

5-14-05

# KING STREET RETAIL STRATEGY



**MASTER PLAN AMENDMENT #2005-0002**  
**TEXT AMENDMENT #2005-0002**  
**REZONING #2005-0003**

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## **OUTDOOR DINING OVERLAY ZONE**

**TEXT AMENDMENT #2005-0003**  
**REZONING #2005-0005**

## ***King Street Retail Strategy*** **Chronology of Meetings and Notifications**

<b>DATE</b>	<b>EVENT</b>
April 5, 2005	Planning Commission Public Hearing
	<i>Article in April 2005 FYI Alexandria (citywide distribution) publicizing April public meeting</i>
	<i>Legal notices and maps mailed to property owners and adjoining property owners</i>
	<i>Notice about Planning Commission meeting posted on Planning &amp; Zoning web site</i>
March 31, 2005	Presentation to Rosemont Citizens Association
March 23, 2005	AEDP Board of Directors
March 23, 2005	Meeting with Property Owners
March 17, 2005	Meeting with Property Owners
March 11, 2005	Presentation to Alexandria Chamber of Commerce
March 9, 2005	Presentation to Old Town Civic Association
	<i>Revised draft of Retail Strategy posted on City web site</i>
	<i>Notices mailed to property owners publicizing 3/17 and 3/23 property owner meetings</i>
February 23, 2005	Booth at "Taste of Alexandria," PTO
February 15, 2005	Community Meeting
	<i>Flyers about Community Meeting mailed to businesses &amp; property owners – notice given to civic associations, who also distributed materials</i>
	<i>Draft of Retail Strategy posted on City web site</i>
	<i>Notice about 2/15 Community Meeting posted on main page of City web site</i>
	<i>Article in Jan. 2005 FYI Alexandria (citywide distribution) publicizing 2/15 Community Meeting</i>
January 27, 2005	Meeting with Restaurant Owners
January 24, 2005	Presentation to Upper King Street Neighborhood Association
December, 2004	Real Estate Development Group
December 6, 2004	6 <sup>th</sup> Advisory Committee Meeting
October 25, 2004	City Council/Planning Commission Joint Work Session

October 13, 2004	Presentation to Old Town Civic Association
<i>Article in Oct. 2004 FYI Alexandria (citywide distribution) publicizing King St. Retail Strategy</i>	
September 20, 2004	Real Estate Development Group
September 20, 2004	Meeting with Restaurant Owners
July 7, 2004	Presentation to Kiwanis International
June 30, 2004	Federation of Civic Associations
June 24, 2004	Community Meeting w/ Planning Commission
June 20, 2004	King Street Task Force
<i>Notices mailed to businesses &amp; property owners – notice given to civic associations, who also distributed materials</i>	
May 24, 2004	5 <sup>th</sup> Advisory Committee Meeting
April 8, 2004	Presentation to Old Town Business Association
March 25, 2004	4 <sup>th</sup> Advisory Committee Meeting
March 10, 2004	Presentation to Old Town Civic Association
February 11, 2004	3 <sup>rd</sup> Advisory Committee Meeting
January 14, 2004	2 <sup>nd</sup> Advisory Committee Meeting
<i>Article in Jan. 2004 FYI Alexandria (citywide distribution) publicizing King St. Retail Strategy</i>	
November 12, 2003	1 <sup>st</sup> Advisory Committee Meeting

**Boards, Commissions and Associations represented on the  
King Street Retail Strategy Advisory Committee:**

- Board of Architectural Review
- Chamber of Commerce
- Federation of Civic Associations
- Founders Park Community Association
- Historical Restoration & Preservation Comm.
- King Street Metro Enterprise Team
- Northeast Citizens Association
- Old Town Business Association
- Old Town Civic Association
- Planning Commission
- Rosemont Citizens Association
- Upper King St. Neighborhood Assn.

\* Information about the *Strategy* and upcoming public meetings regularly posted and updated on Planning Department's web site: [www.alexandriava.gov/planningandzoning/npcdinitiatives.php](http://www.alexandriava.gov/planningandzoning/npcdinitiatives.php).

\* Interested individuals notified of upcoming meetings via e-mail.

\* Articles about the King Street Retail Strategy appeared in the *Alexandria Gazette* on Feb. 17, 2005, and in the *Washington Business Journal* on November 12, 2004. Articles about outdoor dining along King Street appeared in the *Washington Post* on October 7, 2004, in the *Washington Business Journal* on October 8, 2004 and in the *Alexandria Gazette* on October 7, 2004 and February 18, 2005.

Docket Item #6 A-C  
MASTER PLAN AMENDMENT #2005-0002 (A)  
TEXT AMENDMENT # 2005-0002 (B)  
REZONING #2005-0003 (C)  
King Street Retail Strategy

Planning Commission Meeting  
May 3, 2005

- ISSUE:** Consideration of a request for: (1) an amendment to the City's Master Plan, adopting the King Street Retail Strategy as a chapter of the Master Plan; (2) enactment of Section 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone; and (3) amendments to the City of Alexandria zoning map to reflect the King Street Urban Retail zone.
- APPLICANT:** Department of Planning and Zoning
- LOCATION:** The properties adjoining King Street, generally from the intersection of King Street and Union Street westward to the intersection of King Street and Commonwealth Avenue.

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**PLANNING COMMISSION ACTION, MAY 3, 2005:** On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission undertook the following actions:

- Voted 7 to 0 to approve Master Plan Amendment #2005-0002, to include the King Street Retail Strategy, with amendments dated April 22, 2005 and incorporated in the Strategy document;
- Voted 7 to 0 to recommend approval of Text Amendment #2005-0002, as amended in revised text dated April 22, 2005; and
- Voted 7 to 0 to recommend approval of Rezoning #2005-0003, to reflect the King Street Urban Retail zone.

**Reason:** The Planning Commission unanimously supported the King Street Retail Strategy and the King Street Urban Retail zone, with amendments to address concerns raised in the public hearing. The Commission expressed satisfaction with the Strategy process, and those Commissioners who participated as members of the King Street Advisory Committee throughout the process stated their enthusiasm for having been an integral part of the process. The Commission also expressed appreciation for the extensive outreach undertaken during the study process, and the need for more outreach to the individual businesses as implementation of the Strategy moves forward..

The amendments recommended by the Commission to the Retail Strategy and to the Urban Retail zone include the continuation of Special Use Permit reviews for new restaurants, exploration of expanded valet parking within the greater Central Business District as part of the implementation process, additional emphasis on the close relationship between King Street's commercial community and the nearby residential communities and maintaining a balance of uses, and clarification that the new King Street organization will not supplant the policy responsibilities of City boards and will aid in establishing more consistent retail hours. Additional language was added to the Waterfront chapter to emphasize that the principles and recommendations are only advisory to a future waterfront planning effort. Lastly, text clarifications were made in the Urban Retail Zone to apply storefront guidelines to renovated buildings when not inconsistent with BAR guidelines and to clarify the application of the rear setback requirement for new construction.

The Commission had considerable discussion on the provisions related to the administrative approval of restaurants. They acknowledged that the King Street Advisory Committee also did not reach a clear consensus on the issue. Several divergent arguments were presented in the discussion including the positive aspects of using administrative standards to replace the uncertainty for small businesses in the SUP process, the potential use of administrative approvals for new businesses that replace existing restaurants, how the SUP process is the only guarantee the residents have to protect their neighborhoods and is also an important mechanism for businesses to present their views, and the pros and cons of using the consent calendar as a mechanism to streamline the approval process. The Commission concluded their discussion with overall agreement to continue reviewing all King Street restaurants through the Special Use Permit (SUP) process at this time, with the potential to revisit the issue after it is tested in Arlandria and along Mt. Vernon Avenue.

The Commission found the King Street Retail Strategy and the accompanying zoning changes to provide direction and guidance for the City in its efforts to achieve an economic balance and quality of life for its citizens that includes a unique and vibrant pedestrian-oriented retail area.

**PLANNING COMMISSION ACTION, APRIL 5, 2005:** Without objection, the Planning Commission closed the public hearing and deferred action on the request.

Reason: The Planning Commission felt that more time was needed to consider the request.

Speakers:

Lois Walker, 417 S. Royal Street, representing King Street Metro Enterprise Team, spoke in support of the proposal. Ms. Walker stated that she appreciates the City looking at King Street's atmosphere in the face of increased competition, and that the most important component of the proposal is for the implementation (proposed King Street Partnership).

Sherry Brown, 1600 Prince Street, spoke in support of the proposal. Ms. Brown feels that King Street's economic competitiveness is declining and that the regulatory environment is stifling. She stated that she wishes to protect King Street and enable the businesses to survive.

Larry Grossman, 1123 Powhatan Street, spoke to address several issues: that Lower King Street and the waterfront are connected and that a waterfront plan is essential; that there is not enough room for outdoor dining along King Street; that there is no strategy for the construction of public parking but there are opportunities on City lots in the 900/1000 blocks; that there is no traffic movement plan; that street lights should resemble those used along M Street in Georgetown; that Special Use Permits disadvantage some active uses over less-desirable by-right uses; and that the concept of a Business Improvement District is important.

Laurent Janowski, proprietor of La Bergerie, 218 N. Lee Street, spoke to question why new valet parking regulations are proposed only for King Street businesses and not for those on nearby streets. Mr. Janowski stated that he believes the Strategy should include a larger area than just King Street.

Sarita Schotta, 104 Prince Street, spoke to defer the proposal. Ms. Schotta stated that some residents had only recently seen the Strategy and that additionally she is very concerned about waterfront recommendations within the Strategy. Ms. Schotta stated that she wishes for a chance to review the Strategy further.

Margaret Ticer-Janowski, proprietor of La Bergerie, 218 N. Lee Street, spoke to defer the proposal. Ms. Ticer-Janowski stated that she applauds the City for having the vision to look ahead, but several areas of the Strategy should have further review, such as parking, outdoor dining, and the boundaries of the proposed zone. Ms. Ticer-Janowski stated that her business is located outside of the Strategy's study area and, while she received the January *FYI Alexandria* article on the Strategy and notice of the community meeting, she did not have involvement in the process.

Jim Melton, 105 Harvard Street, spoke in opposition to quick service restaurants on upper King Street. Mr. Melton further stated that he believes King Street should be solely a pedestrian street and that the issue of loading/unloading from businesses needs to be addressed.

Julie Crenshaw, 816 Queen Street, spoke to defer the proposal. Ms. Crenshaw stated that she believes the Strategy was not publicized enough, and that there are too many unanswered questions to resolve at this time.

Michael Hobbs, representing the Old Town Civic Association, spoke to address several issues. Mr. Hobbs stated that the City should protect and enhance King Street's core values and that the future of King Street needs to be addressed together with its surrounding residential district. Mr. Hobbs stated that he believes over-intensification of the commercial district would not benefit residential areas and his biggest concern is that new restaurants would harm the community. Mr. Hobbs recommended that the Old Town Restaurant Policy continue and that the City not delegate authority to any quasi-public agency.

Pat Troy, resident and proprietor of Pat Troy's Ireland's Own restaurant, 111 N. Pitt Street, spoke in support of the proposal. Mr. Troy stated that he was pleased to have been part of the process and that the Strategy contains good visioning and recommendations for King Street.

Tom Osborne, resident and proprietor of Spurgeon-Lewis Antiques, 112 N. Columbus Street, questioned whether his area is included in the Strategy and whether the Strategy incorporates a new tax. Mr. Osborne stated that he believes parking is a serious problem and that more restaurants will make the situation worse. Mr. Osborne also stated that restaurant patrons are less desirable than other retail patrons who spend more money in Alexandria.

Ellen Pickering, 103 Roberts Lane, stated that she attended the Strategy's community meetings and ideas such as promoting residential units on the upper floors would be beneficial to King Street. She also stated she believes it good that the waterfront was a component of the Strategy. Ms. Pickering questioned how the open space requirements would be applied and cautioned that any outdoor dining would need strict standards.

Wayne Neale, architect representing John Yaglenski, owner of 120 S. Peyton Street, spoke to request that his client's properties (bordering King Street) be included in the proposed King Street Urban Retail zone to allow these properties to have additional residential density. Mr. Neale also questioned the effect terracing buildings would have on small sites.

Poul Hertel, 1217 Michigan Court, stated that he believes there are some good components to the Strategy and expressed his opinion that the plan caters to restaurant interests on lower King Street. He further stated that administrative approvals will make conditions easier for restaurants to locate in this area. Mr. Hertel expressed his opposition to the creation of a Business Improvement District.

Mary Longacre, 101 N. West Street, stated that she was unaware that the Strategy was in the process of being finalized and that she believes the proposal does not address the community. Ms. Longacre stated that shoppers have no commitment to the community and that the Strategy should focus on a broader area.

Brian Selfe, representing DSF/Long, owner of 1516-1600 King Street, spoke in support of the proposal. Mr. Selfe indicated that he had attended numerous meetings and has made sure that his current development proposal conforms to the Strategy.

MPA #2005-0002  
TA #2005-0002  
REZ #2005-0003  
King Street Retail Strategy

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, on its own motion, initiate and recommend approval of the following:

- Amendment to the City's Master Plan, adopting the *King Street Retail Strategy* as a chapter of the Master Plan;
- Enactment of Section 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone; and
- Amendment to the City of Alexandria zoning map to reflect the King Street Urban Retail zone.



BACKGROUND:

King Street is Alexandria's most renowned street. Its mile-long stretch through Old Town contains an atmosphere unequaled elsewhere in the Washington region. Combining history, notable architecture and an exciting retail climate, King Street is a gem for the City of Alexandria, and both residents and businesspeople want it to remain the region's premier historic main street.

The Department of Planning & Zoning has examined King Street over the past year from many different aspects – with the goal of developing strategies that can help King Street's retail sector maintain its competitive edge. The *King Street Retail Strategy* has resulted from this course of action; from its beginning in late 2003, the *Strategy* has incorporated considerable input from a 27-member Advisory Committee, area businesspeople and nearby residents. In addition to the many Advisory Committee meetings, several community meetings have been held to solicit input from the broader community. The recommendations that have emerged are strategies that will benefit not just properties on King Street, but the greater community as well.

As a predominantly retail-oriented street, King Street is subject to competition from other areas. Recent years have seen a surge in popularity of pedestrian-oriented retail centers – ranging from Georgetown's M Street to the newer lifestyle center developments in Arlington County, such as those in the Clarendon and Shirlington areas. These developments have generated new competition for King Street's retail sector, meaning that in order to stay competitive in the regional marketplace, King Street must carefully plan for its future to keep what is cherished about its history as well as to define and undertake actions to remain a regional attraction for years to come.

Within this competitive environment, a plan for King Street's future is necessary. Although currently King Street is in a very strong retail market position, the purpose of this planning process has been to ensure that King Street's market position stays strong. Given King Street's importance to the Alexandria in terms of history, public perception and quality of life, its continued retail and economic vitality is of great importance the City.

KING STREET RETAIL STRATEGY:

The *King Street Retail Strategy* is not a "plan" in the traditional sense. Addressing the forces that are influencing King Street's future, this *Strategy* identifies physical, governmental, economic and management recommendations to help assure that King Street will remain a vital, thriving commercial area and the preeminent historical "Main Street" in the region.

King Street has evolved over the years from the main street of a seaport community to a regional commercial corridor and Alexandria's signature tourist attraction. The transformation of King Street has been incremental and ongoing, and continues today as sections of the street are revitalized with infill development, restoration and new commercial life. King Street has always evolved according to changing markets and economics, while at the same time preserving its history and culture. The *King Street Retail Strategy* is part of a tradition of looking forward while preserving the past.

While King Street is alive and well, its future is by no means assured. For King Street to maintain its edge as a desirable retail district, it must create and follow through with a common vision of the area's continued retail success. That vision and the steps that must be taken to achieve it form the core of the *King Street Retail Strategy*.

### ***The Vision for King Street***

The Vision for King Street is one that looks forward and enhances the existing environment to ensure an attractive, vital retail destination serving local residents and visitors alike. It is an historic retail district that is easy to get to – by car or by public transit – and is easy to navigate once here. The traditional character of King Street will always be maintained, and visitors will be welcomed as they arrive. New residential units will have connections to King Street's retail life as well as to adjacent residential areas. From the waterfront to the Metro Station, King Street will offer a unique and pleasant retail experience, unlike anywhere else in the Washington region. To ensure this vision is achieved, King Street will have a dedicated, full-time organization to manage day-to-day demands of maintaining and promoting it as a thriving retail street.

The key to King Street is its "streetscape," comprised of the physical attributes, the lively activity along the sidewalks and the public open space. The elements of the streetscape include the handsome brick sidewalks; the regularly placed street trees and other landscaping; the street furniture in the form of benches, street lights and bicycle racks; the graphics that identify and direct activities; the street itself; and the buildings and displays along the street and in the shops and continuous row of show windows. All of the above elements work together to create the people-oriented, vibrant pedestrian-friendly place that is so essential to King Street's success.

### ***Guiding Principles***

The Vision for a future King Street is expressed in this *Strategy* through a series of Guiding Principles that outline what is desirable in the physical improvements and operational management of King Street. The Guiding Principles are organized into the following themes:

- Urban Design
- Land Use
- Parking
- Transit
- Waterfront
- Strategic Implementation

The *Strategy* also provides Planning Recommendations that outline the initiatives needed to achieve the intent of the Guiding Principles. The recommendations in this *Strategy* are predicated on the creation of some form of management partnership between the community and the City to manage the implementation of the strategies and the King Street operations.

### **Urban Design**

People come to King Street by choice – attracted by the Street’s unique offerings and ambiance. Thus, urban design is vital to maintaining King Street as a desirable destination. The *Strategy* examines ways to maintain a world-class retail atmosphere, such as recommended standards for the streetscape, sidewalk furniture and retail storefronts. This includes:

**Developing standards and guidelines for the King Street sidewalk.** These would include paving standards, landscaping standards, tree planting standards and increasing the lighting level on along the sidewalk.

**Establishing public sitting areas,** or “respite areas,” at approximately three-block intervals along the length of King Street. Benches, directories and maps, along with landscaping where appropriate, will significantly add to the attractiveness and functionality of the street for pedestrians.

**Updating standards for street furniture,** street infrastructure (traffic signals, parking meters, trash cans, etc.), and transit shelters. Remove outdated items as necessary and replace with items conforming to the new standards.

**Creating a comprehensive graphics program** incorporating signs, banners, identity monuments, directories, parking location signs and other signs. Such a program will better enable visitors to find streets, businesses, parking opportunities and historic sites.

Land Use Strategy

The land use strategy builds upon the historic character of King Street and seeks to strengthen King Street as a retail market and activity center for residents, visitors and workers alike. The key recommendations focus on the Street as a vital retail environment, with a balanced mix of retail, residential and office uses, a more flexible regulatory environment, development guidelines to ensure that new development is compatible with the form of the street and storefront guidelines to enhance the streetscape experience. The land use strategy is both strategic – targeted at the specific needs of King Street – and more flexible than the current zoning along King Street. Specific principles focus on:

**Creating and maintaining a vital retail environment**, by encouraging continuous retail uses along the street and active uses, such as outdoor dining, in support of market conditions and the pedestrian experience. A mixture of both office and residential uses are encouraged on the upper floors, with the office uses providing daytime patrons for the retail and restaurant businesses, and the residential uses providing additional market demand, 16-hour activity and lights on the street in the evening.

**Balancing the mix of residential and commercial development in new construction and redevelopment**, by equalizing the bulk, parking and other development requirements for both residential and commercial construction to make residential a more attractive King Street use and a more competitive market choice. Currently, the regulatory structure favors commercial development over residential, and the *Strategy* recommends zoning changes to eliminate the favoritism among the uses by eliminating the frontage and yard requirements for residential, modifying the open space to a per unit measure, providing only one FAR requirement irrespective of use, and modifying the parking requirement for residential use.

**Providing more flexibility for certain uses**, by initiating an administrative review process for active uses such as smaller full-service restaurants in specific locations and outdoor dining. Valet parking for individual businesses is encouraged through the administrative review process to help ease parking problems.

**Guiding the quality of new development and retail storefronts**, through the recommendation of specific design guidelines. The *Strategy* recommends specific guidelines for building height and bulk for new development and redevelopment on properties located outside the historic district to ensure consistency with the existing development context. Storefront guidelines for new and renovated buildings are detailed to ensure the vitality of the retail and to add interest and richness to the visual experience along the Street.

The *King Street Retail Strategy* recommends enacting a new King Street Urban Retail zone along the length of King Street in Old Town to implement the land use recommendations and to help ensure that the Street remains an active, pedestrian-oriented retail street where residents, visitors and workers will be encouraged to frequent. While staff recommends enactment of this zone, some concerns have been raised relating to certain aspects of the proposed zone.

### Parking

Old Town retail businesses and patrons frequently cite parking as a major concern; the *Strategy* realizes that to have a healthy retail environment, customers need to be able to get to their destinations efficiently and without hassles. During the planning process, businesses, employees and on-street customers were surveyed to determine these groups' overall perceptions of parking in the area. Additionally, a 'turnover' study was conducted to examine on-street and off-street parking availability. These studies have found that while there is a general perception that parking in Old Town is extremely limited, there are significant parking resources that are currently underutilized. For example, there is notable capacity in off-street garages even at peak retail times – in some cases the garages may be closed, but the salient point is that the capacity exists. The *Strategy* suggests ways to make parking more efficient by better utilizing the parking resources that currently exist by:

**Working with private garage owners** to permit or encourage more public parking, specifically in garages that are currently closed to the public during peak retail and restaurant hours.

**Improving parking signage** through a coordinated wayfinding signage program.

**Coordinating a program to provide improved information** for customers, employees and visitors about the available parking supply, rates, etc. This would include a printed brochure and an easy-to-navigate website, as well as reinstating a validated parking program similar to 'Park Alexandria' program initiated by the Chamber of Commerce in the 1990s.

**Simplifying the approval process for valet parking** by making the approval an administrative review rather than a special use permit – with specific standards to minimize potential impacts.

**Developing parking policies** to further support employee use of off-street parking and continuing efforts to expand the current parking supply through consideration of proposals to build additional off-street parking capacity that would be available to the public.

### Transit

Public transportation in Old Town can bring retail customers and employees to King Street while reducing the need for parking resources. A survey conducted as part of the *Retail Strategy* indicated that nearly one-quarter of King Street-area employees arrive at work by means other than driving – this greatly helps to take cars off the street and also to free up parking spaces for other retail customers. DASH has also made great strides recently with the PTO shuttle and the Dash About shuttle, both enabling retail customers to come to King Street without driving. The *Strategy* suggests ways to make public transportation even more responsive to King Street customers' needs.

**New shuttle service** tailored specifically to King Street should be considered following the completion of DASH's current comprehensive operations analysis. Such a shuttle could be more frequent than the existing shuttle services, and can appeal to visitors, as well as increase Metrorail and VRE ridership for employees who would rely on the shuttle to get to the rail stations.

**Potential funding sources** for transit initiatives should be explored in depth.

**Multimodal initiatives** such as bicycle rental facilities and water taxi services, aimed at providing efficient and convenient transportation to people on or along King Street, should be explored.

### Waterfront

A waterfront planning process is recommended to identify a common vision for the City's riverfront. King Street begins at the waterfront, which in the future can serve as an anchor and a destination for both residents and visitors. It is recommended that such a planning process for the waterfront include comprehensive master planning and design elements and take into account transportation and parking issues, market support and a thorough implementation strategy. Further, the waterfront can be linked by trails to other areas in order to create a true regional amenity that would be extremely beneficial to King Street's retail sector.

### Marketing

It is vital for the planning process to understand marketing and economic issues pertaining to King Street's retail sector, specifically what types of stores customers seek to patronize and how to best market King Street's attributes in an increasingly competitive regional framework. To most accurately gauge these issues, an intercept survey was conducted of King Street customers, and

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economic data were examined to determine the current and potential marketability of King Street's retail sector. The *Strategy* examines retail trends and consumer profiles and issues recommendations on targeted marketing strategies:

**Maintain the business mix** along King Street to keep the area an interesting destination from a consumer's standpoint. The *Strategy* recommends recruiting and attracting retail businesses that complement the street's unique retail offerings and where possible fill niches in the marketplace for which there is demand. Such sectors include entertainment offerings, as well as various retail and convenience goods.

