that a more complex commercial property will be maintained.**

*** Neighboring HOAs have requested that this vacant property be rezoned for residential use. Townhomes, low rise apartments, affordable housing or much needed senior citizen housing could be built on this site. This would be in keeping with the stated goals of the Master Plan and the needs of the community. .**

*** The Southwest Quadrant Small Area Plan (p. 18) shows that the 1974 Land Use Plan has labeled this property as RM - Residential Medium. This designation was not changed until 1991, where p. 19, item 14 notes that this site was changed from RM to CSL. Many questions have arisen over how this change was accomplished, what notification there was and what opportunity for input was offered to the adjoining homeowners.**

*** Two primary goals of the Southwest Quadrant Area Plan Addendum are 1) to protect the adjacent residential neighborhoods from inappropriate commercial uses and densities resulting from redevelopment of adjacent industrially zoned properties and 3) to protect residential areas from through traffic resulting from redevelopment of the area.**

Many issues concerning this appeal remain unresolved, mostly through the refusal of the Applicant and his representative to work together with the community as directed by the Planning Commission, and others due to the lack of a comprehensive analysis giving due attention to the traffic, safety and environmental quality issues this proposal raises.

We ask the City Council to :

Uphold the Planning Commission denial of the Gateway Center proposal

Resone the properties at 621, 623 and 631 from CSL back to Residential Medium

As your neighbors in the City of Alexandria, we appreciate the time and effort you have put in working with us. We need your support and thank you for it. Please help us maintain our neighborhood.

Sincerely,

**Lynn Selander
President, Old Town South HOA
514 South Henry Street
Alexandria, VA 22314
(703)683-9889**

17
1-24-04

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

January 23, 2004

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

OF COUNSEL
CYRIL D. CALLEY
RETIRE
ROBERT L. MURPHY, 2001

The Honorable William D. Euille, Mayor
and Members of City Council
c/o Ms. Jackie Henderson, City Clerk and Clerk of Council
City Hall, Room 2300
Alexandria, VA 22314

Re: Docket Item # 17, Gateway Center
Appeal of Denial of DSP # 2003-0012 by Planning Commission

Dear Mr. Mayor and Members of Council:

This letter is written in response to the Memorandum dated January 16, 2004 by Ms. Eileen Fogarty, the Director of Planning and Zoning so that the record may accurately reflect the decision of the Planning Commission and the process by which this appeal is before City Council.

The applicant, 1007, L.L.C., filed an application for a site plan under the CSL zone to build a commercial building within the parameters of the zone. No special use permit application was necessary because the application complied with CSL zone regulations and met all of the requirements of the zoning ordinance. The only provision in question was providing adequate access to the site. The Staff, particularly the Transportation and Environmental Services Staff, directed the applicant that the modification to the drive aisle of the alley to increase the turning radius was their choice for access to this site. The applicant agreed to T&ES Staff's desires.

It is important to note that at the October 7, 2003 Planning Commission meeting, Commissioner Komoroske stated that the access issue seemed to him to be one that was easily resolved, and Commission deferred the application to address the issue. During the deferral, other approaches were considered, including access to the site from the existing right-of-way on Franklin Street around the corner from S. Patrick Street. Staff and the neighborhood didn't want that option. The solution provided by the T&ES Staff was the solution stated in the Memorandum dated November 24th, 2003 from Ms. Fogarty describing the increased curb cut on S. Patrick Street. The solution came from the T&ES Staff, not the applicant.

The Honorable William D. Euille, Mayor
and Members of City Council
January 23, 2004
Page 2 of 2

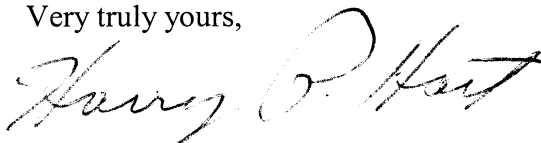
It is also important to note that this access issue would apply to every commercial use proposed for this site. This property is zoned for commercial use. The real objection to this site plan from the neighborhood was based on the use of the property, not on the access to this site. The neighborhood wants a residential development on this site. If you look at the petitions submitted to the Planning Commission, they do not object to the access to the site, they request that "the City of Alexandria require the development of this property to be residential."

The justifications stated in the Memorandum dated January 16th are pretextual. The details in the memorandum were not discussed by the Planning Commission members and in fact the justification for Ms. Fossum's motion of inadequate access design was an after-thought, not the real reason the application was denied. In reviewing the discussion by the Members of the Planning Commission, Mr. Robinson stated that if Ms. Fossum really believed that if they denied this application, another better application would come forward, then he would support that motion. Ms. Fossum then stated, "I so move," and Mr. Robinson seconded the Motion.