**Build upon Alexandria's established reputation as an arts and cultural hub** by promoting various aspects of the arts, such as hosting art competitions, shows and festivals, and by increasing the visibility of public art along King Street.

**Promote King Street and its retailers** through a common market approach, such as a web site offering maps, parking/transit tips, photographs and descriptions of individual businesses.

Implementation

Recommendations in the *Strategy* will only be effective if they are met with a coordinated implementation plan. The *Strategy* recommends the creation of an organization to coordinate these actions. In addition, the *Strategy* suggests consideration of various funding mechanisms to address the needs of King Street that fall beyond the City government's ability to provide services. Specific recommendations include:

**Establishing a public/private entity** charged with implementing and sustaining the vision for King Street as expressed in this *Strategy*. This entity is called the King Street Partnership in the *Strategy*, and is recommended to involve all stakeholders, including property owners, businesspeople, representatives of civic groups and representatives of City government. The Partnership would serve a vital role in coordinating activities pertaining to King Street's future.

**Work to establish a self-sustaining funding mechanism** that will enable a number of the recommendations from the *King Street Retail Strategy* to be implemented. This effort could explore strategies such as a Business Improvement District (BID) and/or a funding mechanism that is financed through dues paid by members of an organization.

LAND USE AND ZONING ACTIONS:

In order to incorporate the *King Street Retail Strategy* within the City's Master Plan and to implement the zoning recommendations of the *Strategy*, the following actions are necessary:

Amendment to the City's Master Plan, adopting the *King Street Retail Strategy* as a chapter of the Master Plan.

The *King Street Retail Strategy* contains recommendations covering a broad range of topics all related to ensure the future health and vitality of King Street's retail sector.

In general, the *Strategy* sets forth a Vision for King Street that looks forward and emphasizes an attractive, vital pedestrian place serving local residents and visitors alike. King Street will remain the historical, cultural and retail/commercial focus of Alexandria – an inviting, active street that builds upon the traditional small town planning and historic architectural character with its close relationship between the residential and commercial communities.

This Vision is advanced through recommendations summarized above, ranging from urban design suggestions to a full land use strategy to transportation recommendations, marketing initiatives and a strategy for implementation. These recommendations have arisen following considerable input from members of the business community and residential community and represent a clear understanding as to Alexandrians' desired future for this renowned Street.

The adoption of the *King Street Retail Strategy* as a chapter of the City's Master Plan is a major step forward in recognizing the unique attributes and extensive contribution that King Street's retail sector makes towards the overall quality of life in Alexandria.

Enactment of Section 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone.

King Street is regarded as one of the region's most notable streets, due to its historic nature and its continued charm. The current zoning regulations (mostly CD and OCH), however, do not provide a framework to ensure that the active streetscape and the character of new development will continue to be compatible with the Vision for King Street expressed during the *Retail Strategy's* planning process.

A new zone, the King Street Urban Retail zone, has been created to recognize the street's unique quality and mission, and its importance to the City as a whole. It is proposed to replace the existing zoning regulations for those properties abutting King Street from the street's intersection with Union



Street near the waterfront to the intersection with Commonwealth Avenue near the Metro station. The purpose of this new zone is to ensure that King Street remains an active, mixed-use, pedestrian-oriented retail environment that both supports economic activity and protects adjoining residential areas. This zone will provide for greater street-level active uses, development standards that ensure new development will fit in with the overall character of the street and that are similar for residential and commercial buildings, and more flexible administrative review of certain uses.

In order to enhance the long term vitality of the street, the new zone:

- encourages and strengthens the role of retail and other active uses on the ground floor of buildings;
- eliminates disincentives for new residential development such as traditional yard and setback requirements, and lowers parking requirements and modifies FAR regulations so they are consistent for residential and commercial development;
- provides more flexibility for desired uses, such as restaurants, outdoor dining and valet parking, by allowing administrative approvals subject to standards instead of a special use permit; and
- refines the requirements for new development so it will be compatible with nearby existing buildings and the historic street.

### *Permitted and Special Uses*

The uses permitted in the new King Street zone emphasize retail and other active uses on the ground floor, street level portion of buildings, so as to add to the active, pedestrian environment, to strengthen the existing retail uses and to enhance the opportunity for additional retail businesses. To accomplish this, the listed uses in the zone have been reassessed and reconfigured. Several uses have been eliminated from the existing zones because they are inappropriate on King Street and have never been located there, such as cemeteries, nursing homes and drive through facilities.

Uses are separated into two categories based on where they will be located – either in the first 50 feet of building on the ground floor – or anywhere else. Ground floor uses, the most important for the vitality of the street, are limited principally to retail uses and personal service uses, including banks, limited to 30 feet of frontage. By special use permit, additional uses are allowed on the ground floor of buildings, as in the current zoning, including health clubs, theaters, bakeries and hotels. Also, by special permit, personal service uses and lobbies, with more than 30 feet of frontage, may be allowed.

Other uses, such as offices and residential, are permitted behind the 50-foot depth on the ground floor and on the upper floors of buildings. Because they do not provide activity or add to the pedestrian environment to the same extent that retail uses do, office uses will no longer be allowed on the ground floor of buildings along the King Street frontage.

All existing uses are allowed to continue indefinitely, except that automobile sales lots have been made nonconforming uses.

### *Administrative uses*

The new King Street zone permits

- restaurants west of Washington Street, limited to 60 seats;
- outdoor dining, limited to 20 seats;
- and valet parking,

subject to standards, by administrative permit instead of by special use permit. The new zone includes both general and use-specific standards, all of which are modeled on those previously adopted by City Council for Arlandria and Mount Vernon Avenue.

The standards were initially derived from the list of standard conditions adopted by City Council as part of the special use permit process, and are the same ones used in special use permits approved by Council. They include requirements to police the property and adjacent rights-of-way for litter, to complete the Crime Prevention work with the Alexandria Police Department, to store trash and garbage properly, to require employees who drive to work to park off-street, to participate in any Park Alexandria-type parking program that may be formed and to encourage the use of public transportation by posting information about routes and the locations where fare passes are sold.

The use-specific conditions are included to address the possible impacts of a particular use. For example, limitations on restaurants include the number of seats, both indoors and outdoors, the hours of operation and alcohol sales to ensure that the restaurant does not adversely impact its residential and commercial neighbors.

Notice of a pending administrative permit application will be published in a newspaper of general circulation in the City, posted on the subject property and given to nearby civic and business associations. The application will be reviewed by the director of planning to determine whether a special use permit should be required. Similarly, if an applicant is unwilling to comply with the administrative standards, for example, if the applicant proposes a restaurant larger than 60 seats, or

one that will stay open later than the standard hours, the applicant may file an application for a special use permit and go through the normal public hearing process.

The goal of the administrative uses is to allow new business development on King Street to open more quickly than if they were required to obtain special use permit approval, while having standards in place to protect the community. Staff believes the standards will minimize potential impacts on adjacent neighborhoods and that this approach, with its flexibility, should be tried to support and to strengthen the business district and make it attractive to new business investment.

The proposed removal of SUP requirements for restaurants west of Washington Street has elicited concern among some neighbors and civic associations. There has long been a sentiment that restaurants “drive out” other retailers by virtue of being able to afford higher rents, and that the SUP process helps to keep more of a balance between retailers and restaurants. The concern is that without SUPs, restaurants will proliferate undesirably – both affecting the overall business mix and also creating additional demand for parking resources.

The proposed zoning requirements are mindful of these concerns. Removal of SUP requirements would apply only to the area west of Washington Street, regarded as more suitable for new restaurants because the area is less congested during peak restaurant hours and has a substantial customer base of both residents and office workers. Additionally, administrative approvals would only apply to smaller restaurants (under 60 seats) and would not apply to “fast food” restaurants. Restaurants that do not meet these requirements would still need to go through the full SUP process.

### *Parking*

One of the hurdles for residential development on the limited land in Old Town has been the parking requirement, especially when compared to the exemptions from parking to which commercial buildings are typically entitled. Therefore, the new King Street zone changes the requirement for apartments from between 1.3 and 2.2 spaces per unit, depending on the number of bedrooms, to just one parking space for each apartment. While still requiring parking, the lower requirement recognizes the practical limitations in Old Town and seeks to balance the rules between residential and commercial development.

### *Accessory Apartments*

Under the existing CD zoning, a maximum of four apartment dwelling units are currently permitted on the upper floors above commercial or retail uses as accessory uses. In order to encourage the provision of residential uses above first floor commercial uses and a balanced mix of uses, the new zone allows up to eight units on the upper floors.

### ***Development and Building Requirements***

The new King Street zone attempts to refine those building and development requirements of the existing CD and OCH zones that are appropriate to King Street, by adding building form standards where they assist in achieving buildings compatible with the Old Town context, eliminating those more traditional requirements that are unnecessary for King Street's built and historic context and eliminating the disincentives for residential development. Specifically, the following changes are part of the new zone:

*Yards, Setbacks and Lot Size*: The extensive yard, frontage and lot size requirements for residential uses have been eliminated.

*Open Space*: Instead of the traditional 40% open space requirement that could be located exclusively on rooftops in both the CD and the OCH zones, the new zone requires an amount of open space at a ratio of 150 square feet for each dwelling unit – and a qualitatively significant part of that space must be at ground level. (In the recent development example of a project in the 1500 block of King Street, a building with 26,344 square feet of land and 65 residential units is being designed with a ground floor courtyard with public access from King Street. This project complies with the new zoning regulation.)

*Floor Area Ratio/FAR*: A significant disincentive for residential development is the existing difference in maximum FARs between commercial (2.5 FAR) and residential development (1.25 FAR) in the CD zone. In order to balance the incentives for both types of development, the new King Street zone permits up to a 2.5 FAR for residential development for CD properties. In both cases, an SUP is required for the maximum amount of FAR. The new King Street zone makes no other changes in the FAR rules for CD or OCH properties.

*Height*: The new zone makes no change as to permitted height limits on King Street. Currently, the height limit ranges from 50 feet for CD properties and up to 77/82 feet for OCH properties in the King Street Metro Height District.

*Building Form*: The new King Street zone adds two important features to the quality and form of any new buildings on King Street:

- in order to better protect smaller buildings to the rear of new buildings on King Street, the rear of any building will have to conform to a 1.5 to 1.0 diagonal plane measured from the rear property line; and

MPA #2005-0002  
TA #2005-0002  
REZ #2005-0003  
King Street Retail Strategy

- in order to best accommodate quality retail on the ground floor of new buildings, the new zone requires that ground floor space be 14 feet tall, and storefront windows be provided.

***King Street Retail Strategy***

The new zone requires that any request for an SUP for increased density or height must follow the guidelines of the *King Street Retail Strategy*.

***Use Limitations***

These paragraphs, clarifying certain seldom used provisions of the zoning ordinance, are carried forward from the existing CD and OCH zones.

Amendments to the City of Alexandria zoning map to reflect the King Street Urban Retail zone.

The King Street Urban Retail zone is proposed to replace the existing zoning regulations for those properties abutting King Street from the street's intersection with Union Street near the waterfront to the intersection with Commonwealth Avenue near the Metro station. (see attached map) This area contains nearly 300 parcels along the length of the Street, including approximately 29 acres of land and approximately 3 million square feet of built space.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Kimberley Fogle, Chief, Neighborhood Planning and Community Development;  
Eric Forman, Urban Planner.

RESOLUTION NO. MPA 2005-0002

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City of Alexandria and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, the City initiated an extensive community participation process, with the guidance of the Planning Commission, to establish a shared vision and direction for the future of the King Street retail corridor; and

WHEREAS, the community planning process culminated in the development of the *King Street Retail Strategy* as a comprehensive approach to guide and manage future change in the King Street retail corridor; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on April 5, 2005, with all public testimony and written comment considered; and

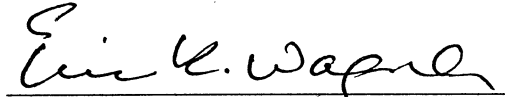
WHEREAS, the Planning Commission finds that:

1. The proposed amendments are necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the King Street retail corridor section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan; and
3. The proposed amendment includes direction and guidance for the City in its efforts to achieve an economic balance and quality of life for its citizens that includes a vibrant and active historic retail corridor; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take notice in making and adopting a master plan for the City of Alexandria, will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

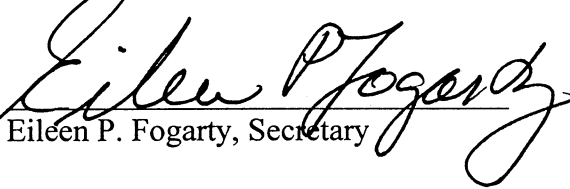
NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The *King Street Retail Strategy* is hereby adopted in its entirety as a new chapter to the 1992 Master Plan of the City of Alexandria, Virginia, in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia.
2. This resolution shall be signed by the Chairman of the Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council

ADOPTED the 3rd day of May, 2005.

  
Eric R. Wagner, Chairman

ATTEST:

  
Eileen P. Fogarty, Secretary

Margaret Ticer Janowsky  
106 W. Braddock Road  
Alexandria, VA 22301  
703.548.3525

May 3, 2005

*PC Docket Item # 6A  
King St. Retail Strategy*

Planning Commission Commissioners  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: King Street Retail Strategy and King Street Outdoor Dining Overlay Zone

Dear Mr. STEWART DUNN, JR., Ms. DONNA FOSSUM, Mr. JESSE JENNINGS, Mr. JOHN KOMOROSKE, Mr. RICHARD LEIBACH, Mr. LAWRENCE ROBINSON, and Chairman ERIC WAGNER:

As my husband and I left last month's Planning Commission Meeting pleased that your vote on the King Street Retail Strategy and Outdoor Dining had been deferred, Laurent said "30 days goes very quickly!" He was right and so here I am on the morning of your vote writing my thoughts and hoping you all will get this and have the time to read it before your meeting tonight.

Part of the delay is trying to get all the correct information, which I still don't have because the amended P&Z Memorandum for tonight's vote is not available online! And, since no one from P&Z contacted me after last month's meeting as promised, my comments are based on the earlier information.

La Bergerie's Concerns. The following comments follow-up my testimony (attached) at the April 5<sup>th</sup> meeting:

1. **The defined area excludes important enclaves of retail activity within the Old Town District.** The document is trying to do too much and therefore has narrowly defined the applicable areas. There are several retail enclaves including the 300 block of Cameron Street (directly across from City Hall!), the 200 block of North Lee Street (our block), the 200 block of Queen Street, both north and south Washington Street (the gateways to our City!) and others that could benefit from some of the strategies, especially marketing and parking.
2. **The process is moving too fast.** Chairman Wagner was incredulous that we could just be learning of this when the "study" has been going on for over a year. The problem is just that...the King Street Retail Study was only ever discussed as a study and never advertised as a Master Plan Zoning Amendment. Never once was the Outdoor Dining component discussed in the City's own publication, *FYI Alexandria* and even the April 2005 issue only uses the terms "strategy" and "vision", carefully omitting mention that it is a Master Plan Amendment (see attached complete texts from all *FYI Alexandria* publications to date).
3. **The Outdoor Dining component was only tested during the least active periods of pedestrian activity.** What is the harm in continuing the pilot period through the



summer season to see if any additional concerns/restrictions should be addressed? The amended guidelines, e.g., 5 foot path, etc., should be implemented and tested during this time while the design guidelines are being developed. The restaurants have the use during the busy season with the extension of the pilot program so they shouldn't have any problem with the delay.

4. ***Why should my competitors be given public assets for free?*** We appreciate Chairman Wagner directing P&Z to address the issue of equity and look forward to seeing how it has been addressed in the amended ordinance.
5. ***Why should Valet Parking only be available to King Street restaurants?*** We appreciate the Commission directing P&Z to rewrite the ordinance to provide for Administrative Approval of valet parking (vs. SUP) for any restaurant in the City and to remove this as strictly a component of the King Street Retail Strategy.

Additional Personal Concerns. While living in Norfolk, VA I was responsible for asset management for the partnership owners of a commercial property portfolio that included office and retail properties, i.e, I was the acting Landlord for those properties. Currently, our business is a tenant in a building in which we have no ownership interest. It is this unique combination of both landlord and tenant perspectives that I bring to this conversation.

The following comments are my concerns that arose as a result of the discussion at the April 5<sup>th</sup> hearing:

1. ***Downzoning commercial real property is unnecessary and may produce even more undesirable results than the situation you are trying to protect against.***
  - When the "new" properties at the upper end of King Street were approved, were any requirements placed on the developers to have only retail tenants on the ground floor? No. But they probably had retail rents for that space included in every projection for development and financing. Why? Because it's the highest and best use for the space.
  - Before we bought *La Bergerie*, we tried to lease one of the "undesirably occupied" spaces on upper King Street from The Peterson Companies; the Hilton would not let us vent out the side of the building towards their outdoor area. Now a leasing company occupies the space. I assure you these buildings are professionally and actively marketed.
  - Should property owners have to leave space vacant, perhaps for years, waiting for a retail tenant to materialize? Is a vacant space more desirable than an office tenant that would 1) generate foot-traffic for other retail establishments, 2) create activity instead of dead-space, and 3) generate taxes for the City?
2. ***P&Z totally ignored the equity interests of all the tenants occupying the affected property when it only notified the property owners of its intent to rezone their space.***

- Most properties covered by the King Street Retail Strategy are not owner occupied. Therefore, the current users of the spaces are tenants of the property owners. P&Z made an egregious decision not to inform those parties most imminently affected by the potential zoning change. To assume that the property owners would notify their tenants clearly demonstrates the lack of understanding of the naturally adversarial Landlord/Tenant relationship.
- If a current ground level office tenant were to need to sublease its space, under the proposed changes it could not sublease to a similar type user. Therefore, the rezoning vacates the tenant's ownership interest in its lease. P&Z has access to information for every business licensed to do business in Alexandria and should have notified **all** affected parties of the proposed zoning changes that reduce their property rights in their leased spaces.

Sincerely,

Margaret Ticer Janowsky  
Resident and Business Owner

Attachments: Planning Commission Testimony – April 5, 2005 (2 pgs.)  
*FYI Alexandria* extracts (2 pgs.)

Attachment 1

Planning Commission Testimony – April 5, 2005  
Re: Docket Items 7A-C, King Street Retail Strategy  
and 8 A-B, King Street Outdoor Dining

Introduction

My name is Margaret Ticer Janowsky and my husband, Laurent, and I are proud to announce the 5th Anniversary next month of our ownership of one of the finest restaurants in the Washington, DC Metropolitan area. **La Bergerie** has consistently been ranked in the Washingtonian Top 100 for over 25 years and since our ownership has achieved a Wine Spectator Award of Excellence rating for the last three years. As a 30-year-old business located on the second floor of the historic Crilley Warehouse in the 200 block of North Lee Street between Cameron and Queen Streets, we are proud to be part of the heritage of revitalization in Old Town.

As a member of a family with deep roots not only in Alexandria, but also in Old Town (I am 5<sup>th</sup> generation Old Town Alexandrian), I am keenly aware of the vision and persistence it has taken to achieve Old Town's position as "the preeminent historical 'Main Street' in the country." Having lived around the Commonwealth in Charlottesville and Norfolk for 15 years, I was anxious to get back to my roots when I returned to town over 10 years ago. I was amazed at the renaissance upper King Street had gone through (only one wig shop was left)!

King Street Retail Strategy Issues

We applaud the City for having the vision to recognize the current and planned regional competitive threats to Old Town's retail market position and its initiative to support existing businesses with a plan for the improvement of streetscapes and transit within the area. However, we believe there are several areas of the Strategy that need further investigation and consideration before it should be adopted as part of the Master Plan, including the Parking and Outdoor Dining components as well as the map of the King Street Urban Retail zone.

**Background.** Somehow we feel we are coming into this discussion at the "eleventh hour". We have had to scramble to read the King Street Retail Strategy dated March 1, 2005 and the related recommended ordinances and planning staff recommendations. While we are members of several local business organizations including the Chamber of Commerce, the Alexandria Convention and Visitors Association and the former Old Town Business Association, we have not been informed of any previous opportunities to be included in discussions about the King Street Retail Strategy. We learned of this public hearing from the *FYI Alexandria*, January 2005 issue.

**Issue #1.** Perhaps we are not perceived as having valuable input because ***we are located outside the defined area***. We can only wonder if other long-time businesses also located "outside" the area were excluded, for example Bilbo Baggins, et cetera, Jack's Place, Monday's Child, Ecco, Firehook Bakery, Chadwick's and many others. Is it that we have been around so long that we obviously don't need any support from the public organizations? Is it that we have more attractive streetscapes and better transportation and parking that these issues don't pertain to us? How was it determined that this study and the proposed "Strategy" exclude these various enclaves of retail activity in Old Town? Why isn't the plan an Old Town Retail Strategy?!?

Recommendation. Change the proposal to the Old Town Retail Strategy and include all the retail pockets in the Urban Design, Land Use, Parking, Transit and Waterfront Guiding Principles, Planning Recommendations and Strategy Implementation.

**Issue #2. Why is this process moving so fast?** You may perceive a year-long study as not so fast but the result of the study, the King Street Retail Strategy, was published only one month ago. How can all of the "interested" parties have time to absorb the findings in this short amount of time?! In fact, there was originally no time provided for thoughtful consideration since the Strategy was published the same day the item was originally to come before you on the March 1<sup>st</sup> docket. The staff's own memorandum states "*currently King*

*Street is in a very strong retail position, the purpose of this planning process has been to ensure that King Street's market position stay strong.*" There is no crisis. The Strategy Implementation states that the public/private partnership envisioned should have a "broad buy-in as to its mission and taxation plans." How can you encourage "broad buy-in" in such a short time?

**Recommendation. Defer action on these three items until further community input and pilot programs can be adequately monitored, evaluated and presented to the public.**

**Issue #3. *The Outdoor Dining Pilot program was tested for a three-month period, October-December 2004, that does NOT adequately test it during high traffic periods.*** On September 28, 2004, City Council implemented a Pilot Program for the Outdoor Dining program recommended in the King Street Retail Strategy. Then on February 12, 2005 held a public hearing and extended the Pilot Program until December 31, 2005. During the public hearing testimony, comments were made about the implementation of pilot program and changes have been made to the current proposed ordinance as a result of those comments. Why shouldn't we continue the test period and offer additional opportunities for comment after the summer peak tourist season is over?

**Recommendation. Defer action on the King Street Outdoor Dining Overlay Zone concurrently with deferral of the King Street Retail Strategy as proposed in #2 above.**

**Issue #4. *Our competitors are being given taxpayer assets (sidewalk space) rent and tax free.*** During 2004, our business generated over \$80,000 in revenue for the City through all of the various taxes we pay and collect. During the same period, we paid over \$550 per seat in rent and real estate taxes, and over \$500 per seat in advertising. Now, through the King Street Outdoor Dining Program, the 486 outdoor seats approved for the 29 participating restaurants are being given to those businesses, my competitors, free! The public/private partnership will even implement their marketing for them. At a time when the City is wrangling with cutting the budget and real estate tax rates, does this make sense? Even prorated at 75% for available use days, i.e., good weather, rent for these seats could generate over \$200,000 in revenue. Or perhaps, those of us who cannot receive City assets free should get some sort of tax abatement to compensate us for the increased competition generated by those free seats.

**Recommendation. Charge the participating restaurants an appropriate fee for the use of the public right-of-way sidewalks.**

**Issue #5. *Resolving parking availability, and perceptions of availability, is a significant component of the Strategy that has potential but needs more wide spread participation.*** My husband will briefly discuss the parking issues we encounter daily and will recommend more wide-spread inclusion in the proposed valet parking program.

Thank you for the opportunity to present our issues and recommendations this evening.