Throughout this case, the Applicant has gone beyond the requirements of the law to meet the desires of others, both of staff and of the neighborhood. He is willing to continue in that spirit. He will agree to having a full time porter on-site to see that tractor-trailer trucks will not be permitted to enter. He will also agree to a height bar at the entrance, if so desired, to see that these trucks are not physically able to enter off of Route 1.

This property is zoned for commercial use. This application for a commercial center complies with the parameters of the zone and the zoning ordinance for site plans. Adequate access is provided to the site, as recognized by the Transportation and Environmental Services Staff, and as testified to at the December Planning Commission hearing by Mr. Tom Culpepper, the Deputy Director of T&ES. The Planning Commission's denial of the site plan was arbitrary and capricious and should be reversed and DSP # 2003-0012 should be approved.

Very truly yours,



Harry P. Hart

cc: Mr. Geary Simon, 1007, L.L.C.
Ms. Eileen Fogarty, Director, Planning & Zoning
Mr. Paul Kiernan, Holland & Knight



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



William D. Euille
Mayor

Redella S. Pepper
Vice Mayor

Members of Council
Ludwig P. Gaines
Rob Krupicka
Andrew H. Macdonald
Paul C. Smedberg
Joyce Woodson

Jackie M. Henderson, CMC
City Clerk and
Clerk of Council
jackie.henderson@ci.alexandria.va.us

(703) 838-4550
Fax: (703) 838-6433

December 22, 2003

Hart, Calley, Gibbs & Karp, P.C.
Mr. Harry P. Hart
307 North Washington Street
Alexandria, Virginia 22314-2557

Re: Planning Commission Appeal, DSP 2003-0012, Gateway Center, 621, 623
and 631 South Patrick Street and 1007 Franklin Street

Dear Mr. Hart:

The above appeal will be scheduled for public hearing before City Council at its public hearing meeting on Saturday, January 24, 2004, at 9:30 a.m. in Room 2400, Council Chambers, City Hall, 301 King Street, Alexandria, Virginia.

You may call my office on Tuesday, January 20, 2004, to see where it is placed on the docket.

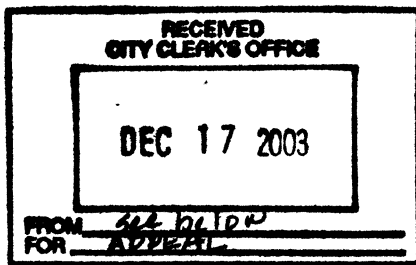
If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Jackie M. Henderson
City Clerk and Clerk of Council

cc: Eileen Fogarty, Director, Planning and Zoning
Barbara Ross, Deputy Director, Planning and Zoning
Ignacio Pessoa, City Attorney

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



17
1-24-04

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 836-5757

FAX (703) 548-5443

hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRE
ROBERT L. MURPHY, 2001

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

December 17, 2003

Ms. Jackie Henderson, City Clerk and Clerk of Council
City Hall, Room 2300
Alexandria, VA 22314

Re: Appeal of Planning Commission's Decision Denying DSP # 2003-0012
Gateway Center, 621, 623 & 631 South Patrick Street and 1007 Franklin Street

Dear Ms. Henderson:

Pursuant to § 11-409(C)(1) of the Alexandria Zoning Ordinance, on behalf of the Applicant, 1007, L.L.C., this letter serves as the formal appeal of the decision of the Planning Commission on December 2, 2003, denying Development Site Plan # 2003-0012 for the Gateway Center, located at 621, 623 & 631 South Patrick Street and 1007 Franklin Street.

The applicant asks the Council to reverse the decision of the Planning Commission and to approve the site plan application. The site plan application, as amended and conditioned by the Staff Report, including the Memorandum dated November 24, 2003 from Ms. Eileen Fogarty, satisfied all of the requirements of the ordinance. There were no exceptions and the applicant stated it was ready, willing and able to comply with any and all requirements of the ordinance as detailed in the Staff Report and the Memorandum referenced above.

There was no lawful basis to disapprove the site plan. As a result, the disapproval was not properly based on the ordinance, §11-400 of the Alexandria Zoning Ordinance, *et. seq.*, and was arbitrary and capricious.

Moreover, as the record makes clear, the Planning Commission improperly considered both the potential for other uses of the property and the potential that, following denial of this site plan, the applicant would return with another development plan more to the liking of community activists or members of the Planning Commission. In considering a site plan, the Planning Commission is not allowed to deny a lawful application for a permitted use and thereby "hold out" for another use. That is an improper action by the Commission.

The applicant would like the opportunity to appear before the Council and present its case regarding these issues prior to the Council's vote. Please schedule the required public hearing on this appeal pursuant to § 11-409(C)(3) as soon as practicable and advise us of the date. Thank you for your attention to this matter.