Margaret Ticer Janowsky, Co-Owner La Bergerie Restaurant Francais

Attachment 2

## **FYI Alexandria, January 2004**

### **King Street Retail Study is Underway**

A strategic planning effort for King Street's "historic retail center" from the King Street Metro Station to the waterfront is underway. The Department of Planning and Zoning, working with an advisory committee of local businesses, residents and representatives from business and civic groups, is identifying opportunities, evaluating market constraints, and developing strategies to maintain King Street as a vibrant retail center. The goal is to ensure that King Street continues to function as Alexandria's "Main Street" for residents and visitors alike.

The approach of the retail study is to build upon the many positive attributes of this important historic street/district and to recommend programs that will allow and encourage the retail district to meet the needs of its patrons in a lively and desirable urban environment.

The characteristics of the King Street retail area are diverse, from the office-oriented Metro station area, to the independent retailers serving primarily Alexandria residents, to the tourist-oriented waterfront area. The length and diversity of the street as a retail corridor presents both opportunities and challenges in the development of an overall strategic plan.

A community meeting will be held in February to discuss the vision for the King Street retail corridor and to solicit the community's ideas and concerns. Suggestions and ideas can be sent to [kimberley.fogle@ci.alexandria.va.us](mailto:kimberley.fogle@ci.alexandria.va.us). For additional information, call Kimberley Fogle at 703.838.4667 or click on "Neighborhood Planning Initiatives" on the Planning and Zoning page of the City's web site: [ci.alexandria.va.us](http://ci.alexandria.va.us)

## **FYI Alexandria, October 2004**

The **King Street Retail Study**, initiated last November, has examined ways to improve the retail environment and performance of the King Street retail district. An advisory committee including representatives of community associations and business groups met during the winter and spring. The committee generated ideas for strategies to enhance the look and feel of streetscapes, improve the way the street operates for both businesses and residents, to enhance opportunities for independent retailers to flourish, and to coordinate parking and jointly market the district. Preparation of a plan for the district is underway and slated for completion this fall. The study will recommend guiding principles and specific strategies to enable the district to meet the needs of residents, businesses and visitors alike, and to compete in the regional retail market over the foreseeable future.

## **FYI Alexandria, January 2005**

### **King Street Retail Strategy Topic of Public Hearings**

The King Street Retail Strategy, which explores ways to strengthen the retail sector in Old Town, is scheduled for a Planning Commission public hearing on March 1, and a City Council public hearing on March 12. Both hearings will be held in the Council Chamber, City Hall, 301 King St. A community meeting will be held on Feb. 15 (location to be announced) to present the recommendations and to solicit comments. The King Street Retail Strategy can be viewed on the City of Alexandria's web site [alexandriava.gov](http://alexandriava.gov).

The King Street Retail Study was begun in November 2003. An advisory committee including representatives of community associations and business groups was active throughout the study. The results of the study formed the King Street Retail Strategy.

King Street is a neighborhood main street and a national tourist attraction that thrives on attracting a wide array of customers while it is nestled into a stable residential community. As a historic district, it must compete with newer retail districts. Planning for King Street's retail sector requires balancing the needs of business owners, residents, employees, and visitors – each contributes to making King Street a special place.

The vision for King Street is an attractive and vital retail environment from the waterfront to the King Street Metro Station, unlike anywhere in the Washington region. Critical issues to the continued success of King Street's retail sector include managing the parking resources, addressing the street's design needs, generating greater street-level activity, and establishing a framework to manage and fund the necessary initiatives.

Many of the study's recommendations need funding and a dedicated organization to make them happen. The study suggests the creation of an organization – a public and private partnership – to coordinate these activities and to push forward with funding the various recommended improvements and activities. For more information check the web site or call 703.838.4666.

### **FYI Alexandria, April 2005**

#### **King Street Retail Strategy Public Hearing, Adoption April 16**

The City Council is scheduled to hold a public hearing and adopt the King Street Retail Strategy on April 16. This strategy reflects the extensive work of the King Street Advisory Committee, community and City staff to provide a vision for King Street as an attractive, vital retail environment extending from the waterfront to the King Street Metro station. The Strategy establishes a plan of action to keep King Street competitive with other regional retail districts while protecting residential neighborhoods and providing a King Street parking strategy.

**From:** Neeta Helms  
**Sent:** Tuesday, May 03, 2005 4:50 PM  
**To:** 'pccomments@alexandriava.gov'  
**Cc:** 'Joyce Woodson'; 'Del Pepper'; 'Paul Smedberg'; 'Rob Krupicka'; 'Andrew Macdonald'; 'Mayor Bill Euille'; 'Ludwig Gaines'; 'Laurent Janowsky'  
**Subject:** RE: King Street Retail Strategy and King Street Outdoor Dining Overlay Zone

Dear Alexandria Planning commission,

My husband and I are proud owners of 319 Cameron Street- one of the most beautiful buildings in one of the loveliest streets in Old Town Alexandria. I cannot understand why King Street is the only street that is given such preferential treatment and the rest of the town/streets are treated like step children.

Many of the oldest and most famous stores in Old Town Alexandria are on our street. Today's Cargo, Nuevo Mundo, La Cuisine, Gossypia etc etc. My husband and I purchased the building for a high price and our real estate taxes have almost doubled from \$ 11,000 per year in 2003 to about \$ 18,000 per year now in 2005. What is being done with this extra money? I do not see any of it spent to promote our businesses. Every building on our street has had taxes raised by 55 % in just two years.

Therefore we are forced to keep rents up to pay for the building costs and obviously our tenants cannot charge the same amount as King Street stores just because our other areas are not marketed at all. We have much less tourist and foot traffic.

Surely King Street does not need more marketing and promotion? Why is the city willing to sit by whilst stores that have been in business for over 20 years go out of business due to rising rents. (the 20 year old antique store on Prince and Royal for example). Has anyone noticed that King Street restaurants and stores can get away with charging more or less anything for much less quality food and less quality products?

The real atmosphere of Old Town Alexandria is to be found on the side streets. Visitors should be encouraged to visit other retail corridors. Will King Street thrive and even survive if it is surrounded by boarded up buildings on every side of it?

It often takes months and weeks to get a permit to change a sign or façade or door in Old Town but this plan is being pushed in such haste – one can only wonder. Yet hardly any street, other than King Street has such a profusion of ugly and old and faded canopies and signs. Someone ought to take a walk and look up and ask those businesses to fix their signs, leave aside promote them further and hand them additional freebies.

We would also like to know what is done about parking. Since we are just behind City Hall the meter maids nab every one who is even one minute late putting money in the meter. This is for the ones who even find parking. How on earth can one expect to get customers when no effort is made to assist the stores with heavily discounted parking or free parking? The city does not make it easy to get customers. We feel very worried that we might lose the absolutely highest quality organization that rents from us on our main floor. (It might be very illuminating for the city to visit "Elements of Design" that keeps an office and design showroom on the main floor of 319 Cameron Street). Surely Old Town Alexandria would not want this business to move back to Washington DC? And we surely would not want someone like Popeye's or MacDonald's or a dry cleaner or a big name chain retail outfit to move in instead I feel as this kind of unique and elegant store and business adds great value to Old Town.

I have written this in a hurry because I just happened to be copied on the email sent to you by the owners of La Bergerie. No one informed us of these developments.

We are great lovers of Old Town and have lived in Alexandria for almost 20 years now.

We send this in haste but utmost respect for the lovely town we live in.

Neeta Helms  
Executive Vice President

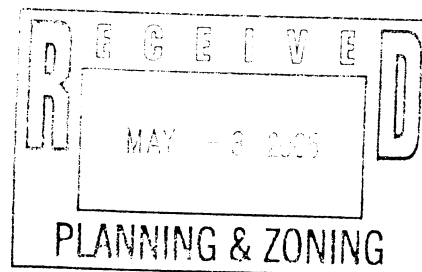
*Classical Movements Inc.*

319 Cameron Street  
Alexandria VA 22314  
Tel: 703 683 6040  
Fax: 703 683 6045  
[www.ClassicalMovements.com](http://www.ClassicalMovements.com)

30

and Jacques Vallerand Parisi  
President

*Classical Movements Inc*





"Jeff McAllister"  
<j.mcallister3@comcast.net>  
04/27/2005 07:36 PM

To <pccomments@alexandriava.gov>  
cc  
bcc  
Subject Planning Commission Comments

*PC Docket Items  
#5 and 6D*

I will not be able to attend the Planning Commission meeting on Tuesday May 3rd, so I am providing my comments on several issues docketed for discussion here.

Re: Docket Item #5 (Development Site Plan #2005-0007), Hoffman Center Parking Lot. I think it is good that the current proposal includes additional street trees and landscaping, because I can already see several parking lots from my home. Considering this parking lot may be in place for some time is very important high-quality landscaping and pedestrian improvements. With that being said, I do notice that the landscaping in the other Hoffman parking lots is not well maintained and I believe it is necessary to include a requirement that landscaping be maintained in its initial condition.

I noticed, however that the pedestrian signal recommended did not include audible signals for pedestrians with visual impairments. Also, with the construction of this new surface parking it, are additional handicapped parking spaces required?

Re: Docket Item #6d (Text Amendment #2005-0003) and 6e (Rezoning #2005-0005), King Street Outdoor Dining -- My main concern is accessibility for people with disabilities along King Street. I have often encountered problems with the outdoor dining program where restaurants do not provide a wide enough sidewalk area for people with wheelchairs. This is often because planters have been placed out into the sidewalk, as well as stanchions, chairs and even umbrellas. In areas such as the Unit, 100 and 200 blocks of King Street, even five feet of space is not sufficient considering the amount of pedestrian traffic that area receives during the summer months.

Beyond accessibility issues, I am concerned that the City of Alexandria is essentially giving away sidewalk space to certain businesses. The city should not be giving away this space for free. I have no problem with simplifying the process, but the restaurants should be charged a processing fee and a monthly charge for use of the city public sidewalk. It is unfair to restaurants in the area that provide outdoor dining options on private property, when they are often times paying taxes on property being used outdoor dining. It is also unfair to city residents who pay the taxes to maintain the sidewalks which will now be given away for free. Fees would also provide the city with another revenue stream that would help minimize the need for property tax increases.

The city needs to find away to be fair to everyone. I like the idea of outdoor dining, but I don't believe in giving it away at no cost to the business owner.

Sincerely,  
Jeff McAllister  
2181 Jamieson Avenue, Unit 911

*31*



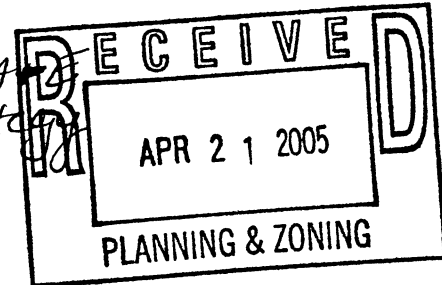
SHERRY WILSON BROWN

1600 Prince Street, Unit 603 Alexandria, VA 22314 703-548 7089 [sherrywbrown@aol.com](mailto:sherrywbrown@aol.com)

April 14, 2005

Mr. Eric Wagner  
Chair, Planning Commission  
City Hall  
301 King Street  
Alexandria, VA 22314

*Docket Item #6A  
King St. Retail Study  
& Outdoor Dining*



Dear Eric:

I urge the members of the Planning Commission to adopt the King Street Retail Study recommendations that were presented at your last meeting.

It is unfortunate that a decision on the report had to be postponed because some organizations which had official representation on the Task Force apparently suffered from internal communication problems which precluded their fully disseminating to members information on the Task Force's progress. As you pointed out several times that evening, the Planning Division had made impressive efforts to reach all interested parties with information about the process and meeting schedule. Even though I was not on the Task Force, for example, I attended four meetings and had ample opportunity to express opinions, ask questions and, beginning in mid-February, study the full report.

Businesses along King Street are in a decline and need some relief from the intense regulations that enmesh them. Getting the right balance between commercial and residential interests is difficult, I know, but certainly we see one sign that the balance is off when business revenue declines over time forcing residents to shoulder more and more of the financial burden for running the City. Easing up on the special use requirements and allowing administrative approval procedures for smaller restaurants will help considerably. Outdoor dining enhances street vitality and attracts more people, *a.k.a.* potential shoppers, to Old Town. Nothing that you do has to be forever; what you give, you can take away. If administrative approval is not strict enough, you can always discontinue it.

I was concerned, too, that some speakers accepted as a given that administrative approval would lead to an overabundance of restaurants in each block, ousting retail. My experience with trying to get a restaurant into the space the Oliver Carr Company offered MetroStage at Carlyle is that restaurateurs have very clear business plans with strict numerical guides for what they need. The money partners know a new restaurant can't succeed in a block oversaturated with eating establishments and will bypass it. Besides, chains can afford expensive lawyers to maneuver the special use permit process. It's local, home-grown businesses, the very businesses we want to encourage for their uniqueness, for which this is a financial hardship.

Finally, the report recommends exploring the creation of a Business Improvement District (BID) to encompass all commercial properties in the defined service district and a working group is already studying this with those affected. A BID offers property owners a constructive mechanism to confront problems affecting King Street. By providing the funds and the structure to address pressing King Street issues such as parking, streetscape improvement, and cooperative marketing, the BID embodies the essence of the New Federalism: if you want it, you have to pay for it yourself. With the current budget crunch, the City can't no matter how serious these issues may be. And, if I may correct a serious misconception some people seemed to hold, the creation of a BID does not remove any part of the actions it may propose from the jurisdiction of existing regulatory bodies such as Planning, Board of Architectural Review, etc.

Please vote to implement the King Street Retail Study recommendations.

With kind regards,

*Sherry*  
Sherry Wilson Brown

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Cc: Eileen Fogarty

Docket # 1a-e  
MPA-2005-0002  
TA-2005-0002  
REZ-2005-0003



patricia braun  
<leonardbraun@yahoo.com>

04/04/2005 05:21 PM

To: <pnzfeedback@alexandriava.gov>  
cc:  
Subject: King Street Strategy

Attention: Alexandria Planning Commission

I strongly oppose replacing special use permits (SUP's) with administrative permits within the King Street zone, particularly for restaurants west of Washington Street, as well as for outdoor dining, and valet parking.

Eliminating more active citizen participation in the interest of expediency is unwise, unnecessary, and downright un-American! Over half of business along King Street is generated by residents of Alexandria, and we need to have a say in its development.

I lived in Georgetown around the time restaurants and bars began to flourish, and I have since seen the negative impact they have had on the area. The Planning Commission and City Council should take a field trip to Georgetown some Saturday night before loosening our existing standards.

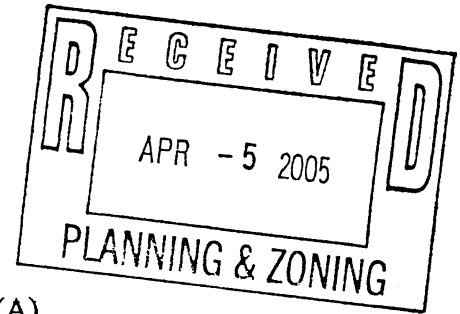
Thank you!

Patricia L. Braun  
206 North Columbus Street  
Alexandria, Va 22314

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[Make Yahoo! your home page](#)

Docket # 7a-c  
MPA-2005-0002  
TA-2005-0002  
REZ-2005-0003

Statement of Michael E. Hobbs  
on behalf of the  
Old Town Civic Association  
Planning Commission  
April 5, 2005



Master Plan Amendment #2005-0002 (A)  
Text Amendment #2005-0002 (B)  
Rezoning #2005-0003 (C)  
King Street Retail Strategy

Thank you, Chairman Wagner and members of the Commission. I am Michael Hobbs, President of the Old Town Civic Association. There could hardly be a question of greater importance to our members than the future of King Street, so we welcome this opportunity to share our views on the *King Street Retail Strategy*.

For more than two centuries, King Street has been the commercial heart and a central transportation artery first for the old town and later for the larger city of Alexandria. Home to a preponderance of the hotels, restaurants and shops which serve visitors to the city, it has been called "the preeminent historical 'Main Street' in the country."

At the same time, King Street bisects Alexandria's Old and Historic District: the third oldest such district in the country, and the locus of the extraordinary concentration of eighteenth and nineteenth century residences and historic sites which give Alexandria its emblematic personality, distinguishing it from any number of would-be competitors in Greater Washington and elsewhere which can only wish they had Alexandria's unique and compelling charm and character.

King Street is an important asset for the citizens, residents and businesspeople of Alexandria. How that asset is employed in the years ahead will have a significant impact on the quality of Alexandria's future. Will the short-term pressures of a competitive economy drive King Street toward a tawdry, blighted future (think Wisconsin Avenue/M Street in Georgetown)? Or will a determination to revitalize King Street and protect and enhance its core values preserve its unique place in Alexandria's heritage for a new century, and beyond?

The recommendations before you derive from and reflect a very specific vision of the future of King Street. As stated at the beginning of your staff report, the year-long planning process that has brought us to this point was conducted

*with the goal of developing strategies that can help King Street's retail sector maintain its competitive edge. . . . Although currently King Street is in a very strong retail market position, the purpose of this planning process has been to ensure that King Street's market position stays strong (emphasis supplied).*

The study concentrated on King Street itself, and on the commercial properties a block to either side. Virtually all of the recommendations in the report relate to enhancing the commercial, retail environment in this strictly defined area.

Our vision for King Street is not necessarily in conflict with that reflected in the report, but it proceeds from a somewhat different emphasis. We believe that the future of King Street needs to be addressed, not in *isolation* from, but rather *in the context* of the neighborhood of which it is an integral part. We have no quarrel with the goal of strengthening the competitive position of the retail enterprises on King Street. Indeed, a vibrant and vital retail environment on King Street makes an essential contribution to the quality of our life as nearby residents. But a strategy which does not at the same time address the needs of and the impacts on the surrounding residential neighborhood could have the unintended consequence of weakening, not strengthening, both the commercial and residential sectors.

The historic character of the residential neighborhood of Old Town is a central value to our City, essential to the long term economic health of the city and its retail environment. People do not come here from all over the region and the country to visit our Starbucks and our Banana Republic; they come to see this unique historic district and its architectural, artistic and historic treasures. If over-intensification of the commercial activity on King Street were to have significant negative impacts which undermined that value, then one of Alexandria's prime assets—its historic, residential character—would be substantially devalued. Our city would become a less attractive venue over time for visitors, residents, and quality retail and restaurant establishments alike. The critically important balance between the commercial and residential sectors would be lost, to the serious and perhaps irreversible damage of both.

It is in that context that we express our concerns and offer our recommendations regarding some of the provisions of the Draft Plan for the *King Street Retail Strategy*.

In doing so, we wish to emphasize that there are also many positive attributes of the plan, from our perspective. We applaud the concentration on improving the streetscape, which will enhance the King Street experience for business owners, visitors and residents alike. We endorse the creation of the King Street Urban Retail Zone, which we believe is targeted more directly to the needs of King Street proper, and may help to replace vacant spaces with a vibrant mix of retail and residential uses. We applaud the objective of attracting and preserving retail uses—especially locally-owned, independent retail—on the ground floor. And we appreciate the attention to protecting historic buildings in our community even where they may technically be outside the boundaries of the Old and Historic District.

#### Relationship to the Old Town Small Area Plan

As we understand it, the proposal before you is to amend the City's Master Plan by adopting the *King Street Retail Strategy* as a chapter of that Plan, and to enact a new section of the Zoning Ordinance to implement that new chapter.

If adopted as a chapter of the Master Plan, the *King Street Retail Strategy* might be considered to have co-equal status with the *Old Town Small Area Plan*, which is also a chapter of the Master Plan. (Indeed, because of its more recent adoption, the *King Street Retail Strategy* might be regarded as having superseded any provisions of the *Old Town Small Area Plan* with which it differed.) We regard the *Old Town Small Area Plan* as the essential policy charter for land use planning in Old Town, and we do not believe that it should be supplanted in any respect except

and to the extent that you and the Council make a clear and specific determination to do so, after full public notice, discussion and debate.

The *Old Town Small Area Plan* states the fundamental policy conclusion that:

#### POLICIES FOR OLD TOWN

Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved.

We urge that you explicitly reaffirm that statement of policy, and that you clarify that, except to the extent that it may be specifically amended by the proposed new section of the Zoning Ordinance, the *Old Town Small Area Plan* is explicitly reaffirmed.

#### Restaurants

Our principal concern has to do with what we perceive to be in many respects either an intentional or inadvertent design to encourage new and expanded restaurants and restaurant uses in the entire zone, even at the cost of sacrificing many of the procedural and substantive protections that the residential community has heretofore relied upon to protect against unrestrained growth of such uses and the negative impacts they can have on the neighborhoods.

This seems to us to be almost contradictory to the avowed purpose of promoting a vibrant *retail* environment in the King Street *Retail Strategy*--unless one believes that the recruitment of a significantly larger restaurant population on King Street is as important to the future of the street as is encouragement of the retail shops, goods and services that most of us would associate with the term. And that, frankly, would seem to us a debatable policy conclusion given, on the one hand, the widely shared concern that independent retail shops, in particular, are an endangered species, threatened particularly by the apparently greater ability of restaurants to meet escalating rents; and on the other hand, the conclusion of the *King Street Retail Strategy* itself that restaurants are the *one* category of use where there appears already to be a very substantial oversupply in the King Street area.\*

Although a central objective of the *King Street Retail Strategy* is to promote "a vital retail environment . . . to support optimum market conditions and the pedestrian experience," the Plan seems in many respects to use "retail" and "restaurant" interchangeably (e.g., "... encourage

\* The forecast of demand in the Plan (Appendix 2) indicates that, far from there being a shortage of the sort that would warrant extraordinary measures to overcome, there is already a substantial *surfeit* of restaurants on King Street: existing "Eating" uses *exceeded* "Gross Demand" for such uses in 2003 by 54,000 square feet, and the oversupply is projected to continue at least until 2008.)

small, independent retailers and restaurateurs to locate on King Street [through an] Administrative Use Permit process for appropriate uses and locations to simplify and streamline the approval process” (p. 5-2); “...utilize on-street parking to serve retail/restaurant customers, as it is the most convenient” (p. 6-7).

There may be some blocks on King Street, particularly in the vicinity of the Metro, where restaurants are *not* presently in overabundant supply and ought perhaps be selectively encouraged. But such a judgment seems to us to be tangential to the central objective of enhancing the *retail* environment on King Street, and not of such importance as to warrant a fundamental shift in the policy and procedural balance of commercial and residential interest along the *entirety* of King Street, or even of the street west of Washington Street.

OTCA endorses the encouragement of *non-restaurant* independent retail and mixed-use residential development on King Street. In the very nature of their operation, however, retail shops and restaurants can have dramatically different impacts on the surrounding neighborhood: a half dozen or a dozen patrons spending a few quiet minutes in a small shop during daytime business hours will have much less impact than fifty to a hundred or more patrons parking and spending an hour or more drinking and dining into the late evening, with amplified music and/or live entertainment. Implementation of the *King Street Strategy* should recognize that fundamental difference between retail and restaurant uses and pursue policies appropriate to each category—not treat them as interchangeable subsets of the “retail” whole.

The *King Street Strategy* proposes that “restaurants, music venues, and other entertainment should be encouraged to promote activity throughout the extended day” (p. 5-5), but recognizes that

In the past these uses have at times been problematic for Old Town with concerns relating to noise, litter, and nuisance behavior for nearby residents. To mitigate the concerns, the City has required Special Use Permit approval for these types of uses.

The Draft Plan states that “the intent of the *Strategy* is to maintain the Old Town Restaurant Policy (which is part of the Old Town Small Area Plan) that directs the City to carefully scrutinize new restaurants for their impact on the neighboring residential community,” but seems to condition or qualify that endorsement.

Old Town Civic Association urges that, as with the general policy statement of the *Old Town Small Area Plan*, the *Old Town Restaurant Policy* section of that Plan should also be explicitly reaffirmed. Specifically, the City should retain the requirement that those aspects of restaurant operation which have had or might have negative impacts on the nearby residential neighborhoods (number of seats, noise, litter, odors, nuisance behavior, parking, hours of operation) be reviewed under the Special Use Permit process.

The *King Street Retail Strategy* proposes that restaurants of 60 seats or less, west of Washington Street, be permitted with administrative approval, citing the practice in some other sections of the City and a desire for expeditious consideration.

Other areas may not have had the same recent history and do not have the same set of conditions as Old Town: the restaurant policy for Old Town should be responsive to our specific needs and circumstances. Where a proposed restaurant use involves no significant negative impact on the neighborhood, such proposals have been and could continue to be reviewed on the Planning Commission's and City Council's Consent Calendar, with minimum administrative burden on the applicant. The same information which ought to be required to support an administrative approval would be equally sufficient to support placing the matter on the Consent Calendar. But if substantial questions are posed which would make the application inappropriate for consideration on the Consent Calendar under present practice, then neither should it be considered appropriate for administrative review and approval.

We note, finally, that the discussion of the possible roles and responsibilities of the proposed new King Street Partnership and the City government in the Strategy suggests that establishing hours of operation might be the responsibility of the KSP, not of the City. The hours of operation of a restaurant may have the single most important potential impact on the neighborhood. OTCA believes that the City should maintain the general rule that restaurant hours of operation should be determined by the Planning Commission and Council through the Special Use Permit process, and that the proposed *King Street Retail Strategy* chapter of the Master Plan should not leave any contrary impression.

(We generally endorse the proposed new policy and ordinance regarding outdoor dining—with appropriate safeguards for public safety, pedestrian passage, and appropriate design—and have addressed that recommendation in a separate statement.)

### Parking

The *King Street Retail Strategy*'s recommended "Guiding Principles" on parking include:

Utilize on-street parking to serve retail/restaurant customers, as it is the most convenient. Turnover should be encouraged to increase the supply.

Employees and longer-term customers should be served by off-street parking, with efforts made to maximize garage utilization by these all-day or multiple-hour parking users.

The planning process included a survey of the existing inventory of on-street and off-street parking on King Street and one block of intersecting streets in May and June of 2004, and generally proposes the strategy of encouraging more use of heretofore underutilized capacity in private as well as public garages. Strategies to encourage the use of off-street parking by employees and customers are positive and should be encouraged. If they are to be effective, however, they need to involve real incentives in terms of cost and convenience to the owners and users of off-street facilities—otherwise that laudable objective may prove to have eluded us in practice. The strongest possible incentives should be built into the program from the outset, and the parking supply and demand should be resurveyed periodically to determine their effectiveness.

Restaurant customers, particularly in the evening, tend to be longer-term parkers (i.e., 1½ to 2 hours or more.) They should be encouraged to use off-street parking (as are “employees and [other] longer-term customers”), rather than grouped among the “retail/restaurant customers [who are encouraged to] utilize on-street parking . . . .”

Given the overall shortage of parking identified in the report—even without having surveyed parking on the nearby residential streets—implementation of the *King Street Strategy* should not have the result of exacerbating the shortage of available parking on those streets.

The focus of the parking study seemed to be on the parking needs and perceptions of retailers, restaurateurs, employers and employees—but not of residents. It does not appear that the study surveyed parking availability on nearby residential streets (e.g., Cameron, Prince), nor after 8:00 p.m., nor on weekends.

Old Town Civic Association urges that the City finish what is otherwise an incomplete investigation by conducting a survey of the supply and availability of on-street parking on the nearby residential streets (e.g., Prince, Cameron, and intersecting north-south residential streets). The survey should assess the availability of vacant spaces and utilization of on-street spaces by residents (easily identifiable by the city parking zone stickers) and non-residents not only during the day and early evening, but also in the later evening (e.g., 9 p.m. – 12 m.) and on weekends. The parking strategies for the general area should be modified or supplemented as appropriate in light of the results of this study.

If the aggregate parking demand identified through the previous *King Street Retail Strategy* survey and the proposed residential parking survey indicates a significant shortage of supply, new uses which would create significant additional demand for on-street parking (e.g., multi-family residential uses, restaurants, office or other uses involving large numbers of employees) should not be approved without identification of available off-street parking. In the meantime, the City should maintain the present policy of not granting permits for on-street parking in the residential parking zones for such uses.

### Waterfront

The report addresses the waterfront briefly (pp. 8-2,3) and sets forth a series of “Guiding Principles” and “Planning Recommendations”. The Planning Department’s intention is to commence a planning process concentrating specifically on the waterfront after the *King Street Retail Strategy* is adopted.

The waterfront planning process may be the single most important such investigation to be undertaken in recent years. It warrants and should have full, complete and independent consideration, through a process specifically designed and suited to the purpose. It should in no way be regarded as a mere “appendix” or afterthought to the *King Street Retail Strategy*, and the breadth of the deliberations should not be constrained by an explicit or implicit assumption that its scope is limited by the conclusions previously reached by another body, organized for a different purpose.



Particular elements of the “Guiding Principles” and “Planning Recommendations” in the “Waterfront” chapter of the *King Street Retail Strategy* would likely generate applause from many readers and concern from others, depending on their understanding of the intent and likely elaboration of those necessarily brief and general statements. It would not seem necessary (and might engender needless debate) to seek either to endorse or reject those statements at this stage, given that a comprehensive planning process directed specifically at the waterfront is planned to begin immediately after the City’s action on the *King Street Strategy*. So far as the waterfront is concerned, the *King Street Strategy* should not give the appearance of prejudging or anticipating the conclusions of that process: action on this chapter of the King Street plan should be deferred pending completion of the comprehensive Waterfront Planning Process.

### Strategy Implementation

The general strategy for implementation of the plan involves organization of a “King Street Partnership,” evolving from the current King Street Metro Enterprise Team (KSMET) and Old Town Business Association, to take a large part of the responsibility for “implementing and sustaining the vision and strategies for King Street.” The KSP Board of Directors would have “broad representation including participation by property owners, merchants, the City and residents”. A fairly detailed outline of “Roles and Responsibilities” of the KSP and the City is set out as “thoughts for consideration” at pp. 9-4,5; the former includes, among others, “establishing and monitoring retail/entertainment operational standards/guidelines, such as . . . hours of operation . . .” and “advising the City on issues that arise relating to King Street and Old Town.” The process to “identify the responsibilities of the City and KSP” is not prescribed in the report, but would be undertaken after adoption of the basic *King Street Retail Strategy*.

Old Town Civic Association urges that the City should not delegate to a private or quasi-private agency—even one working in close cooperation with the City—any of the public policy responsibilities that now reside in the Planning Commission, the Board of Architectural Review, and the City Council itself. Public accountability should be commensurate with responsibility and authority. The King Street Partnership could appropriately implement plans and projects which a voluntary association of business entities could pursue under present law and policy; but the administrative departments and appointed bodies of the City government should remain fully accountable to the public for public policy and administration through the Mayor and City Council as they are now.

Finally, as noted, we request that the reference to establishing “hours of operation” among the prospective authorities of a King Street Partnership be removed—at least as it relates to restaurant operation.

The attachment sets forth our specific recommendations for amendments or additions to the Draft Plan proposed to be adopted as a new chapter of the Master Plan, and to the proposed new section of the Zoning Ordinance.

Thank you for your consideration.

Attachment

Recommendations of Old Town Civic Association for Amendments/Additions to the  
King Street Retail Strategy

A. Master Plan Amendment

OTCA urges that the proposed *King Street Retail Strategy* chapter of the Master Plan be amended in the following respects:

1. Add to Chapter 5 (Land Use) the following Planning Recommendation:

The statement of the Old Town Small Area Plan that

POLICIES FOR OLD TOWN

Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved.

is reaffirmed.

2. Add to Chapter 5 (Land Use) the following statement:

Except to the extent that it is specifically amended by Sec. 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone, the Old Town Small Area Plan (Ordinance #3576, June 13, 1992, as amended) is reaffirmed.

3. Add to Chapter 5 (Land Use) the following statement:

The *Old Town Restaurant Policy* section of the Old Town Small Area Plan is reaffirmed.

4. Amend the Planning Recommendation at Chapter 5 (Land Use), p. 6, to read as follows (new language in bold, deleted language stricken through):

The City should consider the following land use regulations relating to restaurants, including:

- Undertaking a two-year pilot program to encourage local restaurants west of Washington Street and with less than 60 seats with approval through ~~an Administrative approval process~~ **consideration on the Consent Calendar in**

9

**appropriate circumstances, where consistent with the standards of the Old Town Restaurant Policy.** During the course of the pilot program . . . .

5. Amend the “Guiding Principle” regarding on-street parking at Chapter 6 (Parking), p. 7, to read as follows (new language in bold):

Utilize on-street parking—**except on residential streets**—to serve retail/restaurant customers, as it is the most convenient. Turnover should be encouraged to increase the supply.

6. Add to Chapter 6 (Parking) the following Planning Recommendation:

The City should conduct a survey of the supply and availability of on-street parking on parallel and intersecting residential streets near to King Street, to assess the availability and utilization of on-street spaces by residents and non-residents during the day, the early and later evening hours, and on weekends. The parking strategies for the King Street area should be modified or supplemented as appropriate in light of the results of this study.

7. Add to Chapter 6 (Parking) the following Planning Recommendation:

If the aggregate parking demand identified through the previously completed survey and the residential parking survey proposed herein indicates a significant shortage of supply, new uses which would create significant additional demand for on-street parking (e.g., multi-family residential uses, restaurants, office or other uses involving large numbers of employees) should not be approved without identification of available off-street parking. The City should maintain the present policy of not granting permits for on-street parking in the residential parking zones for such uses.

8. Add to Chapter 8 (Waterfront) the following Planning Recommendation:

The “Guiding Principles” and “Planning Recommendations” of the *King Street Retail Strategy* should be considered advisory only to the proposed waterfront planning process. The waterfront planning process should be designed and conducted specifically for that purpose, and should not be constrained by or limited to any principles or recommendations that may or may not have been included in this chapter of the *King Street Retail Strategy*.

9. In Chapter 9 (Strategy Implementation), add the following statement to the paragraph on “Leadership/Management/Funding Organization Recommendations” (p. 9-3):

It is not the intent to devolve from the Planning Commission, the Board of Architectural Review for the Old and Historic Alexandria District, or the City Council any of the responsibility which now rests with those bodies for the adoption of public policy and the oversight of its implementation.

10. Amend the statement on "Roles and Responsibilities of the King Street Partnership" (Chapter 9, p. 4) to read as follows (deleted language struck through):

- Establishing and monitoring retail/entertainment operational standards/guidelines, such as show window lighting, ~~hours of operation~~, private sidewalk cleaning, snow removal, etc.

B. Text Amendment

OTCA urges that the proposed Text Amendment be amended in the following respects:

11. Delete subsection (1) [restaurants, located west of Washington Street, and not exceeding 60 seats] from proposed section 6-702(C) [Administrative uses] of the Zoning Ordinance.

Delete subsection 6-706(C)(2) [Standards for Administrative Permits; Specific Standards for Restaurants] and substitute a new Section 6-707 as follows:

*6-707 Standards and Procedures for Consideration of Certain Restaurant Applications*

The Director of Planning and Zoning may designate applications for approval of SUPs for restaurants for consideration on the Consent Calendar of the Planning Commission where the application meets the following standards and where, in the judgment of the Director, the application is consistent with the Old Town Restaurant Policy of the Old Town Small Area Plan:

[subsections (a) – (m) as in the deleted subsection 6-706(C)(2)]

# ***KING STREET RETAIL STRATEGY***

## PROPOSED AMENDMENTS

April 22, 2005

### **Land Use Chapter**

On page 5-5, under Regulatory Environment, delete the following text:

~~“Full-service restaurants in specific locations (see below)”~~

On page 5-6, under Restaurants, modify the text at the end of the first paragraph to read:

- ~~“The City should consider the following land use regulations relating to restaurants, including:~~
- ~~• Undertaking a two-year pilot program to encourage local restaurants west of Washington Street and with less than 60 seats with approval through an Administrative review process. During the course of the pilot program the City would monitor the potential concern that restaurants may displace independent retail because of their ability to pay higher lease rates and also the potential impact on the residential neighborhood; and~~
  - ~~• Maintaining the policy to require a Special Use Permit for fast food restaurants to ensure the maintenance of King Street’s unique character when considering requests for Special Use Permit approval for fast food restaurants.”~~

On page 5-5, under Restaurants, add the following underlined paragraph before the last sentence at the end of the paragraph:

"Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved."

### **Parking Chapter**

On page 6-7, under Guiding Principles, modify the text in the first item to read:

“Utilize on-street parking on King Street to serve retail/restaurant customers, as it is the most convenient. Turnover should be encouraged to increase the supply.”

On page 6-8, under Parking Principles/Recommendations, add the following underlined text to the fourth full bullet:

“The City should revise valet parking regulations to simplify the approval process by allowing for administrative approval of valet parking permits, rather than requiring a Special Use Permit (SUP). As part of the implementation of the parking recommendations in the *Strategy*, review the valet parking requirements within the Central Business District with the intent to promote valet parking as a strategy for all restaurants located off of King Street, especially on Union, Lee and Cameron Streets. This program would require the development of standards for a valet parking application...”

### **Waterfront Chapter**

On page 8-2, at the end of the second paragraph, add the following underlined language:

“The following principles and recommendations are provided as advisory only to a future waterfront planning effort.”

### **Strategy Implementation Chapter**

On page 9-3, under Leadership/Management/Funding/Organization Recommendations, add the following underlined language at the end of the paragraph:

It is not the intent to devolve from the Planning Commission, the Board of Architectural Review for Old and Historic Alexandria District, or the City Council any of the responsibility that now rests with those bodies for the adoption of public policy.

On page 9-4, under Roles and Responsibilities of the King Street Partnership, add the following underlined language to the sixth bulleted item:

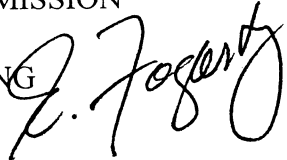
Establishing and monitoring retail/entertainment operational standards/guidelines, such as show window lighting, consistent retail hours of operation, private sidewalk cleaning, snow removal, etc.

*City of Alexandria, Virginia*

MEMORANDUM

DATE: APRIL 22, 2005

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 

SUBJECT: *KING STREET RETAIL STRATEGY*  
RESPONSE TO COMMENTS BY PLANNING COMMISSION

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The Planning Commission discussed the proposed *King Street Retail Strategy*, King Street Urban Retail Zone, and Outdoor Dining Overlay Zone at its public hearing on April 5, and asked staff to consider and respond to several comments. Staff provides the following information and ideas on the issues raised, and has amended the *Strategy* and zone text (with strikeout and underlining) to reflect suggestions by the Commission, speakers and staff.

***OLD TOWN CIVIC ASSOCIATION RECOMMENDATIONS.***

Michael Hobbs, President of Old Town Civic Association (OTCA) spoke at the public hearing and offered a written statement, dated April 5, 2005, with specific suggestions for changes enumerated in an attachment. Prior to the meeting, staff had met with and already adopted several of Mr. Hobbs' suggestions. The Commission also supported several of OTCA's ideas, and asked staff to review them and to incorporate those that were appropriate. The OTCA issues are as follows:

1. Administrative Approval for Restaurants (OTCA attachment #4)

OTCA, as well as several speakers and members of the Commission, have questioned the wisdom of allowing some restaurants on King Street, those with less than 60 seats located west of Washington Street, to be approved by administrative permit subject to standards, instead of by special use permit. Staff had included the concept, modeled after the system approved by City Council for Arlandria and Mount Vernon Avenue, in the new King Street zone, but reported that the members of the King Street work group were not unanimous in their support for the regulatory change. As an alternative, OTCA has suggested placing restaurant SUP cases on the consent calendar, but Commissioners noted that even when listed as consent items restaurants typically are removed from the consent calendar. The Commission asked staff to delete the administrative approval of restaurants from the *Strategy* and

zone, and the revised zone attached shows that change. In the *Strategy*, the following changes are provided:

On page 5-5 in the Land Use chapter, under Regulatory Environment, delete the following text:

~~“Full-service restaurants in specific locations (see below)”~~

On page 5-6, under Restaurants, modify the text at the end of the first paragraph to read:

- ~~“The City should consider the following land use regulations relating to restaurants, including:~~
- ~~• Undertaking a two-year pilot program to encourage local restaurants west of Washington Street and with less than 60 seats with approval through an Administrative review process. During the course of the pilot program the City would monitor the potential concern that restaurants may displace independent retail because of their ability to pay higher lease rates and also the potential impact on the residential neighborhood; and~~
  - ~~• Maintaining the policy to require a Special Use Permit for fast food restaurants to ensure the maintenance of King Street’s unique character when considering requests for Special Use Permit approval for fast food restaurants.”~~

2. The City’s “restaurant policy” and the relationship of the Old Town Small Area Plan to the King Street Retail Strategy. (OTCA Attachment # 1, 2, 3, 4, 11)

OTCA has expressed concern about restaurants in Old Town and specifically with regard to the “Old Town Restaurant Policy,” which was adopted as part of the Old Town Small Area Plan. Staff had already included text in the *Strategy* to acknowledge the importance of that policy for restaurants (Land Use, at p. 5-5) and, when OTCA asked that we amplify the language with an additional paragraph, staff proposed the OTCA language to the Commission as an amendment at the April 5 hearing. That new language, emphasizing the importance of balancing the interests of both the residential and business communities, is now incorporated into the proposed *Strategy* document, as follows:

On page 5-5 in the Land Use chapter, under Restaurants, add the following underlined paragraph before the last sentence at the end of the paragraph:

“Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved.”



OTCA has also suggested that the *Strategy* state a reaffirmation of the Small Area Plan, but staff does not believe that is necessary. The adoption of the *King Street Retail Strategy* as part of the Master Plan does not change the authority of the Old Town Small Area Plan, unless material in the former is directly inconsistent with the latter, such as the change in uses permitted on the ground floor of King Street buildings. The Small Area Plan governs a very large area that includes all of Old Town; the *Strategy* is targeted specifically and only at King Street. The two documents remain co-equal statements of policy by City Council and guide the future of Old Town.

### 3. Parking (OTCA attachment, # 5, 6, 7)

OTCA has suggested additional language for the *Strategy's* guiding principle with regard to promoting the use of on-street parking to serve business customers (Parking, at pp. 6-7). Specifically, OTCA suggests highlighting the fact that it is on-street parking on commercial, not residential, streets that should be promoted for business customers. Staff agrees with the OTCA idea, and has added language to the principle stating that it is King Street on-street parking that should be promoted for customers, as follows:

On page 6-7 in the Parking chapter, under Guiding Principles, modify the text in the first item to read:

“Utilize on-street parking on King Street to serve retail/restaurant customers, as it is the most convenient. Turnover should be encouraged to increase the supply.”

As to the recommendations about expanding the parking study to assess the availability of on-street parking to include residential streets near King Street, staff notes that the study already completed was specifically limited to commercial areas. The larger study recommended by OTCA can be undertaken at a later date, with involvement of OTCA and affected members of the residential community.

### 4. Future Waterfront Planning (OTCA attachment, #8)

Old Town Civic Association requested additional language regarding future waterfront planning. The *King Street Retail Strategy* recommends that there be a planning study of the waterfront to ensure that the uses on the waterfront reflect the community's future vision for the waterfront. Additional language is proposed to be added to the *Strategy* to state that the *Strategy* is advisory only as to the future of the waterfront. The waterfront planning work will be its own effort, and whatever findings result from that work will stand on its own as City policy. While this was the clear intent, the following language is recommended.

On page 8-2 in the Waterfront chapter, at the end of the second paragraph, add the following underlined language:

“The following principles and recommendations are provided as advisory only to a future waterfront planning effort.

5. Strategy Implementation (OTCA attachment, #9, 10)

Staff has included OTCA’s two language additions to the *Strategy* document, because they amplify and clarify the thoughts already in the *Strategy*. Staff has refined the language slightly from the version presented by OTCA as follows:

On page 9-3 in the Strategy Implementation chapter, under Leadership/Management/Funding/Organization Recommendations, add the following underlined language at the end of the paragraph:

It is not the intent to devolve from the Planning Commission, the Board of Architectural Review for Old and Historic Alexandria District, or the City Council any of the responsibility that now rests with those bodies for the adoption of public policy. and the oversight of its implementation.

On page 9-4, under Roles and Responsibilities of the King Street Partnership, add the following underlined language to the sixth bulleted item:

Establishing and monitoring retail/entertainment operational standards/guidelines, such as show window lighting, consistent retail hours of operation, private sidewalk cleaning, snow removal, etc.

Staff has not included the language as to “oversight of its implementation,” because it is so sweeping, and because implementation is likely shared among Council and its Boards as well as by other groups and businesses. The potential division of implementation responsibility should be worked out as part of the *Strategy*’s implementation and staff does not want to foreclose potential opportunities prior to that work. As just one example, the implementation of a program to ensure private sidewalk cleaning could, staff believes, become the province of a business group entity.

As to the hours of operation, it was never intended to affect SUP hours established by City Council, nor is there the authority to do so in the *Strategy*. What is important and could be reviewed by a business group is ensuring, for example, that retail stores stay open in the early evening to attract more shoppers, and to better compete with other retail areas, such as Pentagon City and Pentagon Row. Staff has added language to clarify the point.

## ***RESTAURANTS SHOULD PAY RENT FOR OUTDOOR DINING***

Speakers suggested that, because the relaxed procedural outdoor dining rules apply to King Street and not to other streets, the City adopt a program employed in some other cities whereby restaurants are required to rent out space on the public sidewalk. Research was conducted on the fee structure for outdoor dining in 18 cities across the country that charge for the use of the public way. Of the communities surveyed, the most typical approach is to charge on a per-square foot basis. For the most part, the fees charged are nominal and certainly do not reflect a market lease value for use of the property. On a per-square foot basis, the annual fees ranged from \$0.25/s.f. in Milwaukee, WI to \$9.00/s.f. in Charleston, SC. Most of the surveyed communities charged between \$1.00 and \$2.00/s.f. annually.

The *Strategy's* proposed program does not require payments for the use of the sidewalk; it is designed to motivate restaurants to add outdoor seating as a means of enlivening and adding active uses to the street by providing an administrative permit system for the seasonal use. Provided they comply with the conditions and guidelines of the program, permits for outdoor seating can be achieved quickly through an administrative system. Encouraging more activity along the street in itself is intended to bring economic value to the community. The Council is not precluded from considering a fee in the future.

Staff recognizes that not all restaurants in Old Town would be able to participate in an outdoor dining program on the public sidewalk, due primarily to the width of the sidewalks in some blocks. As one moves off of King Street, the sidewalks tend to be quite narrow. The Outdoor Dining Overlay Zone focused on those properties along King Street and the immediately intersecting blocks, incorporating only those areas that are largely commercialized and where adverse impacts on nearby residential areas would be kept to a minimum. A review of the location of restaurants in the Old Town area found only a limited number outside of the proposed overlay area. For the most part, these restaurants adjoin residential uses and/or have little or no sidewalk space for outdoor dining. These restaurants could still apply for outdoor dining, just not through the administrative review process, and their potential impacts can be evaluated on a case-by-case basis.

## ***VALET PARKING***

The zoning ordinance now requires an SUP for any valet parking within the Central Business District, which generally covers the Old Town area between Duke Street and Queen Street. The new King Street Urban Retail Zone allows valet parking with an administrative permit, provided a series of conditions are met. The zone applies only to properties fronting King Street. Staff had always assumed that the program, should it be activated, would expand in its reach beyond King Street, especially if a program operated jointly by a number of businesses were to be created.

While staff agrees that any successful valet parking program should not be limited to King Street, it is not clear what the appropriate scope of the liberalized permit system should be. The Central Business

District includes a significant residential street system, and the community should be part of the discussion before expanding the idea beyond King Street. The question will be part of the implementation of the *King Street Retail Strategy*. In that valet parking has not been attempted for many years, and even a program on King Street would take some time to develop, making this issue part of the implementation work should not create a hardship on non-King Street uses.