. Mr. Éric Wagner, Chairman
and Members of Planning Commission
December 17, 2003
Page 2 of 2

Very truly yours,

A handwritten signature in cursive script, appearing to read "Harry P. Hart".

Harry P. Hart

cc: Geary Simon, 1007 L.L.C.
Mr. Paul J. Kiernan, Holland & Knight, LLP
Ms. Eileen Fogarty, Director, Department of Planning & Zoning



OFFICE OF THE CITY MANAGER

301 King Street, Suite 3500
Alexandria, Virginia 22314-3211

Philip Sunderland
City Manager

(703) 838-4300
Fax: (703) 838-6343

December 11, 2003

Vera D. Henderson
Acting President, Southwest Quadrant
Civic Association
634 South Fayette Street
Alexandria, Virginia 22314

Lynn Selander
President, Old Town South
Owners' Association
514 South Henry Street
Alexandria, Virginia 22314

Dear Ms. Henderson and Ms. Selander:

I thank you for your December 3 letter requesting that the City re-zone the property located at the northwest corner of Franklin and Patrick Streets to the RM zone.

I have referred your request to Eileen Fogarty for review and response. She will be in touch with you soon.


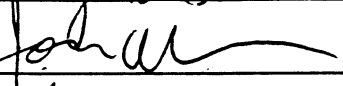
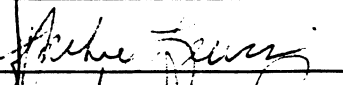
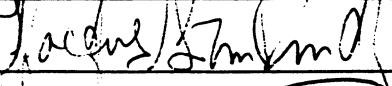
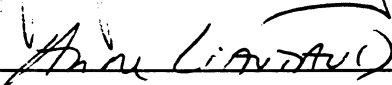
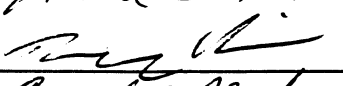

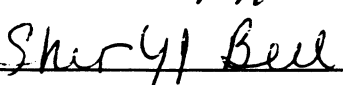

Yours very truly,

A handwritten signature in dark ink, appearing to read "Philip Sunderland", is written over a horizontal line.

Philip Sunderland
City Manager

cc: Eileen Fogarty, Director, Planning and Zoning

Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1		LYNN SEANDER	514 S. HENRY ST
2		Jonas Weddyler	812 S. Army St.
3		Jackie Lewis	1012 W. Res ST.
4		JACQUES LIATAUD	502 S. HENRY ST
5		ANN LIATAUD	502 S. HENRY ST
6		DOUGLAS HELM	508 SHERRY ST.
7		CAROL MAHONEY	1001 GIBBON ST
8		Sheryl Bell	910 Gibbon St.
9		Paul Burkhead	503 S. Henry
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Whereas the Northwest corner of the intersection of U.S Route 1 and Franklin Street has been left derelict and unsightly for more than 15 years, and whereas the development in the adjacent neighborhoods has been completely residential during that same period, we the undersigned residents of Alexandria, Virginia, request the City of Alexandria require the development of this property to be residential.

	Signature	Name (Print)	Address
1	<i>Susan J. Metcalf</i>	SUSAN J. METCALF	5005 HENRY ALEXANDRIA, VA 22314
2	<i>Virginia Turner</i>	VIRGINIA TURNER	1011 Parkman St Alex Va 22314
3	<i>James T. Ford Jr.</i>	JAMES T. FORD, JR.	5155 PATRICK ST ALEX., VA 22314
4	<i>Deborah L. Meeson</i>	Deborah Meeson	1112 Wilkes St. Alex VA 22314
5	<i>Pam Rein</i>	Pam Rein	1114 Wilkes St Alex 22314
6	<i>Douglas Oley</i>	Douglas Oley	1110 Wilkes St Alex 22314
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SPEAKER'S FORM

DOCKET ITEM NO. 17

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Harry P. Hart
2. ADDRESS: 307 N Washington St.
TELEPHONE NO. 703 836 5757 E-MAIL ADDRESS: hph-high@verizon.net
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? The applicant
1007 LLC
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: overturning the PC AGAINST: _____ OTHER: _____
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 1 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 three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided 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 legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting 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. If an item is docketed for public hearing at a regular legislative meeting, the public may speak to that item, and 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 legislative 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

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- (b) No speaker will be allowed more than three minutes.
- (c) 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.
- (d) 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 on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) 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.

SPEAKER'S FORM

DOCKET ITEM NO. 17

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Mary Catherine Gibbs
2. ADDRESS: 307 N. Washington St.
- TELEPHONE NO. 703 836 5757 E-MAIL ADDRESS: mcg.hcgk@verizon.net
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? The Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: X overturning AGAINST: _____ OTHER: _____
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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