Staff recommends adding additional language to the *Strategy* to document the City's intent to expand a liberalized rule to promote valet parking as a strategy for Old Town, including beyond King Street, and especially as to Union, Lee and Cameron Streets. This added language is as follows:

On page 6-8 in the Parking chapter, under Parking Principles/Recommendations, add the following underlined text to the fourth full bullet:

“The City should revise valet parking regulations to simplify the approval process by allowing for administrative approval of valet parking permits, rather than requiring a Special Use Permit (SUP). As part of the implementation of the parking recommendations in the *Strategy*, review the valet parking requirements within the Central Business District with the intent to promote valet parking as a strategy for all restaurants located on or off of King Street, especially on Union, Lee and Cameron Streets. This program would require the development of standards for a valet parking application ... “

#### ***EXPANSION OF ZONE TO INCLUDE 120 SOUTH PEYTON STREET***

The Commission heard a suggestion from a representative of the property owner of 120 South Peyton Street that the parcel be added to the new King Street zone, so as to achieve reduced parking requirements and increased residential density, but with an amendment to relax the rear setback requirement. Staff has considered this request but not included a remapping for King Street, because, if there is a rationale for expansion, it should not be limited to only one property. The scope of the new zone and the focus of the study – with all of its outreach and work group involvement – has been limited to King Street. Future work can look at additional areas for treatment; however, it would be unfair to other property owners near King Street to allow the expansion for one but not other similarly situated properties.

Beyond the procedural issues, staff finds that the side street properties are qualitatively different from and there is a rationale for different treatment from those on King Street, which is the primary retail focus in Old Town. In addition, as to the 120 South Peyton Street site, although it would benefit by being within the new zone as to parking requirements, the property would not benefit by other regulations in the zone. For example, proposals have been previously considered to build townhouses there, a use no longer permitted under the new King Street zone.

## ***EMPHASIS ON GROUND LEVEL OPEN SPACE***

At least one Planning Commissioner mentioned the importance of ground level open space for new development on King Street. Staff agrees and the *Strategy* notes the importance of providing open areas or nodes along King Street to give relief from the urban form. Staff also supports the concept of emphasizing the importance of ground level open space within new developments, as opposed to open space only located on roof tops and balconies, and most if not all recent development proposals have been required to add plazas and green areas at ground level. The new zone for King Street is specific on this point. The open space regulations at section 6-705 (B) require that open space be composed of ground level space and that it be “a qualitatively significant component of the total open space.”

## ***ZONING QUESTIONS BY COMMISSIONER DUNN***

The following responses are provided to those questions, not already answered above, posed by Commissioner Dunn.

1. How does section 6-704, regarding parking for accessory apartments, apply, given the interpretation in the Old Presbyterian Meeting House case, which allowed the application of the grandfathering rules in section 2-800 (F) to supercede the SUP requirement for offsite (within 300') church parking?

*Response:* The Old Presbyterian Meeting House case involved the application of the grandfathering rules which, where they apply, will supercede any requirement for parking. As to accessory apartments, section 8-200 (C) of the zoning ordinance requires that multifamily (apartment) uses provide parking on the same lot or one across an alley from the apartment property. The language of section 6-704, which has been in the ordinance for many years, is more liberal, and allows parking to be located off site if it is within 500 feet from the apartment property. The King Street Urban Retail zone simply increases the number of accessory apartments subject to these rules from 4 to 8. If an accessory apartment site is grandfathered as to parking, the grandfathering rules will apply.

2. How do the open space provisions of section 6-705 apply to existing buildings?

*Response:* The zoning ordinance has historically included open space requirements for multifamily uses, regardless of whether they are newly built or long existing buildings. This is also true in each and every residential zone throughout the City.

The King Street Urban Retail Zone does not change that approach. It simply changes the open space requirement to 150 square feet per unit, and requires ground level open space to be included. In the case of a residential use existing without any open space since prior to 1992, it would be considered noncomplying and allowed to continue without any open space now and in the future. This

circumstance applies to most apartments on the second and third floor uses on King Street. As to a change in use from nonresidential to apartments, the zoning ordinance requirements would apply and a modification for open space, and possibly a parking reduction, and building and fire code upgrades would be required. This situation occurred at 815 King Street, when it was converted from its historic office use to residential use. Many smaller buildings, however, have historically been used for residential.

3. What is the purpose of section 6-705(C)(2)(C) regarding Transition Special Use Permits?

*Response:* The Transition SUP language is identical to the language now in the zoning ordinance, which was added in 1992 to protect those sites that received development approval under a special program during the time between when the new zoning was proposed when it was adopted. Under the TranSUP program, development applications were allowed to go forward, but a special use permit was required and the development had to adhere to the proposed master plan and zoning changes then under consideration. The language allows those sites to be developed at the higher 3.0 density, and is retained here to protect any existing development that may have been built under a TranSUP, making it fully legal and not noncomplying.

4. Under Height, at 6-705 (D) (1), is not the “east of S. Peyton” language redundant?

*Response:* Yes, there is a redundant reference that has been eliminated in the attached zone. Subparagraph (1) applies to land previously in the CD zone; (2) applies to land previously in the OCH zone. The following change has been made to the language in section 6-705(D)(1):

“For properties east of South Peyton Street on the south side and east of Harvard Street on the north side of King Street, the maximum permitted height of a building ~~east of Peyton Street~~ is 50 feet.”

5. As to the requirements under building form, at section 6-705 (E), to what development do these rules apply? Also, why do the building form rules only apply to new development and the remaining rules of section 6-705 apply to all development, new or existing?

*Response:* By its terms, the new building form rules apply to new development “for which a site plan is required.” A site plan, under section 11-400 of the zoning ordinance includes a full two pages of definitional regulation, thus providing precision regarding the development to which the new building form rules apply. The remaining rules, regarding height, FAR and open space are traditional zoning measures, applicable to all buildings, and govern the size of new buildings as well as any additions to existing ones. The building form rules are more onerous, and more fundamental to the interior design of buildings, requiring changing both storefronts and the height of interior first floor; they will apply only to new construction of a minimum size under the site plan regulations as it would be unfair to apply them to existing buildings or to small additions.

While the above distinction between the rules for new buildings and existing ones is rational and fair, the Commission discussion has prompted staff to refine the new King Street zone in two ways to address Mr. Dunn's and others concerns about renovated buildings. First, the language of section 6-705 (E) (1) has been revised to add the underlined language to clarify the intent of the *Strategy*, as follows:

“*Rear setback.* The building shall be contained within a building envelope described by a 1.5 (run) to 1.0 (rise) sloping plane beginning at a point five feet above grade at the common rear property line, when the property abuts residential use.”

In addition, a new provision has been added to section 6-705 (F) to ensure that the storefront guidelines in the *Strategy* (Land Use, on pp.5-8) apply to newly renovated buildings as well as new buildings, as follows:

(F) *King Street Retail Strategy.*

- (1) A special use permit for increased floor area ratio or height under this section 6-705 shall be reviewed, in addition to other pertinent issues, for compliance with the *King Street Retail Strategy*, as adopted as part of the Master Plan.
- (2) The Storefront Guidelines of the *King Street Retail Strategy* shall be applied by the Board of Architectural Review in considering exterior alterations on King Street, to the extent not inconsistent with BAR guidelines for redevelopment of building facades.

6. As to section 706 (A) (3), why is the Planning Commission not included regarding SUP approvals?

*Response:* City Council is the approving body for SUPs. The language could be restructured to state that SUPs are considered by the Planning Commission and City Council, but as it is currently drafted, the language refers to approval of SUPs.

7. The language regarding the definition of fast food at section 706 (C)(3)(2)(c) regarding fast food should be changed ; the “and” should be an “or.”

*Response:* Staff has not made the changes because it deleted this provision, which was part of the standards for administrative approval of restaurants.

8. Does section 6-707 apply only to the rules under section 6-706?

*Response:* No. The provisions of section 6-707 are separate use provisions that have been in both the CD and OCH zones since 1992. The provisions apply to all uses in the zone.

***STAFF RECOMMENDATION***

Staff has prepared a list of recommended changes to the *King Street Retail Strategy* and made changes to the zone documents to reflect those issues above that required changes, as well as the still applicable staff recommendations from its memorandum of April 5. With these additions and amendments, staff recommends that the Planning Commission recommend approval of:

- MPA#2005-0002 – *King Street Retail Strategy*
- TA#2005-0002 – KR/King Street Urban Retail Zone
- RZ#2005-0003
- TA#2005-0003 – Outdoor Dining Overlay Zone
- RZ#2005-0005



Attachment

Recommendations of Old Town Civic Association for Amendments/Additions to the  
King Street Retail Strategy

A. Master Plan Amendment

OTCA urges that the proposed *King Street Retail Strategy* chapter of the Master Plan be amended in the following respects:

1. Add to Chapter 5 (Land Use) the following Planning Recommendation:

The statement of the Old Town Small Area Plan that

POLICIES FOR OLD TOWN

Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved.

is reaffirmed.

2. Add to Chapter 5 (Land Use) the following statement:

Except to the extent that it is specifically amended by Sec. 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone, the Old Town Small Area Plan (Ordinance #3576, June 13, 1992, as amended) is reaffirmed.

3. Add to Chapter 5 (Land Use) the following statement:

The *Old Town Restaurant Policy* section of the Old Town Small Area Plan is reaffirmed.

4. Amend the Planning Recommendation at Chapter 5 (Land Use), p. 6, to read as follows (new language in bold, deleted language stricken through):

The City should consider the following land use regulations relating to restaurants, including:

- Undertaking a two-year pilot program to encourage local restaurants west of Washington Street and with less than 60 seats with approval through an ~~Administrative approval process~~ **consideration on the Consent Calendar** in

**appropriate circumstances, where consistent with the standards of the Old Town Restaurant Policy. During the course of the pilot program . . . .**

5. Amend the "Guiding Principle" regarding on-street parking at Chapter 6 (Parking), p. 7, to read as follows (new language in bold):

Utilize on-street parking—**except on residential streets**—to serve retail/restaurant customers, as it is the most convenient. Turnover should be encouraged to increase the supply.

6. Add to Chapter 6 (Parking) the following Planning Recommendation:

The City should conduct a survey of the supply and availability of on-street parking on parallel and intersecting residential streets near to King Street, to assess the availability and utilization of on-street spaces by residents and non-residents during the day, the early and later evening hours, and on weekends. The parking strategies for the King Street area should be modified or supplemented as appropriate in light of the results of this study.

7. Add to Chapter 6 (Parking) the following Planning Recommendation:

If the aggregate parking demand identified through the previously completed survey and the residential parking survey proposed herein indicates a significant shortage of supply, new uses which would create significant additional demand for on-street parking (e.g., multi-family residential uses, restaurants, office or other uses involving large numbers of employees) should not be approved without identification of available off-street parking. The City should maintain the present policy of not granting permits for on-street parking in the residential parking zones for such uses.

8. Add to Chapter 8 (Waterfront) the following Planning Recommendation:

The "Guiding Principles" and "Planning Recommendations" of the *King Street Retail Strategy* should be considered advisory only to the proposed waterfront planning process. The waterfront planning process should be designed and conducted specifically for that purpose, and should not be constrained by or limited to any principles or recommendations that may or may not have been included in this chapter of the *King Street Retail Strategy*.

9. In Chapter 9 (Strategy Implementation), add the following statement to the paragraph on "Leadership/Management/Funding Organization Recommendations" (p. 9-3):

It is not the intent to devolve from the Planning Commission, the Board of Architectural Review for the Old and Historic Alexandria District, or the City Council any of the responsibility which now rests with those bodies for the adoption of public policy and the oversight of its implementation.

10. Amend the statement on “Roles and Responsibilities of the King Street Partnership” (Chapter 9, p. 4) to read as follows (deleted language struck through):

- Establishing and monitoring retail/entertainment operational standards/guidelines, such as show window lighting, ~~hours of operation~~, private sidewalk cleaning, snow removal, etc.

B. Text Amendment

OTCA urges that the proposed Text Amendment be amended in the following respects:

11. Delete subsection (1) [restaurants, located west of Washington Street, and not exceeding 60 seats] from proposed section 6-702(C) [Administrative uses] of the Zoning Ordinance.

Delete subsection 6-706(C)(2) [Standards for Administrative Permits; Specific Standards for Restaurants] and substitute a new Section 6-707 as follows:

*6-707 Standards and Procedures for Consideration of Certain Restaurant Applications*

The Director of Planning and Zoning may designate applications for approval of SUPs for restaurants for consideration on the Consent Calendar of the Planning Commission where the application meets the following standards and where, in the judgment of the Director, the application is consistent with the Old Town Restaurant Policy of the Old Town Small Area Plan:


[subsections (a) – (m) as in the deleted subsection 6-706(C)(2)]

*City of Alexandria, Virginia*

MEMORANDUM

DATE: APRIL 5, 2005

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 

SUBJECT: RECOMMENDED AMENDMENT TO KING STREET RETAIL STRATEGY  
AND KING STREET URBAN RETAIL ZONE

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Staff is recommending amendments to the King Street Retail Strategy and the King Street Urban Retail Zone, as follows:

***King Street Retail Strategy***

The Old Town Civic Association has expressed their desire to reinforce existing policy language from the Old Town Small Area Plan in the King Street Retail Strategy regarding the desire to maintain the balance of land uses in the King Street and Washington Street area.

On page 4-5 in the Land Use chapter, under Restaurants, add the following underlined paragraph before the last sentence at the end of the paragraph:

"Old Town is unique in that it maintains a very fine residential area in close proximity to the commercial establishments on King and Washington Streets. While both the residential and commercial areas are currently strong, there is a fragile balance which must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved."

This paragraph represents existing language in the Small Area Plan.

***King Street Urban Retail Zone***

Additional language is proposed in the King Street Urban Retail Zone to further clarify that the administrative approval for the smaller restaurants west of Washington Street is for a two-year period only. The *Retail Strategy* recommends the two-year period, allowing this period to serve as a pilot

program. During the two-year period, the City would monitor potential concern that restaurants could, over time, replace more traditional retail shops, resulting in an imbalance in the marketplace.

The following underlined language is recommended to be added to Section 6-706(C)(2):

Sec.6-706(C)

(2) Specific Standards for Restaurants. Authority for certain restaurants, as described in these standards, to be approved by administrative permit is expressly limited to a two year pilot program to begin on the adoption of this ordinance and to terminate two years from that date, unless specifically extended zoning legislation is adopted by City Council. Restaurants approved during the pilot program or any extension shall be valid and lawful despite any subsequent termination of the program as to future approvals.

- (a) A restaurant eligible for administrative approval shall be located west of Washington Street.
- (b) Restaurant seating shall not exceed 60 seats.

With regard to valet parking, the following amendment seeks to eliminate a conflict between the proposed zone that allows an administrative approval for properties in the King Street Urban Retail Zone and the existing valet parking requirements outlined in the parking chapter of the zoning ordinance, which requires a Special Use Permit for valet parking. In addition, this section allows valet parking to utilize required parking spaces, where it is found that there are different demand times for the parking spaces. An example is using office parking to serve an evening valet function for a restaurant.

The following underlined language is recommended, creating a new subsection 6-706(C)(3)(e):

Sec. 6-706 (C)

(3) Specific Standards for Valet Parking

- (e) The provisions of section 8-300 of this ordinance, requiring an SUP for valet parking, shall not apply for valet parking approved under this section 6-706 (C)(3). In addition, a permit approved under this section may authorize valet parking to displace otherwise required parking spaces, notwithstanding the requirements of section 8-200, if it is determined that those spaces are not in demand during the times that the valet parking program will be in effect and that the use of the spaces for the valet parking program will reduce potential not add to parking congestion on the public streets.

KING STREET URBAN RETAIL ZONE  
AMENDED April 22, 2005  
(additions shown underlined, deletions as ~~strikeouts~~)

Sec. 6-700 *KR/King Street Urban Retail Zone*

6-701 *Purpose.* The King Street Urban Retail Zone is intended to create strategic and flexible zoning for properties abutting King Street in Old Town in order to enhance the long term vitality of the street. The provisions of this zone therefore:

- (A) encourage retail and other active uses and discourage office and other non-active uses on the ground floor of buildings; and encourage full use of upper floors of buildings to provide continued activity and patrons for retail uses;
- (B) assure a balance of uses on the street by eliminating disincentives for residential uses, such as traditional yard and setback requirements, and lowering parking requirements and modifying FAR regulations so they are consistent for residential and commercial development;
- (C) allow more flexibility for some uses, by allowing administrative approvals subject to standards instead of by a special use permit; and
- (D) refine existing requirements for new development to ensure the construction of buildings that are compatible with surrounding ones and to require that the ground floor of new buildings is constructed so as to accommodate retail uses.

6-702 *Uses.* Uses in the King Street Urban Retail Zone are divided into two categories, depending on their location, in order to protect and enhance opportunities for existing and future retail uses. The two use categories, which are each further divided into permitted and special uses, are defined as followed:

*Ground floor uses:* Retail and other active uses are emphasized in the ground floor uses category. The ground floor uses category applies to uses to be located in the space within the first 50 feet of a building, measured from the front building wall, and in a building that is set back no further than 30 feet from a front property and with a first floor of the building within four feet above the sidewalk grade.

*Upper floor uses:* The second category of uses is all space that is not located within the ground floor of a building, as that is defined above. Upper floor uses may be located on floors above the ground floor, in the space on the ground floor beyond the 50 feet threshold for ground floor uses, and in buildings not considered

retail appropriate because they are elevated above grade or set back an excessive distance from the street as expressed above.

(A) *Ground floor Uses*

(1) *Permitted uses.*

- (a) Building lobby, with a frontage of less than 30 feet along King Street;
- (b) City sponsored farmers' market;
- (c) Personal service establishment, with a frontage of less than 30 feet along King Street;
- (d) Pet supplies, grooming/training with no overnight accommodations;
- (e) Retail shopping establishment, less than 10,000 square feet in size;
- (f) Utilities, as permitted by section 7-1200;
- (g) Accessory uses.

(2) *Special uses:*

- (a) Amusement enterprise;
- (b) Bakery, exceeding 3500 square feet, which includes a retail component;
- (c) Church;
- (d) Convenience store;
- (e) Health and athletic club;
- (f) Hotel;
- (g) Outdoor food and craft market;
- (h) Motor vehicle parking and storage, including as an accessory use to accommodate required parking, in a structure that is visually screened with active uses for at least 25 feet, measured from the property line on King Street.
- (i) Personal service establishment or building or hotel lobby, extending for more than 30' along King Street;
- (j) Public building;
- (k) Restaurant;
- (l) Retail shopping establishment, over 10,000 square feet in size;

(B) *Upper floor uses.*

(1) *Permitted uses:*

- (a) Any use permitted as a ground floor use under section 6-702(A)(1);
- (b) Multifamily dwelling units or accessory apartments;
- (c) Business and professional office;
- (d) Medical office;
- (e) Medical laboratory;
- (f) Personal service establishment;
- (g) Radio or television broadcasting office and studio.

(2) *Special uses:*

- (a) Any use allowed as a ground floor special use under section 6-702(A)(2);
- (b) Apartment hotel;
- (c) Catering operation;
- (d) Congregate housing;
- (e) Day care center, day nursery or nursery school;
- (f) Home for the elderly;
- (g) Fraternal or private club;
- (h) Medical care facility;
- (i) Motor vehicle parking or storage;
- (j) Newspaper office, including printing and publishing facilities;
- (k) Private school, commercial or academic;
- (l) Rooming house;
- (m) Social service use;
- (n) Wholesale business.

(C) *Administrative uses.* Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of section 6-706 of this ordinance; provided however that the director may determine that a special use permit approval shall be required if the applicant fails to consent to the conditions of the administrative permit or if after consultation with the Police Department it is determined that there are documented criminal or nuisance activities or zoning ordinance violations at the proposed location or with the proposed operator. Alternatively, at the applicant's discretion, the applicant may seek special use permit approval for such uses pursuant to section 11-500 of this ordinance.

- (1) ~~restaurants, located west of Washington Street, and not exceeding 60 seats;~~
- (2)(1) outdoor dining, up to a maximum of 20 seats, pursuant to section 6-706



and the King Street Outdoor Dining Overlay Zone, section 6-800;  
(3)(2) valet parking.

(D) *Noncomplying and nonconforming uses.*

- (1) *Noncomplying uses.* Notwithstanding the language of section 12-301 regarding the definition of noncomplying uses, any use within the King Street Urban Retail Zone that is legally existing on \_\_\_\_\_ (date of ordinance adoption) and inconsistent with the use provisions of this section 6-702, except for those uses listed under section 6-702(D)(2), shall be deemed a noncomplying use and allowed to continue subject to the rules for noncomplying uses in section 12-302 of this ordinance.
- (2) *Nonconforming uses.* Any property which displays automobiles or other vehicles for the purpose of selling them as a business shall be deemed a nonconforming use and required to abate pursuant to section 12-214.

6-703 *Parking Requirements for residential uses.* Notwithstanding any contrary provisions of this ordinance, for residential uses, a minimum of one parking space is required for each dwelling unit.

6-704 *Accessory Apartments.* A maximum of eight apartment dwelling units, located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, although open space, in the form of balconies, courtyards and rooftop terraces, is strongly encouraged where feasible. Each such apartment shall provide a minimum of one parking space for each dwelling unit, and the parking spaces may be compact size or tandem and parking may be located either on the site or within 500 feet of it.

6-705 *Building and development requirements*

- (A) *Frontage, lot and yard requirements.* There shall be no frontage, lot or yard requirements, except for the supplemental yard and setback provisions of section 7-1000 and the zone transition requirements of section 7-900
- (B) *Open space.* For residential uses, open space shall be provided in an amount equivalent to a minimum of 150 square feet per dwelling unit. The open space shall be composed of ground level space, and may also include space on balconies, terraces and rooftops. The ground level open space shall be a

qualitatively significant component of the total open space. Open space shall be easily accessible and shall be proximate to dwellings.

(C) *Floor area ratio.*

(1) For properties east of South Peyton Street on the south side and east of Harvard Street on the north side of King Street, the following FAR limits apply:

(a) *Nonresidential.* For nonresidential uses, the FAR shall not exceed 1.5, except that up to an FAR of 2.5 may be approved with an SUP.

(b) *Residential.* For residential uses, the FAR shall not exceed 1.25, except that an FAR of up to 2.5 may be approved with an SUP.

(2) For properties west of South Peyton Street on the south side and west of Harvard Street on the north side of King Street, the following FAR limits apply:

(a) *Nonresidential.* For nonresidential uses, the FAR shall not exceed 2.0, except:

(1) An FAR of up to 3.0 may be approved with an SUP.

(2) The maximum permitted floor area ratio is 3.0 for a lot of record existing on June 24, 1992, that contains less than 15,000 square feet all or a portion of which is within 1,000 feet of the King Street Metro Station; provided however that this paragraph shall not apply to lots abutting King Street, nor to lots west of Daingerfield Road.

(b) *Residential.*

(1) For residential uses other than those specified by section 6-705 (C)(2)(b)(2) below, the maximum permitted FAR is 1.25, not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units an acre.

(2) For residential uses located within 1,000 feet of a metrorail station the FAR shall not exceed 2.0, except that an FAR of up to 3.0 may be approved with a special use permit.

(c) *Transition special use permit.* For land within the boundaries of a project approved by a transition special use permit which was valid as of November 1, 1994 and is located within 1,000 square feet of a metrorail station, the maximum permitted floor area ratio is 3.0, without regard to lot lines, with a special use permit.

(D) *Height.*

(1) For properties east of South Peyton Street on the south side and east of Harvard Street on the north side of King Street, the maximum permitted height of a building east of Peyton Street is 50 feet.

(2) For properties west of South Peyton Street on the south side and west of Harvard Street on the north side of King Street, the maximum permitted height shall be consistent with the requirements of the King Street Metro Station Height District, section 6-405.

(E) *Building form.* New development for which a site plan is required shall comply with the following requirements.

(1) *Rear setback.* The building shall be contained within a building envelope described by a 1.5 (run) to 1.0 (rise) sloping plane beginning at a point five feet above grade at the common rear property line, when the property abuts residential use.

(2) *Ground floor retail space.* In order to accommodate quality retail space, the ground floor of the building shall:

- (a) be built to a floor to floor height of no less than 14 feet; and
- (b) provide storefront or show windows along a minimum of 75% of the King Street frontage, except where preservation of an historic building would preclude meeting this criterion as determined by the BAR.

(F) *King Street Retail Strategy.*

- (1) A special use permit for increased floor area ratio or height under this section 6-705 shall be reviewed, in addition to other pertinent issues, for compliance with the *King Street Retail Strategy*, as adopted as part of the Master Plan.
- (2) The Storefront Guidelines of the *King Street Retail Strategy* shall be applied by the Board of Architectural Review in considering exterior alterations on King Street, to the extent not inconsistent with BAR guidelines for redevelopment of building facades.

6-706 *Standards and Procedures for Administrative Approvals.*

(A) *Application of this section generally.*

- (1) An applicant may seek administrative approval of a use listed in section 6-702(C) pursuant to the standards and procedures outlined in this section 6-706.
- (2) At the applicant's discretion, the applicant may choose, as an alternative to an administrative permit, to seek special use permit approval for such uses pursuant to section 11-500 of the zoning ordinance.
- (3) Any change in the nature of the use or any enlargement, extension or increase in the intensity of that use beyond that outlined in the standards of this section 6-706 shall be subject to review by the director and may require a special use permit approved by the city council;
- (4) In the event any person, whether owner, lessee, principal, agent, employee or otherwise, materially fails to comply with any standard of this section, the director may suspend or revoke the administrative approval in whole or in part and on such terms and conditions as deemed necessary to effect the cure of such failure. The applicant or his successor in interest may appeal this suspension or revocation pursuant to section 11-205(B) et. seq. of this ordinance, except that such appeal shall be heard by the Planning Commission.

(B) *Procedure.*

- (1) Applicants for administrative permits under this section shall file an application with the director on such forms and subject to such procedures as the director may establish for the purpose. The application shall include

a statement identifying the applicant as required by section 11-503 of this ordinance.

- (2) Notice of a pending administrative permit application shall be made in a newspaper of general circulation in the city, posted on the subject property, and given to nearby civic and business associations. The public may submit comments to the director within 14 days after publication of the notice.
- (3) After review for compliance with the standards of this section 6-706, the director may approve, approve with conditions, or deny the application. The decision of the director shall be deemed to have the force and effect of a special use permit, under section 11-500, except that provisions of 11-507 shall not apply. The director's decision may be appealed to the Planning Commission. Such appeal shall be filed within 30 days from the date of the decision appealed by filing a notice of appeal with the Department of Planning and Zoning. Such notice shall be a written statement specifying the grounds on which the person is aggrieved and the basis for the appeal .

(C) *Standards for Administrative Permits.*

- (1) *General standards for all administrative uses:*
  - (a) The application shall be reviewed for compliance with this section 6-706 as well as with applicable provisions of section 11-500.
  - (b) The director may determine that administrative approval is not appropriate and that special use permit approval shall be required if the applicant fails to consent to the conditions of the administrative permit or if after consultation with the Police Department it is determined that there are documented criminal or nuisance activities or zoning ordinance violations at the proposed location or with the proposed operator.
  - (c) The administrative permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. Any change in the ownership of the use that is the subject of the administrative permit may be transferred administratively with the approval of the director pursuant to the requirements of section 11-503(F) of this ordinance.

- (d) The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities.
- (e) The applicant shall require its employees who drive to work to use off-street parking.
- (f) The applicant shall participate in any organized program to assist with both employee and customer parking for businesses, such as the Park Alexandria program, that is formed as a result of suggested parking strategies in the *King Street Retail Strategy*.
- (g) The applicant shall install signs inside the building indicating the location of off-street parking in the area, post similar information on the business' website and otherwise inform customers about the parking.
- (h) Trash and garbage shall be stored inside the building or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers.
- (i) The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees prior to the operation of the business.
- (j) Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and cleaned up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation.
- (k) No amplified sound shall be audible at the property line.
- (l) The administrative permit approved by the director pursuant to this section 6-706 shall be displayed in a conspicuous and publicly

accessible place. A certificate provided by the city shall inform the public of its right to examine the list of standards associated with the permit. A copy of the list of standards associated with the permit shall be kept on the premises and made available for examination by the public upon request.

- (m) Improvements may be required to the facade or the front of the business establishment, including landscaping and site improvements, consistent with the *King Street Retail Strategy* as adopted as part of the Master Plan, and as determined by the director to be necessary and appropriate to achieve the design and streetscape objectives of that *Strategy*.
- (n) The director may require conditions additional to those listed in the standards of this section if the director finds it to be reasonable to support the use and its compatibility with surrounding uses and the neighborhood.

~~(2) *Specific Standards for Restaurants.*~~

- ~~(a) A restaurant eligible for administrative approval shall be located west of Washington Street.~~
- ~~(b) Restaurant seating shall not exceed 60 seats.~~
- ~~(c) The restaurant shall not be a fast food establishment, which is defined for purposes of this overlay zone to include a restaurant with its primary business as carry-out service, with disposable utensils and self-busing practices, and without table service.~~
- ~~(d) The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m. daily. The closing hour for indoor seating may extend until 12:00 midnight four times a year for special events.~~
- ~~(e) The applicant shall post the hours of operation at the entrance to the restaurant.~~
- ~~(f) Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hour, and all patrons must leave by one hour after the closing hour.~~

- ~~(g) Limited, non-amplified live entertainment may be offered at the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment.~~
- ~~(h) Delivery service by pedestrian or bicycle deliveries is permitted.~~
- ~~(i) Beer and wine service may be provided. No off-premise alcohol sales are permitted.~~
- ~~(j) No food, beverages, or other material shall be stored outside.~~
- ~~(k) Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.~~
- ~~(l) The applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties; as determined by the Department of Transportation and Environmental Services.~~
- ~~(m) The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol.~~

~~(3)~~(2) *Specific Standards for Valet Parking*

- (a) The applicant shall submit a detailed plan for approval by the director and the director of transportation and environmental services. The plan shall include the following at a minimum:
  - (1) the location of the drop off area as well as the location for the parked vehicles to be stored;
  - (2) the proposed days and hours of operation of the valet parking plan;
  - (3) the number of spaces available at the vehicle storage site, which shall be of sufficient capacity for the use or



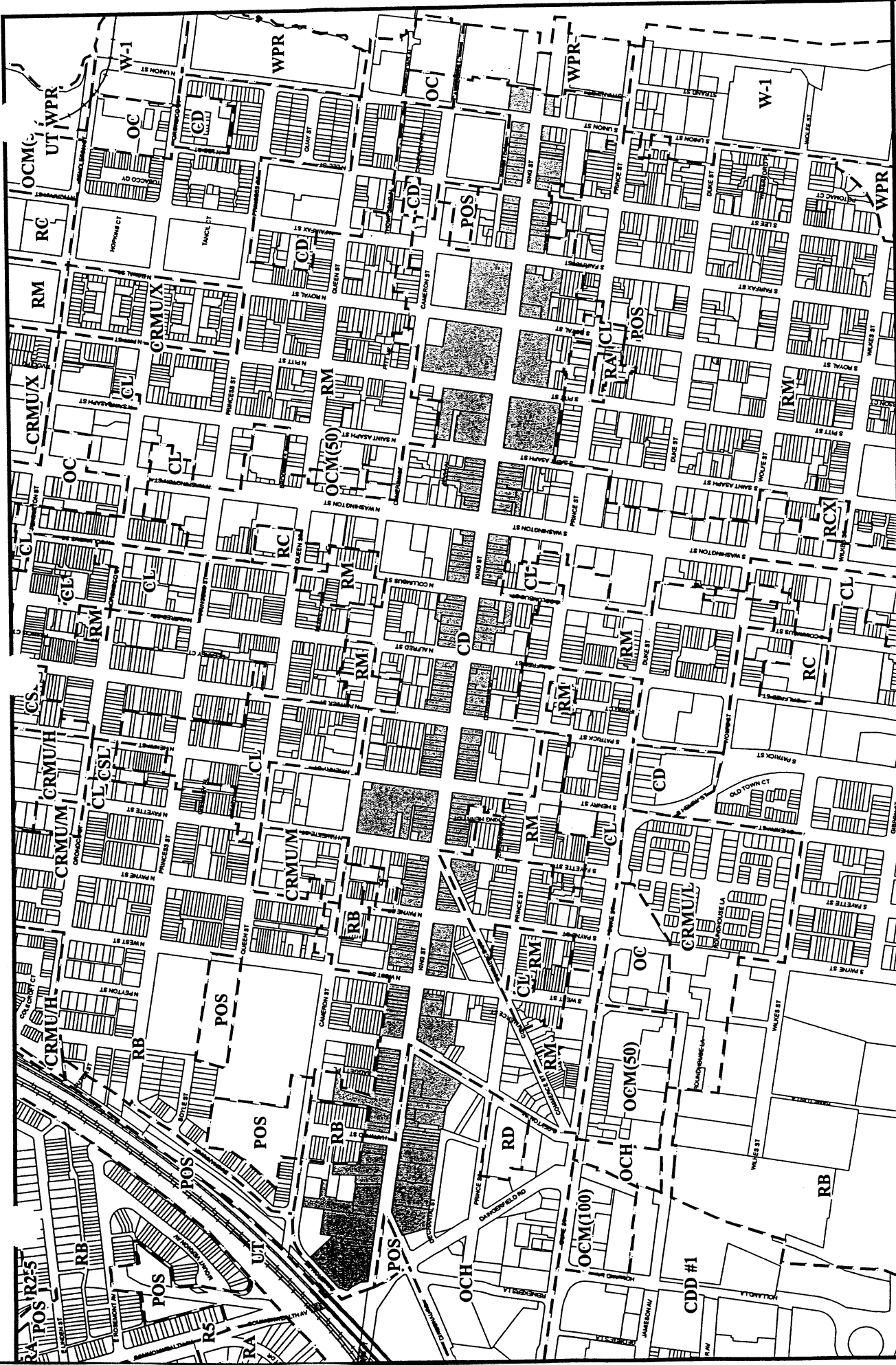
- uses from which vehicles will be valeted;
  - (4) adequate assurance that the owner and operator of the vehicle storage site is agreeable to the proposed valet plan;
  - (5) the size and design of the drop off site and identification of any on street parking spaces that will be lost during the period that the valet parking plan is in effect, such spaces to be kept to a minimum;
  - (6) demonstration that the location of the drop off site will not interfere with traffic, remaining parking, bus stops, or transit passengers or pedestrians;
  - (7) the proposed graphics for the drop off site, including signage and uniformed staff, with sufficient visibility but designed to be compatible with the streetscape as determined by the director;
  - (8) the proposed number of attendants, which shall be sufficient to adequately staff the operation; and
  - (9) if the proposed valet plan includes more than one business, the identity of the party or entity responsible for compliance with the approved valet parking plan.
- (b) No vehicle shall be parked or temporarily stored by an attendant on streets, alleys, or sidewalks.
- (c) No structures are permitted in conjunction with a valet parking program, unless associated with a shared parking program among several businesses, and only after the design is reviewed for comment by the Old and Historic Alexandria District Board of Architectural Review.
- (d) An approved permit for a valet parking operation shall be valid for an initial six month period, after which it shall be reviewed for compliance with these standards and for its effectiveness in handling the drop off, ferrying, parking and retrieving of vehicles efficiently and effectively, and without undue interference with non-valet parking and traffic. If, on review, the directors determine that the valet parking program has operated successfully and in compliance with its permit, then the permit shall be extended indefinitely, with a similar review to occur at the end of each one year period from that point forward. As part of the initial or annual review under this paragraph, the

directors may require the operator to adjust the features of the program or, alternatively, to apply for a special use permit if there are concerns about the effectiveness, success or impacts of the valet parking program.

- (e) The provisions of section 8-300 of this ordinance, requiring an SUP for valet parking, shall not apply for valet parking approved under this section 6-706 (C)(3). In addition, a permit approved under this section may authorize valet parking to displace otherwise required parking spaces, notwithstanding the requirements of section 8-200, if it is determined that those spaces are not in demand during the times that the valet parking program will be in effect and that the use of the spaces for the valet parking program will reduce potential parking congestion on the public streets.

*6-707 Use limitations.*

- (A) All operations, except those administrative uses enumerated in section 6-702 (C) (2) and (3), shall take place within a completely enclosed building except that a permit for the sale and/or display of plants, flowers or produce in conjunction with and on the same lot as an existing permitted use may be granted by the director and the permit shall indicate the location, size, duration and purpose of the accessory outdoor use.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise, vibration or glare.
- (D) Health club use shall include health, athletic, and bath clubs or establishments, including facilities incidental to such uses, provided, however, that a special use permit granted for the operation of a massage establishment as defined in section 11-4-1 of the city code shall apply exclusively to the permittee named therein and shall not be transferable to any other firm or individual.

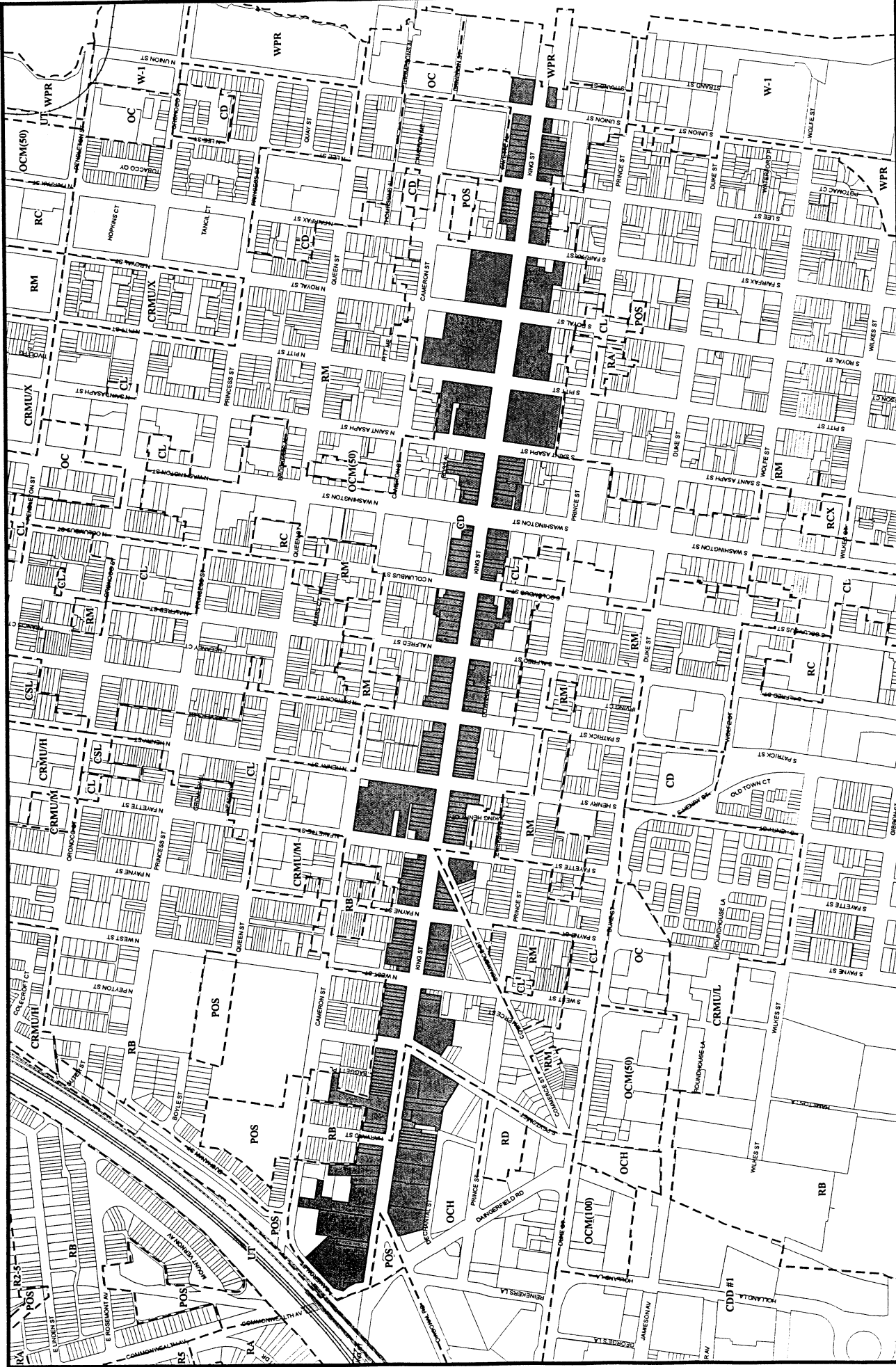


05/03/05

Existing Zoning

- MPA #2005-0002
- TA #2005-0002
- REZ #2005-0003





05/03/05

**Proposed King Street Urban Retail Zone**

MPA #2005-0002  
 TA #2005-0002  
 REZ #2005-0003



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# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
<b>STREETSCAPE</b>				
Establish sidewalk guidelines	P&Z, T&ES, BAR			
replace sidewalk infrastructure as necessary	T&ES			
Establish tree planting standards	P&Z, RPCA, T&ES, BAR			
replace trees & tree wells as necessary	RPCA, T&ES			
Establish street furniture standards	P&Z, BAR, T&ES			
Develop plan for outdoor seating and 'respite' areas	P&Z, BAR, T&ES			
establish 5 seating areas along sidewalk	T&ES			
install street furniture at seating areas	T&ES			
install directories & maps at seating areas	T&ES			
Enhance landscaping in Gov't Ctr. area	P&Z, T&ES			
Establish street infrastructure standards	T&ES, P&Z, BAR			
establish process of review for new infrastructure	T&ES, P&Z, BAR			
replace street infrastructure as necessary	T&ES			
replace traffic signals as needed	T&ES			
study options for increasing sidewalk lighting	P&Z, T&ES			
modify existing lighting to be appropriate for sidewalks	T&ES, P&Z			
study alternatives to standard parking meters	T&ES, P&Z			
Continue process of undergrounding utility lines	T&ES	Ongoing		

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# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
Design an integrated graphics program	P&Z, T&ES, RPCA, OHA			
consolidate/eliminate unnecessary street signs	T&ES			
install wayfinding signs as per graphics program	T&ES			
install directories at either end of King St.	T&ES			
study options for using 'identifying' signs/banners	P&Z, T&ES			
install 'identifying' signs/banners/monuments	P&Z, T&ES			
install historic/interpretive signs	P&Z, T&ES, OHA			
Finalize outdoor dining regulations	P&Z			
<b>LAND USE</b>				
Create a King Street Overlay Zone	P&Z			
require 'active uses' on accessible first floors	P&Z			
eliminate disincentives for residential uses	P&Z			
eliminate incompatible permitted uses	P&Z			
ensure that new buildings are built to appropriate scale	P&Z			
Prepare changes to Old Town Small Area Plan	P&Z			
Establish retail storefront guidelines	P&Z, BAR			
Develop development standards for 1500-1600 block	P&Z			
Classify used car lots as nonconforming	P&Z			

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# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
<b>PARKING</b>				
Establish overall parking strategy	P&Z			
Work w/ private garage owners for more public parking	P&Z, KSP			
maintain communications w/ garage owners	KSP			
Make brochure/website abt. King St. parking	P&Z, KSP			
Institute common signage system for garages	P&Z, KSP			
Make policies to encourage employees to park off-street	P&Z, KSP			
Initiate validated parking program	P&Z, KSP			
Simplify valet parking approval process	P&Z			
<b>TRANSIT</b>				
Institute shuttle service from PTO to Old Town	ATC	COMPLETE		
Explore funding options for additional shuttles	ATC, P&Z, T&ES			
establish additional King St. shuttles	ATC, P&Z, T&ES			
create unique signage for shuttles	ATC, P&Z, T&ES			
Establish bus shelters at King & Washington stops	T&ES, ATC, WMATA			
Institute bicycle rental station(s)	P&Z, T&ES, KSP			

# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
<b>WATERFRONT</b>				
Undertake planning process for waterfront	P&Z	Underway		
Link waterfront w/ existing and new trails	RPCA			
Enhance waterfront for maritime uses	RPCA			
Plan for visual 'anchor' at foot of King St.	RPCA			
<b>MARKET STRATEGIES</b>				
Adopt King Street Retail Strategy	P&Z			
Identify & recruit complementary businesses	CMO, AEDP			
Implement market strategies	CMO, AEDP			
Review policies concerning holiday decorations	P&Z, BAR			
Increase awareness of farmers' market	CMO			
Open space programming	P&Z, RPCA			
Institute local buyer programs	ACVA			
Build strong relationships w/ hotels & conferences	ACVA	Ongoing	Continued	

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# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
<b>ARTS STRATEGY</b>				
Implement arts development strategy	P&Z, ACVA			
art competitions	P&Z, ACVA			
music festival/concert series	P&Z, ACVA			
more themed/holiday events	P&Z, ACVA			
waterfront entertainment venue	P&Z, ACVA			
Plan for permanent/temporary public art	P&Z			
<b>TOURISM</b>				
Create walking tours and 'fun walks'	ACVA			
Create a distinctive new visitors' center	ACVA			
<b>MANAGEMENT ORGANIZATION</b>				
Survey stakeholders to determine support for new group	P&Z, Work Group	Underway		
Establish public/private partnership	P&Z, CMO, Work Group			
Appoint/nominate initial Board of Directors	P&Z, CMO, Work Group			
Establish duties/responsibilities of Organization	P&Z, CMO, Work Group			
Draft bylaws/charter of Organization	P&Z, CMO			
Provide initial start-up costs for Organization	P&Z, CMO			
Providing logistical support for Organization	P&Z, CMO			

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# King Street Retail Strategy Implementation Schedule

Work Item	Departments	FY's 2005-2006	FY's 2007-2009	FY 2010+
<b>FUNDING OPTIONS</b>				
Decide on Funding Options	P&Z, CMO, Work Group	Underway		
Decide on whether to adopt Business Imp. Distr.	P&Z, CMO, Work Group			
establish duties/responsibilities of BID	P&Z, CMO, Work Group			
finalize service area boundaries by parcel	P&Z, CMO, Work Group			
establish BID organization	P&Z, CMO, Work Group			
establish BID annual budget & tax rate	P&Z, CMO			
initiate public hearing process	P&Z, CMO			
advance initial start-up costs for BID	P&Z, CMO			

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Docket Item #6 D & E  
TEXT AMENDMENT #2005-0003 (D)  
REZONING #2005-0005 (E)  
Outdoor Dining Overlay Zone

Planning Commission Meeting  
May 3, 2005

- ISSUE:** Consideration of a request for an amendment for: (1) enactment of Section 6-800 of the Alexandria Zoning Ordinance pertaining to the King Street Outdoor Dining Overlay zone; and (2) amendments to the City of Alexandria zoning map to reflect the King Street Outdoor Dining Overlay zone.
- APPLICANT:** Department of Planning and Zoning
- LOCATION:** Properties adjoining King Street, from the Potomac River to the intersection of King Street and Daingerfield Road, and along all intersecting streets north to Cameron Street, and south to Prince Street, and along a portion of the south side of Diagonal Road.

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**PLANNING COMMISSION ACTION, MAY 3, 2005:** On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission undertook the following actions:

- Voted 7 to 0 to recommend approval of Text Amendment #2005-0003, as amended, and
- Voted 7 to 0 to recommend approval of Rezoning #2005-0005, to reflect the King Street Outdoor Dining Overlay zone.

Reason: The Planning Commission unanimously supported the King Street Outdoor Dining Overlay zone, with an amendment presented to eliminate the case-by-case exceptions to the required five-foot minimum sidewalk width.

The Commission felt that the overlay zone permitting outdoor dining on the public right-of-way is a positive step towards creating a more unique pedestrian-oriented experience along King Street, while maintaining the need for pedestrian circulation and access.

**PLANNING COMMISSION ACTION, APRIL 5, 2005:** Without objection, the Planning Commission closed the public hearing and deferred action on the request.

Reason: The Planning Commission felt that more time was needed to consider the request.

Speakers:

Michael Hobbs, representing the Old Town Civic Association, spoke to recommend eliminating the provision in the proposed text amendment that reduces permitted sidewalk width to 4 feet around certain obstructions.

Roger Fons, proprietor of Old Town Theater, 815½ King Street, spoke in support of the text amendment. Mr. Fons stated that it is important for his business to be able to offer outdoor seating.

Larry Grossman, 1123 Powhatan Street, spoke in opposition to the text amendment. Mr. Grossman stated that he believes the sidewalks are too narrow for outdoor dining.

Margaret Ticer-Janowski, proprietor of La Bergerie restaurant, 218 N. Lee Street, spoke to defer the proposed text amendment until the fall season. Ms. Ticer-Janowski stated that the pilot programs have not been tested during peak periods of the year in terms of tourism and sidewalk traffic. Ms. Ticer-Janowski also indicated that she views the proposed text amendment as giving restaurants land to use tax free and that the City should consider charging a fee for the use of sidewalk space.

Poul Hertel, 1217 Michigan Court, spoke in opposition to the text amendment. Mr. Hertel stated that he believes that 4 feet is inadequate space for sidewalks and maintains that the City is “handing over” the sidewalks to the business community. In addition, Mr. Hertel opposes the sight of bar stools or related fixtures on King Street.

TA #2005-0003  
REZ #2005-0005  
Outdoor Dining Overlay Zone

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, on its own motion, initiate and approve the following text and map amendments:

- Enactment of Section 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Outdoor Dining Overlay zone; and
- Amendment to the City of Alexandria zoning map to reflect the King Street Outdoor Dining Overlay zone.

BACKGROUND:

This text amendment will create a permanent mechanism for the approval of sidewalk cafe dining on the public right-of-way along King Street and its intersecting streets in Old Town. In September 2004, City Council passed an ordinance establishing a pilot program for sidewalk cafe dining along the King Street corridor. This pilot program remained in effect through the end of 2004 and was designed to see if sidewalk cafe seating dining would be successful, as well as to identify potential issues and gauge input from the public on the desirability of this outdoor dining. City Council passed an extension of the pilot program in February 2005.

These pilot programs have been very successful – helping to produce a lively and active street scene that has been favorable to businesses and enjoyable for residents and visitors. Both residents and business owners have been generally enthusiastic about the program, and there appears to be strong support to warrant continuing such a program on a permanent basis.

Restaurant owners have been pleased to see a simplified administrative process to obtain outdoor dining approval, increase sales and provide a more exciting environment for their customers. Likewise, many residents have stated that outdoor dining has added a favorable new aspect to King Street's retail scene – a very important and unique component of the City's overall quality of life.

Further, the aggregate results of the pilot program are consistent with the guiding principles of the *King Street Retail Strategy*. This major planning effort, led by a task force of citizens, businesspeople and property owners, focuses on increasing the overall competitiveness of King Street's retail sector in the face of new competition elsewhere in the Washington region. The *Strategy* advocates, among other things, increasing street-level vitality, specifically outdoor dining, in order to create a more interesting retail experience for shoppers and restaurant patrons. The outdoor dining pilot programs have achieved this goal.

This text amendment proposes a new Outdoor Dining Overlay zone for King Street and adjoining streets, including specific standards for outdoor dining that incorporate the assessment of the pilot programs.

PROPOSED TEXT AND MAP AMENDMENTS:

In order for restaurant operators along the King Street corridor to provide outdoor dining within the public right-of-way, staff recommends a new Outdoor Dining Overlay zoning and applying the new zone to properties along King Street and the intersecting side streets.

General Aspects

The proposed overlay zone would be applied to properties that abut King Street (from the waterfront to the King Street Metro Station), on the immediate blocks to the north and south of all intersecting streets and along the south sidewalk of Diagonal Road (see map). It is intended that outdoor dining be concentrated along King Street, with opportunity for additional dining on the side streets in the first block immediately adjoining King Street. Only legally operating restaurants will be permitted to operate outdoor dining facilities.

The application procedure has been kept simple. Restaurants will submit an application for a permit, that will include a plan with dimensions showing the layout of the outdoor dining area, depicting the design, location, size and space of the dining area. The plan will also locate the chairs, tables, barriers, umbrellas and any other improvements. Applications will be reviewed by Code Enforcement and Planning and Zoning. City staff will visit the site to verify dimensions and to mark the sidewalk with inconspicuous markers designating the maximum extent of the outdoor dining area.

Program Conditions

This text amendment makes possible an administrative review of outdoor seating proposals, thereby removing the need for each restaurant to pursue an encroachment permit to use the public right-of-way and a special use permit for the addition of restaurant seats. In order for such an administrative review to be possible, specific standards must be followed. These include:

- **Number of Seats:** The total number of seats (both outdoor and indoor) may not exceed the restaurant's previously approved maximum number of seats by more than 20. (Note: If diners are already seated/served outside and it starts to rain, diners may be relocated inside, which may create a dangerous overcrowding issue if the restaurant is already full. During the review process, restaurant owners should consult with Code Enforcement about Building Code requirements for egress capacity, number of exits, and the number and type of restroom facilities to make sure that potential overcrowding will not occur.)
- **Hours of Service:** Outside dining may take place anytime between 6:00 a.m. to 11:00 p.m., seven days a week.
- **Sidewalk Space:** Restaurants utilizing outdoor dining must leave adequate accessible space on the sidewalk in order to ensure a clear pedestrian passageway, as follows:
  - At least 5 feet of unobstructed corridor space must be maintained past the outside dining area. Exceptions may be granted on a case-by-case basis to reduce the sidewalk corridor

space to 4 feet for short spans not to exceed 30 inches. City inspectors will monitor the restaurants to ensure that the 5-foot distance is maintained.

- A space at least 44 inches wide, for unobstructed ingress/egress space, must be maintained between restaurant doorways and the pedestrian traffic corridor.
- Outdoor dining areas located near the curb must leave at least two feet of unobstructed space between the curb and the seating area.
- Umbrellas or other protrusions may not project into the pedestrian way.
- **Accessibility:** Outdoor dining areas must comply with the Americans with Disabilities Act and Uniform Federal Accessibility Standards, as well as any city or state standards for accessibility. Accordingly, outdoor dining areas must be contained by barriers that meet these standards.
- **Public Health:** Outdoor dining areas must be kept neat and clean at all times; restaurants must participate in an approved rodent control program. In addition, no food preparation is permitted in the outside dining area.
- **Design and Appearance:** The design of outdoor dining areas (including types of furniture and fixtures) must comply with any design guidelines approved by the Board of Architectural Review (BAR). These design guidelines are being developed that will recommend a palette of approved types of furniture and fixtures to give restaurateurs maximum flexibility while ensuring quality and appropriate design. Additionally, steps will be taken to keep the outdoor dining areas attractive throughout the year, including:
  - All furniture and fixtures must be readily removable without damage to the surface of the right-of-way.
  - There may be no penetration of the public sidewalk surfaces, except that the City will mark the corners of the approved outdoor dining area with conspicuous markers.
  - Furniture and enclosures must be removed and may not be stored on the public right-of-way for extended periods, such as during the winter months.



STAFF ANALYSIS:

Staff recommends approval of the proposed text amendment to establish a process and standards for outdoor dining in the public right-of-way and, through the map amendment, to apply the outdoor dining zone to properties along King Street and on surrounding streets on a year-round basis. The text amendment builds upon the City's experience gained during the two pilot programs and represents a popular initiative that is in agreement with the principles of the *King Street Retail Strategy*, seeking to make King Street a more active and vibrant pedestrian corridor.

Specifically, the proposed text amendment supports the goals of the *King Street Retail Strategy* on the following aspects:

- ***Increases street-level activity:*** A major thrust of the *King Street Retail Strategy* has been the desire to make the pedestrian experience as interesting as possible for retail patrons along King Street. Outdoor dining adds a liveliness to the sidewalk, which helps to ensure to a pedestrian-oriented urban retail corridor.
- ***Increases King Street's competitiveness:*** Many other retail/restaurant districts in the region, including some of King Street's most notable competition, offer outdoor dining. Outdoor dining has become a signature offering in places such as Shirlington, Clarendon and Bethesda, Md., and has become an amenity that restaurant patrons expect to see in urban settings such as King Street.
- ***Benefits businesses and residents alike:*** Restaurant owners have been pleased to be able to offer outdoor dining, and the program has generally received positive feedback from residents as well

This proposed text amendment will continue to help achieve these goals while at the same time addressing concerns that were raised by members of the community during the course of the pilot programs. These concerns included the following:

- ***Sidewalk width:*** Staff has received comments from individuals concerned that inadequate sidewalk width was maintained by some restaurants during the pilot programs. This issue has been addressed in this text amendment and in the King Street Urban Retail zone text by requiring a five-foot minimum sidewalk width, by having city inspectors verify restaurants' site drawings, by having city staff mark the sidewalks with identifying markers to make enforcement easier, and by authorizing the director to revoke a restaurant's outdoor dining permit based on violations. Staff believes that these measures will safeguard against restaurants using more sidewalk space than permitted.

Concern has recently been raised by one of the civic associations about the provision to allow the sidewalk width to be reduced on a case-by-case basis to four feet for short distances not to exceed 30 inches. The intent of this provision is to provide some flexibility in limited cases for obstructions such as a fire hydrant or tree, where it is not possible to have a layout that meets the standard. The concern expressed by the civic association representatives is that this will further reduce the sidewalk width below the five feet requirement, which they considered to be the very minimum needed to accommodate pedestrian flow along King Street.

- **Health concerns:** Staff received complaints about the possible negative effects of outdoor dining on public health, specifically resulting from potential increased rodent activity. This proposed text amendment stipulates that restaurants offering outdoor dining participate in a rodent control plan, which staff believes should mitigate any rodent issues resulting from outdoor dining.
- **Accessibility issues:** Members of the public were concerned about the effect of outdoor dining areas on persons with disabilities – including the ability of persons using wheelchairs to navigate narrow sidewalk areas and the ability of visually impaired persons to detect the outdoor seating area. This text amendment addresses these concerns. Sidewalk width regulations, as described above, will be actively enforced to ensure that all individuals will be able to use the public right-of-way. In addition, this text amendment requires restaurants to enclose outdoor dining areas with barriers that are detectable to visually impaired persons.

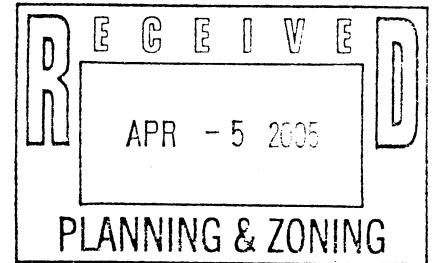
The outdoor dining pilot programs have been very successful, popular with businesspeople and with residents, and have given the City an understanding of the major issues involved with outdoor dining. This text amendment will be beneficial to the King Street retail corridor and to all Alexandrians.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Kimberley Fogle, Chief, Neighborhood Planning and Community Development;  
Eric Forman, Urban Planner.

Docket # 8a-B  
TA - 2005-0003  
REZ - 2005-0005

Statement of Michael E. Hobbs  
on behalf of the  
Old Town Civic Association  
Planning Commission  
April 5, 2005

Text Amendment #2005-0003 (A)  
Rezoning #2005-0005 (B)



Outdoor Dining Overlay Zone

Thank you, Chairman Wagner and members of the Commission. I am Michael Hobbs, President of the Old Town Civic Association, and I thank you for this opportunity to share our views on this proposed text amendment and rezoning.

Outdoor dining at established restaurants on King Street is a public benefit to nearby residents, as well as to visitors and to the operators of these restaurants. Old Town Civic Association and its members generally approve and heartily endorse the objective of facilitating outdoor dining facilities and expediting the approval process.

While we generally approve of this initiative, we also caution that the specifics of the operating and design standards and their administration and enforcement can make all of the difference between what would in the future come to be regarded as having been either a wonderful enhancement—or a terrible mistake. The objective should be, as stated in the amendment to the Zoning Ordinance that is before you:

... to expedite the approval of such facilities while ensuring that the public's use of the sidewalks will not be significantly impaired by such dining, and that adjacent commercial and residential uses will be protected from any adverse impacts from such dining.

We agree, first, that the program should be structured so as to minimize intrusion into the sidewalks—which, after all, are public spaces intended first and foremost for the use of pedestrians. Interference with pedestrians would in fact be counterproductive to one of the principle objectives of the *King Street Retail Strategy*: the encouragement of pedestrian traffic on King Street. It is instructive that, in other contexts, we exhort developers seeking Special Use Permits to provide sidewalks of fifteen or twenty feet or more—to optimize the streetscape and enhance the pedestrian experience. The 5' wide "pedestrian zone" provided in the draft ordinance (as contrasted with the 7-8' wide dining zone) may be too narrow, particularly where pedestrians are passing in opposite directions, or families are walking together, or parents are pushing carriages. The width of the "pedestrian zone" should be no less than that required for pedestrians to pass comfortably, and the 5' width should be considered the absolute minimum.

Specifically, we do not agree with the proposal in the draft ordinance to permit case-by-case exceptions to reduce the sidewalk corridor to four feet. The criteria to be fulfilled in the design and use of our public sidewalks ought to be, first, the public safety; second, the provision of clear and comfortable pedestrian passage; and only as consistent with those purposes, the facilitation

of larger-than-standard outdoor dining installations. The staff report indicates that the intent of the four-foot exception was “to provide some flexibility in limited cases for obstructions such as a fire hydrant or tree . . . .” But the draft ordinance already provides that a minimum unobstructed clearance of five feet must be maintained for fire hydrants, and we believe that by the same principle the “intrusion” of a tree should not be the basis for further reducing what is already a minimal pedestrian corridor.

Encouragement of retail establishments other than restaurants is, again, one of the core objectives of the *King Street Retail Strategy*. The outdoor dining program should not harm retail shops. Awnings, umbrellas, etc. should not overhang or intrude into the pedestrian zone, or over or into the space in front of adjacent establishments—nor, to the extent avoidable, should it interfere with the view of retailers’ display and signage. The draft ordinance provides that any umbrellas will be “completely contained within the outdoor dining area, even when fully extended,” and we take that to mean that umbrellas will not be permitted to overhang an adjacent retailer’s space.

The exterior appearance of structures in the Old and Historic District is in other respects subject to review and approval of the Board of Architectural Review (signage, design guidelines, materials, windows, etc.); and another central objective of the *King Street Retail Strategy* is to promote a consistent and attractive streetscape. It would seem ironic, to say the least, if we called on the BAR to maintain the strictest standards of architectural and design quality for the buildings in our unique historic district—but then were indifferent to the design quality and appearance of installations on the sidewalks in front of those buildings. In the same way, and for the same reasons, the sidewalk facilities of the outdoor dining program should be overseen in accordance with clear design and quality standards. The draft ordinance provides that the design of outdoor dining facilities which are visible from the public street or way “shall comply with any Board of Architectural Review approved design guidelines,” and we strongly endorse that provision.

The staff report cites the City’s experience gained during two pilot programs; but in fact because of the timing on the calendar, that experience may not have been as complete as we might have hoped. The first experiment was authorized by Council only in September 2004, and there were then only a few weeks before the coming of winter discouraged all but the hardiest outdoor diners. The extension of the pilot program was authorized in February 2005, and a cold spring has given us virtually no additional experience from then until the *King Street Retail Strategy* and the outdoor dining text amendment were drafted. Ideally, the pilot program would have extended over a sufficient period of time, and over warmer as well as cooler seasons, to permit a full and fair assessment of the impact of the program in different conditions and circumstances, particularly during the heaviest pedestrian traffic periods in the spring and summer. In the absence of that experience, we urge that it should be clear that the Director of Planning and Zoning has the authority to require such additional conditions or operating standards as more complete experience with the program would seem to warrant.

Finally, we state our understanding that, except for the provision for additional seating of up to 20 seats for any establishment, the proposed Outdoor Dining Overlay Zone ordinance does not have the intent or effect of changing the policy that the terms and conditions of restaurant operation which have heretofore required review and approval through the SUP process (e.g., authorizing new establishments; extending the hours, enlarging the seating, or other

intensification of existing establishments) would continue to be reviewed through that process, not by administrative approval.

The attachment offers our specific recommendations for amendment to the proposed ordinance.

Thank you for your consideration.

Attachment

Recommendations of Old Town Civic Association for Amendments/Additions to the  
Outdoor Dining Overlay Zone Ordinance

OTCA urges that the proposed Outdoor Dining Overlay Zone ordinance be amended in the following respects:

- 1. Amend Section 6-805(F)(1) (*Standards for outdoor dining* [pedestrian passage]) to read as follows (deleted language struck through):

At least five feet of unobstructed corridor space must be maintained past the outside dining area for sidewalk pedestrian traffic in order to ensure a clear pedestrian passageway along the sidewalk. ~~Exceptions may be granted on a case-by-case basis at the time the application is approved to reduce the sidewalk corridor space to four feet for short distances not to exceed 30 inches.~~

- 2. Amend Section 6-805(P) (*Standards for outdoor dining* [additional terms]) to read as follows (new language bolded, deleted language struck through):

The applicant shall comply with such additional ~~reasonable~~ **terms in the permit** as the director may ~~include in the permit~~ **determine that the public interest, convenience or safety require.**

*City of Alexandria, Virginia*

MEMORANDUM

DATE: MAY 3, 2005  
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION  
FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING  
SUBJECT: RECOMMENDED AMENDMENT TO OUTDOOR DINING OVERLAY ZONE

To address concerns raised by members of the public and the Planning Commission regarding the provision of adequate pedestrian traffic areas, Staff is recommending an amendment to the Outdoor Dining Overlay Zone to eliminate the case-by-case exception to the five-foot width requirement, as follows:

The following strikethrough language is recommended to be deleted from Section 6-805(F)(1) on page 2 of the zone:

- F. In order to allow adequate pedestrian traffic areas and emergency access around outdoor dining areas, the following dimensional requirements must be observed:
- (1) At least five feet of unobstructed corridor space must be maintained past the outside dining area for sidewalk pedestrian traffic in order to ensure a clear pedestrian passageway along the sidewalk. ~~Exceptions may be granted on a case-by-case basis at the time the application is approved to reduce the sidewalk corridor space to four feet for short distances not to exceed 30 inches.~~

OUTDOOR DINING OVERLAY ZONE  
AMENDED May 3, 2005  
(additions shown underlined, deletions as ~~strikeouts~~)

Sec. 6-800 King Street Outdoor Dining Overlay Zone

- 6-801 *Purpose.* The King Street Outdoor Dining Overlay Zone is intended to facilitate outdoor dining in Old Town in order to create an active streetscape, enhance the economic and social vitality of King Street, and promote pedestrian and retail friendly activity; to allow for the use of the public right of way for such outdoor dining; and to expedite the approval of such facilities while ensuring that the public's use of the sidewalks will not be significantly impaired by such dining, and that adjacent commercial and residential uses will be protected from any adverse impacts from such dining.
- 6-802 *Application of overlay zone.* The King Street Outdoor Dining Overlay Zone includes the King Street corridor, from the Potomac River to the intersection of King Street and Daingerfield Road, and along all streets intersecting therewith, north to Cameron Street and south to Prince Street, as shown on the map entitled, "King Street Outdoor Dining Overlay Zone," dated \_\_\_\_\_ (date of adoption).
- 6-803 *Administrative permit availability.* The requirements of obtaining approval of a special use permit under section 11-500 of this ordinance and of obtaining approval of an individual encroachment ordinance under section 5-2-29 of the city code otherwise applicable, shall not apply to outdoor dining facilities that meet the requirements of this section 6-800 and for which an administrative permit is approved pursuant to this section.
- 6-804 *Administrative permit process.*
- A. An applicant for an outdoor dining permit shall file an application with the director on such forms and subject to such procedures as the director may establish for the purpose.
  - B. The application shall include a plan with dimensions showing the layout for the outdoor dining area which accurately depicts the design, location, size and space of the dining area, chairs, tables, barriers, umbrellas and other facilities to be located within the outdoor dining area, and such additional information as the director may reasonably require.
  - C. The director shall review the application to determine if the proposed dining establishment, and any encroachment into the public right of way,



will be reasonable, attractive, and promote pedestrian and retail friendly vitality in the King Street corridor, and that there is adequate space remaining within the public right of way to facilitate safe circulation of pedestrian traffic.

- D. The director may approve, approve with conditions, or deny the application.
- E. No material change to the approved plan shall be made without prior written approval by the director.

6-805 *Standards for outdoor dining.*

- A. The outside dining area is to be attractive, and promote pedestrian and retail friendly vitality in the King Street corridor.
- B. The outside dining area shall be located adjacent to the property of an existing and lawfully operating restaurant and shall be under the responsible direction and control of the restaurant. It may be located adjacent to the building or near the curb but shall be contained within the location delineated by the permit.
- C. If the outdoor dining area is in a location on the property that is not in the sidewalk area in front or on the side of the restaurant, it shall be reviewed to determine whether its location supports the purpose of the zone to create an active streetscape and to protect residential areas from adverse impacts.
- D. The total number of seats (both indoor and outdoors) shall not exceed the restaurant's previously approved maximum number of seats by more than 20 seats, and the number of seats permitted is dependent on the amount of space available and on building and fire code requirements. Any increase in number of seats for outdoor dining in the public sidewalk approved under this section shall not be deemed by the director to constitute an intensification of use.
- E. The outdoor dining area may be open to patrons from 6:00 a.m. to 11:00 p.m daily.
- F. In order to allow adequate pedestrian traffic areas and emergency access around outdoor dining areas, the following dimensional requirements must be observed:

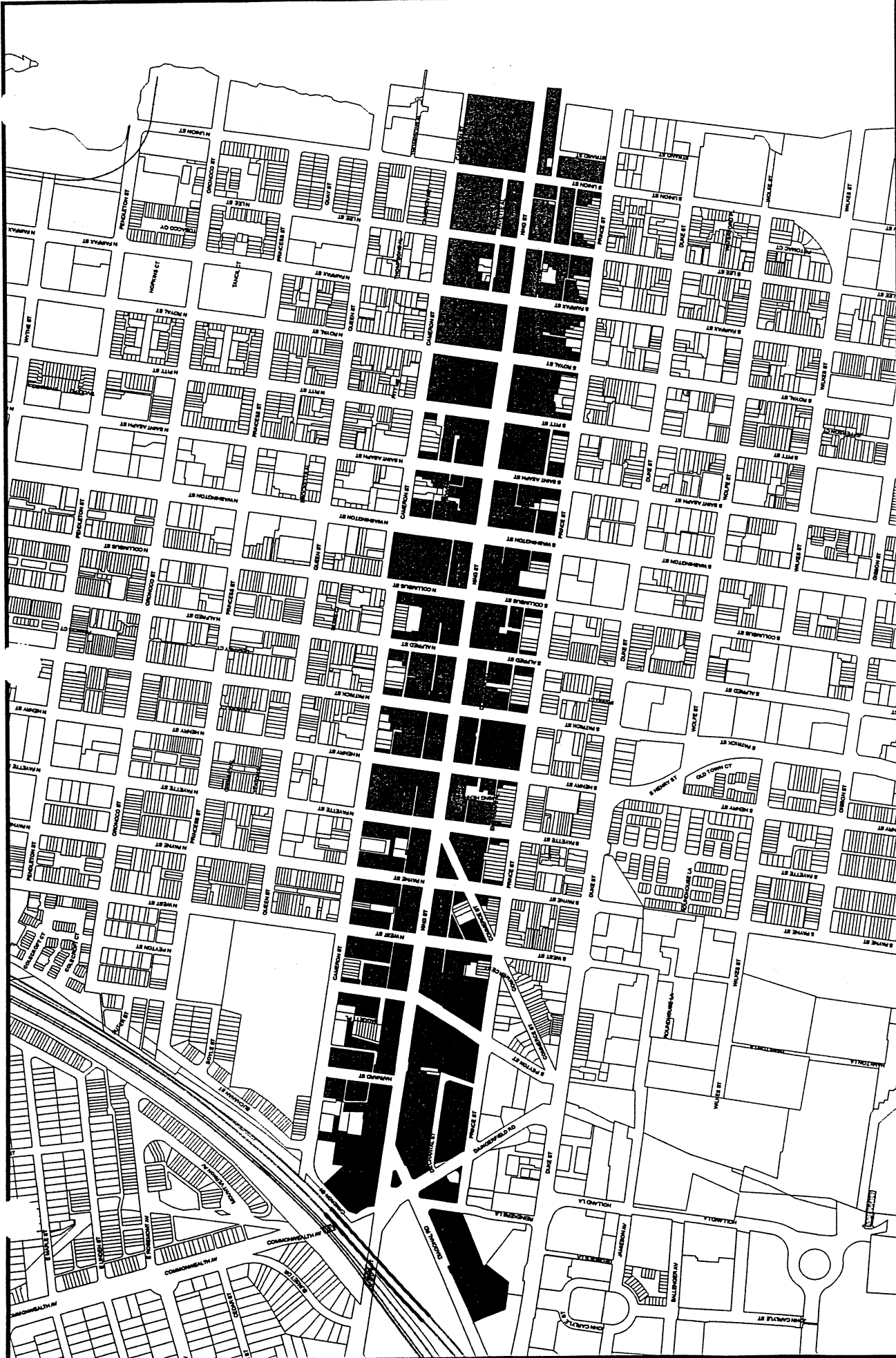
- (1) At least five feet of unobstructed corridor space must be maintained past the outside dining area for sidewalk pedestrian traffic in order to ensure a clear pedestrian passageway along the sidewalk. ~~Exceptions may be granted on a case-by-case basis at the time the application is approved to reduce the sidewalk corridor space to four feet for short distances not to exceed 30 inches.~~
  - (2) A space at least 44 inches wide for unobstructed ingress/egress must be maintained between any restaurant doorway and the pedestrian traffic corridor.
  - (3) Outdoor dining areas located near the sidewalk curb must leave at least two feet of unobstructed sidewalk depth between the curb and the outer dimension of the outdoor dining area.
  - (4) An unobstructed clearance of five feet must be maintained between a fire hydrant and any furniture or fixtures related to outdoor dining.
- G. The outside dining area must be kept sanitary, neat and clean at all times. It shall be free from accumulation of food, litter, snow, ice, and other potentially dangerous or unsanitary matter. The restaurant must participate in an approved rodent control program.
- H. No food preparation is permitted in the outside dining area.
- I. Tents or awnings are not permitted without obtaining a separate building permit. Table umbrellas are permitted if they do not have signs or advertisements on them, if the umbrellas are completely contained within the outdoor dining area, even when fully extended, and if the lowest dimension of the umbrella maintains a minimum vertical clearance of seven feet above the sidewalk to allow for patron and server circulation.
- J. No signs are permitted in the outside dining area except those signs that have a valid City permit.
- K. Loudspeakers outside are prohibited, and amplified sounds from inside the restaurant must not be audible in any outside dining area on the public right of way.
- L. Any door leading into a restaurant may not be positioned to remain open or otherwise supported in an open position.

- M. The restaurant must comply with all applicable city, state and federal laws and regulations.
- N. In order to serve alcoholic beverages, an application must be approved by the Virginia Department of Alcoholic Beverage Control (ABC), and it will require the following:
- (1) The dining area must have a sturdy enclosure.
  - (2) There must be only one well defined entrance to the outdoor dining area and it must be located directly in front of the egress doors.
  - (3) Customers are not permitted to carry their own alcohol to the outdoor dining area.
  - (4) The dining area must have adequate illumination during evening hours.
- O. The design of the outdoor dining facilities which are visible from the public street or way, shall comply with the following:
- (1) All improvements (furniture and fixtures) used in an outdoor dining area on the public right of way must be readily removable without damage to the surface of the right of way.
  - (2) An outdoor dining area within the public right of way shall be contained by sturdy barriers in conformity with city standards.
  - (3) There shall be no penetration of the public sidewalk surfaces, except that the city will, following issuance of the permit, mark the corners of the approved outdoor dining area with conspicuous markers.
  - (4) The design of the area shall comply with any Board of Architectural Review approved design guidelines.
  - (5) Furniture and enclosures must be removed and may not be stored on the public right of way for extended periods, such as during the winter months.
- P. The applicant shall comply with such additional reasonable terms as the director may include in the permit.

6-806 *Additional encroachment requirements.* An outdoor dining area located within the public right of way shall also comply with the following specific requirements for encroachments:

- A. Any such encroachment shall be subject to and conditioned upon the restaurant maintaining liability insurance, with commercially reasonable limits and coverages, including for its operation within the encroachment area, and permission to establish and maintain the encroachment shall not be construed to relieve the restaurant of liability for any negligence on the restaurant's part on account of or in connection with the encroachment.
- B. By accepting the authorization granted by a permit authorized by this ordinance to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, the restaurant shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.
- C. The authorization granted by a permit approved under this 6-800 to establish and maintain the encroachment is not intended to constitute, and shall not be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.
- D. Neither the City of Alexandria nor any public utility company shall be responsible for damage to property encroaching into the public right of way during repair, maintenance or replacement of the public right of way or any public facilities or utilities in the area of encroachment.
- E. The authorization granted by a permit approved under this section to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right of way for any purpose whatsoever and, by written notification, demands from the restaurant the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by the restaurant without cost to the City. If the restaurant shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of the restaurant, and shall not be liable to the restaurant for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.
- F. No fees or charges imposed pursuant to sections 3-2-81 through 3-2-85 of

the city code shall be applicable to encroachments authorized by this section 6-800.



04/05/05

# Proposed Outdoor Dining Overlay Zone

TA #2005-0003  
 REZ #2005-0005



submitted by  
Planning Staff

7 E 8

5-14-05

## ***KING STREET RETAIL STRATEGY AND ZONE***

### **PROPOSED AMENDMENTS**

May 14, 2005

#### ***KING STREET RETAIL STRATEGY***

On page 5-8, 5<sup>th</sup> bullet, under Storefront Guidelines, add the following underlined text:

Prohibiting tinted, reflective or colored glass that restricts the pedestrian's view into ground-floor windows;

#### ***KR - KING STREET URBAN RETAIL ZONE***

Section 6-707 *Use limitations.*

Add new subsection (E) to read:

**(E) The property owner and occupant shall maintain all building and property appurtenances located within or over the public right-of-way in a safe, clean and attractive fashion, as reasonably determined by the director.**



# Acpd

## Alexandria Commission on Persons with Disabilities

8  
5-14-05



Chet Avery, Chair

Voice 703-838-0711

Office of Aging & Adult Services  
Department of Human Services  
2525 Mt. Vernon Avenue  
Alexandria, Virginia 22301  
Facsimile 703-838-0886

TTY 703-836-1493

May 13, 2005

Dear Mayor Euille and Members of City Council:

The Alexandria Commission on Persons with Disabilities, at its May 11 meeting, requested that I provide comments for the May 14 City Council Public Hearing reaffirming the Commission's position on the access needs of individuals with disabilities and the positive effects the King Street Outdoor Dining initiative has, in enhancing the vitality of Alexandria's city life.

Members of the Commission were pleased to note that City Council had adopted its earlier recommendation, directing city staff to require a rigorously enforced five-foot minimum sidewalk width, without exceptions, to provide greater access for pedestrians and persons with disabilities. The Commission hopes that the City will ensure strong enforcement of the five-foot requirement with stiff graduated penalties to deal with repeat violators.

Members of the Commission also realize that during the height of tourist season, and at other busy times, this five-foot minimum sidewalk width will pose accessibility problems for pedestrians and persons with disabilities. Therefore, in order to ease this condition, the Commission recommends adopting a policy and procedure to remove newspaper boxes, trash receptacles and other obstacles from the immediate area adjacent to restaurants that have outdoor dining. Moreover, the Commission recommends that restaurants with trees and immovable objects in front of them should place outdoor dining areas amidst these obstacles, where ever possible, so the five-foot minimum sidewalk width be located in the area between the restaurant facade and the outdoor dining area.

The Commission is keenly interested in securing access for persons with disabilities in the City of Alexandria; therefore, we hope to work closely with the King Street Outdoor Dining policy and enforcement staff to ensure that the needs of restaurateurs, diners, pedestrians and individuals with disabilities are met.

If you have any questions, please feel free to contact me.

Sincerely,

Chet Avery, Chair



Margaret Ticer Janowsky  
106 W. Braddock Road  
Alexandria, VA 22301  
703.548.3525

8  
5-14-05

May 14, 2005

To: Alexandria Mayor and City Council

RE: King Street Retail Strategy & Outdoor Dining Overlay Zone

I emailed to each of you my Planning Commission testimony and my follow-up letter prior to this month's Planning Commission hearing. We appreciate that the Planning Commission requested that Administrative Approval for Valet Parking be offered to all of Old Town and not just to the King Street zone. We intend to pursue this opportunity as soon as it is available.

We do not, however, feel the matter of equity was adequately addressed. Mr. Leibach was on the right track when he asked about the restaurants' capacity being increased with the outdoor dining. Ms. Fogarty described the restaurants' intent to maintain the same capacity, only moving up to 20 seats outside, in order to retain some seats for patrons to move into in case of inclement weather. If this is indeed their intent, then this should be a requirement, not voluntary. This would address the issue of "giving away" seats to our competitors.

We also still do not think the Outdoor Dining was adequately tested during a peak traffic period. We again request that the Outdoor Dining Overlay Zone approval be deferred until results of the summer season can be assessed. The modified rules should be implemented and the restaurants won't lose the season. It just makes sense to see what additional concerns might arise during the busiest time that weren't observed during the slower months.

Thank you, Margaret Janowsky

submitted by M. Hobbs  
E  
5-14-05

Statement of Michael E. Hobbs  
on behalf of the  
Old Town Civic Association  
City Council  
May 14, 2005

Text Amendment #2005-0003 (D)  
Rezoning #2005-0005 (E)  
King Street Outdoor Dining

Thank you, Mayor Euille, Vice Mayor Pepper, and members of Council. I am Michael Hobbs, speaking on behalf of the Old Town Civic Association.

Old Town Civic Association and its members generally approve and heartily endorse the objective of facilitating outdoor dining and expediting the approval process. As with the broader *King Street Retail Strategy*, we had some concerns about the plan as first put forward. But we believe that most of those have been addressed in the text amendment recommended to you by the Planning Commission, and we urge that you adopt it.

While we generally approve of this initiative, we also caution that the specifics of the operating and design standards and their administration and enforcement can make all of the difference between whether this proves to be a wonderful enhancement or a regrettable mistake.

Our concerns had to do with the loss of most of the pedestrian space on the sidewalks, with negative impacts on retail shops, and with the potential appearance of these facilities. The experience of the brief pilot program was not altogether encouraging: pedestrians were sometimes crowded virtually out into the street, awnings often overshadowed adjacent retail shops, and some of the installations detracted from, rather than enhancing, the visual appeal of King Street.

We hope that adoption of this ordinance will in fact improve on that situation, because it includes specific standards designed to address many of these concerns. We are pleased that it fixes the width of the pedestrian zone at no less than 5', which we believe should be considered an absolute minimum. And the standards as to appearance, awnings and umbrellas, hours of operation and the like seem to us to be well crafted and well suited to the purpose.

In sum, we recommend that you adopt the text amendment as recommended to you by the Planning Commission, and that the standards be uniformly applied and carefully monitored as they are applied in practice. A year's worth of real world experience, particularly during the peak spring and summer season, should give the city a good basis for reviewing the effectiveness of the program and judging whether any refinements should be considered.

Thank you for your consideration.

SPEAKER'S FORM  
DOCKET ITEM NO. 708

**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: MARGARET JANOWSKY
2. ADDRESS: 106 W. BRADDOCK RD
- TELEPHONE NO. 703 548 3525 E-MAIL ADDRESS: \_\_\_\_\_
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_  
LABERGEERIE
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: \_\_\_\_\_ AGAINST:  OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
BUSINESS
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of 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; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (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 allocated 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. 7 & 8

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: Lonnie Rich

2. ADDRESS: 801 NO. FAIRFAX, SUITE 402

TELEPHONE NO. 703-549-1000 E-MAIL ADDRESS: \_\_\_\_\_

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
\_\_\_\_\_

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO \_\_\_\_\_

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

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of 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.

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Guidelines for the Public Discussion Period

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(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. 7 <sup>1</sup>/<sub>8</sub>

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: CHARLIE COLLUM

2. ADDRESS: 801 NO. FAIRFAX, SUITE 402

TELEPHONE NO. 703-549-1000 E-MAIL ADDRESS: \_\_\_\_\_

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.): \_\_\_\_\_

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO \_\_\_\_\_

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

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

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SPEAKER'S FORM

DOCKET ITEM NO. 8

**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: Amy Slack

2. ADDRESS: 7307 E. Randolph Ave

TELEPHONE NO. 7035493412 E-MAIL ADDRESS: alsdmf@earthlink.net

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_  
Self

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ OTHER:

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
\_\_\_\_\_

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

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DOCKET ITEM NO. 2**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: Laura Foltz - Silver Parrot, Ltd.
2. ADDRESS: 113 King Street Alexandria VA  
TELEPHONE NO. 703-684-1508 E-MAIL ADDRESS: silverparrot@starpower.net
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_  
The Silver Parrot
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ OTHER:
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Retail Business
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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

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SPEAKER'S FORM

DOCKET ITEM NO. 8

**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: John Redman  
2. ADDRESS: 118 N. Union St  
TELEPHONE NO. 703-739-0185 E-MAIL ADDRESS: john@redman.com  
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

Property owner, business owner

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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SPEAKER'S FORM

DOCKET ITEM NO. 8

**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: BOB TROY

2. ADDRESS: 310 WOLF ST ALEX VA

TELEPHONE NO. 7032998825 E-MAIL ADDRESS: \_\_\_\_\_

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
\_\_\_\_\_

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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SPEAKER'S FORM

DOCKET ITEM NO. 8

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: Michele Hobbs

2. ADDRESS: 419 Cameron St Apt. VA 22304

TELEPHONE NO. 7035285798 E-MAIL ADDRESS: m2obbs17@comcast.net

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Old Town Civic Assn

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Civic

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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4

SPEAKER'S FORM  
DOCKET ITEM NO. 8

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: LOIS L. WALKER
2. ADDRESS: 417 S. ROYAL ST  
TELEPHONE NO. 703.549.4696 E-MAIL ADDRESS: LOWALKER@AOL.COM
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_  
KSMET
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
PROPERTY OWNER, PRESIDENT KSMET
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (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 allocated 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. 8

*DID NOT SPEAK*

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: ROB KAUFMAN  
2. ADDRESS: 815 KING ST ALEX  
TELEPHONE NO. 5481810 E-MAIL ADDRESS: ROB@PMA PROPERTIES.  
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
PROPERTY OWNER / BUSINESS

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES \_\_\_\_\_ NO

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

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of 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; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (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 allocated 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.

Clerk

798  
5-14-05

If King Street is considered the "the preeminent historical 'Main Street' in the country" shouldn't at the very least each business on King Street and those on the 100 blocks north and south also be aware that the King Street Retail Strategy even exists?

If King Street truly is an important asset for both residents and businesspeople of Alexandria shouldn't they all be aware that the King Street Retail Strategy exists?

It is said that the City for more than a year has been conducting a planning process that has resulted in "King Street Retail Strategy". Why has this plan not been actively disseminated for comment before this time?

The King Street Overlay Zone has now added to it an outdoor dining overlay zone before the pilot program for outdoor dining has even run through one spring/summer.

Is further study needed to assess parking availability and whether additions to the residential parking zoning ~~are mentioned~~? Is Bozo the clown in charge?

Persons have asked for any Waterfront planning and have been told in writing that none exists. However a presentation on waterfront planning and the King Street Retail Strategy was presented just two weeks ago. How many people got left out? How many people would have wanted some say over whether waterfront was even mentioned in a retail strategy?

It seems that another public-private partnership for this King Street Retail Strategy is suggested. Another city funded project with local tax dollars?

A Business Improvement District with revenues? How will this affect the small business owners? How does or will this change the responsibilities for policies and policy management for this area? What will prevent vacancies if rents are too high or the right kind of business is not available? Look what happened at the corner of King and Union for so long. How will this facilitate local small businesses being here? How will it improve quality of life for residents?

Am I against good planning for King Street - NO. However, this Retail Strategy should not be docketed tonight. This Retail Strategy is not known by those who will be affected. This Retail Strategy is not defined to even provide information supporting the benefits section in the beginning pages of this document. Why are there only benefits and no impacts or challenges listed? There are too many unknowns, too many unanswered and undecideds. This should be deferred. This should be returned for more outreach to the King Street businesses and the nearby businesses and neighborhoods. There are persons who have said that they have represented associations on this King Street Retail Strategy who should be ashamed because they have represented only themselves and their interests. They have not even apprised those they are said to represent until the last month when the strategy had already been docketed for this evening. Defer this. There is much more work necessary.

*These are the written comments I gave to Planning Com. at their hearing of the King Street Retail Strategy. Why these were not included in your materials for the Council hearing of the same is a question.*  
Julie Crenshaw

APPLICATION FOR:

[ ] MASTER PLAN AMENDMENT

MPA # \_\_\_\_\_

[  ] ZONING MAP AMENDMENT

REZ # 2005-0005

PROJECT NAME: King St. Outdoor Dining

PROPERTY LOCATION: King St

APPLICANT Name: RZ

Address: \_\_\_\_\_

PROPERTY OWNER Name: \_\_\_\_\_

Address: \_\_\_\_\_

Interest in property:     Owner     Contract Purchaser  
                                  Developer     Lessee     Other City

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

- yes: If yes, provide proof of current City business license.
- no: If no, said agent shall obtain a business license prior to filing application.

**THE UNDERSIGNED** certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

\_\_\_\_\_  
Print Name of Applicant or Agent

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mailing/Street Address

\_\_\_\_\_  
Telephone #

\_\_\_\_\_  
Fax #

\_\_\_\_\_  
City and State                      Zip Code

\_\_\_\_\_  
Date

**FOR CITY STAFF USE ONLY:**

Date application received: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_

Date application complete: \_\_\_\_\_ Staff Reviewer: \_\_\_\_\_

ACTION - PLANNING COMMISSION: REZ: RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 5/14/2005 - See attachment

**Planning Commission (continued)**

The following two items were heard together:

- 7. MASTER PLAN AMENDMENT #2005-0002 (A)  
 TEXT AMENDMENT #2005-0002 (B)  
 REZONING #2005-0003 (C)  
 KING STREET RETAIL STRATEGY

Properties adjoining the King Street right-of-way, from the properties adjoining all four corners of the intersection of King Street and Union Street, to the centerpoint of the intersection of King Street and Commonwealth Avenue, and including the property at the southwest corner of the intersection of Commerce Street and South Fayette Street.

Public Hearing and Consideration of a request for: (1) an amendment to the City's Master Plan, adopting the King Street Retail Strategy as a chapter of the Master Plan; (2) enactment of Section 6-700 of the Alexandria Zoning Ordinance pertaining to the King Street Urban Retail zone; and (3) amendments to the City of Alexandria zoning map to reflect the King Street Urban Retail zone. Applicant: Staff, Department of Planning and Zoning

**PLANNING COMMISSION ACTION:**

MPA:	Recommend Approval (subject to amendments by staff)	7-0
TA:	Recommend Approval (subject to amendments by staff)	7-0
REZ:	Recommend Approval (subject to amendments by staff)	7-0

- 8. TEXT AMENDMENT #2005-0003 (D)  
 REZONING #2005-0005 (E)  
 KING STREET OUTDOOR DINING

Bounded by the sidewalk right-of-way area along King Street, from the Potomac River to the intersection of King Street and Daingerfield Road, and along all streets intersecting therewith, north to Cameron Street, and south to Prince Street, and into the public sidewalk right-of-way along the south side of Diagonal Road to a point 772 feet west of the intersection of Diagonal Road and Daingerfield Road.

Public Hearing and Consideration of a request for: (1) enactment of Section 6-800 of the Alexandria Zoning Ordinance pertaining to the King Street Outdoor Dining Overlay Zone; and (2) amendment to the City of Alexandria zoning map to reflect the King Street Outdoor Dining Overlay Zone. Applicant: Staff, Department of Planning and Zoning

**PLANNING COMMISSION ACTION:**

TA:	Recommend Approval (subject to amendments by staff)	7-0
REZ:	Recommend Approval (subject to amendments by staff)	7-0

City Council approved the Planning Commission recommendation for docket items 7 and 8, with the following amendments: (1) the King Street Outdoor Dining will be effective January 1, 2006, with the pilot program remaining in effect for rest of the year; (2) critical elements, such as sidewalk regulation standards, cleanliness and code enforcement issues, will be addressed immediately; (3) allow some type of accommodation for retailers being impacted by current outdoor dining equipment; (4)

include under Storefront Guidelines the following language, "Prohibiting tinted, reflective or colored glass that restricts the pedestrian's view into ground-floor windows;" (5) include in Section 6-707 Use limitations a new subsection (E) to read: "The property owner and occupant shall maintain all building and property appurtenances located within or over the public right-of-way in a safe, clean and attractive fashion, as reasonably determined by the director;" (6) the change of the membership to include the representatives from civic associations and other organizations in and around the King Street Retail Zone; (7) a Planning Commission analysis of the Outdoor Dining Pilot program prior to final implementation and (8) staff review of the inclusion of the additional parts of King Street in one of the Historic Districts. Council requested staff review the Special Use Permit process for certain businesses (restaurants and other small businesses), eliminating the requirement of coming before Council.

Council Action: \_\_\_\_\_

9. SPECIAL USE PERMIT #2005-0017  
408 EAST GLEBE ROAD AND 3006 JEFFERSON DAVIS HIGHWAY  
AUTOMOBILE RENTAL AND LEASING  
Public Hearing and Consideration of a request for a special use permit to operate an automobile rental and leasing business; zoned CSL/ Commercial Service Low. Applicant: Fitzgerald Automall by Peter Sypolt

PLANNING COMMISSION ACTION: Recommend Denial 7-0

City Council approved the Planning Commission recommendation for denial.

Council Action: \_\_\_\_\_

## ORDINANCES AND RESOLUTIONS

11. Public Hearing, Second Reading and Final Passage of an Ordinance to Dedicate One Cent of the Real Estate Tax Rate to Affordable Housing, Beginning July 1, 2005. (#20, 5/10/05) **(ROLL-CALL VOTE)**

City Council passed an ordinance to dedicate one cent of the real estate tax rate to affordable housing, beginning July 1, 2005. (ORD. NO. 4397)

Council Action: \_\_\_\_\_

12. Public Hearing, Second Reading and Final Passage of an Ordinance to Adopt the New Mount Vernon Avenue Small Area Plan. (#21, 5/10/05) **(ROLL-CALL VOTE)**

City Council passed an ordinance to adopt the New Mount Vernon Avenue Small Area Plan. (ORD. NO. 4398)

Council Action: \_\_\_\_\_

13. Public Hearing, Second Reading and Final Passage of an Ordinance to Adopt Zoning Regulations to Implement the New Mount Vernon Avenue Small Area



TEXT AMENDMENT # 2005-0003

ISSUE DESCRIPTION: Enactment of section 6-800 of the Alexandria Zoning Ordinance pertaining to King St. Outdoor Dining Overlay zone

ZONING ORDINANCE SECTION: 6-800

CITY DEPARTMENT: R+Z

ACTION - PLANNING COMMISSION: \_\_\_\_\_

TA: RECOMMEND APPROVAL (subject to amendments by staff) 7-0

ACTION - CITY COUNCIL: 5/14/2005 -See attachment

**Planning Commission (continued)**

The following two items were heard together:

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**PLANNING COMMISSION ACTION:**

MPA:	Recommend Approval (subject to amendments by staff)	7-0
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REZ:	Recommend Approval (subject to amendments by staff)	7-0

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**PLANNING COMMISSION ACTION:**

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Council Action: \_\_\_\_\_

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Council Action: \_\_\_\_\_

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