

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Special Public Hearing Meeting
Monday, June 21, 2004 - - 7:00 p.m.**

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Ms. Evans, Assistant City Manager; Mr. Pessoa, City Attorney; Police Lt. Uzzell, Mr. Kincannon, Director of Parks, Recreation and Cultural Activities; Ms. Ross, Deputy Director of Planning and Zoning; Ms. Smith-Page, Director of Real Estate Assessments; Ms. Federico, Director of Historic Alexandria; and other members of City staff.

Recorded by: Jackie M. Henderson, City Clerk and Clerk of Council

City Council held a work session at 6:20 p.m. to discuss locations for the City's Police Department.

OPENING

- 1. Calling the Roll.

The City Clerk called the roll; all members of City Council were present.

- 2. Public Hearing to Consider The Open Space Steering Committee Report, Including Its Recommended List of Open Space "Priority Sites," the Processes it Recommends Be Used in the Future in Revising or Otherwise Adding Properties to the City Council's List of Priority Sites and the Criteria It Recommends Be Used in the Future in Revising or Otherwise Adding Properties to the Council's List of Sites.

Mayor Euille thanked those citizens who live in the Monticello Park area for their noted concerns on the City taking their land, and he noted that would not happen, as there is a process for that. He asked the City Attorney to brief them on the process to be undertaken.

City Attorney Pessoa went over the process for purchase of land for public purpose.

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

(a) Beth Beck, 1818 W. Taylor Run Parkway, spoke of her grass being replaced by pavement in Oak Grove, she didn't understand the logic of why development meets the intent of open spaces, and she knows land will cost a lot to buy back, but it is worth it if they have to hold the land until later and sell it for more later. She said she would like to see a visiting artist residency, and then have the church turned into an arts center.

(b) Justin Wilson, 136 Sanborn Place, representing the Del Ray Citizens Association, said they provided Council with a memo which detailed their thoughts, and they included a list of sites in their community that they hope will be considered for acquisition. Mr. Wilson said they have gone from where open space acquisition was a topic of a political issue that was used every three years to a situation where they have a dedicated revenue stream for open space acquisition, as well as a concrete plan for the evaluation of open space. He said the report talked about pocket parks, and went on to evaluate large tracts of open space, and while they think those large tracts are important, they would be supportive of acquiring those as open space, as pocket parks are probably all the Del Ray community would get, as they don't have large tracts available for open space acquisition. Another thing brought up that the open space committee did not consider was open space deficiency and how much open space is in the area for potential acquisition. He said they hoped a group of professionals would provide that type of evaluation and a recommendation to Council prior to the consideration of acquisition. Mr. Wilson said it doesn't do the City any good to acquire new open space unless they are willing to maintain the existing open space it has.

(c) Larry Grossman, 1123 Powhatan Street, said he inquired this morning about the status of a piece of property that the Northeast citizens have been trying to get transferred from the State to the City, which is 6,500 square feet at the corner of Bashford and Powhatan Street, and this afternoon the City surveyor has informed him that the property has been transferred to the City. Mr. Grossman said one of the problems with Second Presbyterian is that they have a lot of taxes and property where the underlying zoning is residential, which allows institutional uses to readily convert their property to a by-right use, and many years ago, the Planning staff had the idea of creating an institutional zone for just those properties, which would disallow the conversion of those properties for private residential development. That could eliminate the threat of a lot of the properties being converted to a by-right use for a use the City doesn't care to see. Mr. Grossman recommended that Council direct the Planning staff to work on a new institutional zone for tax-exempt institutional property. Secondly, he said, Council should direct the City Manager to identify all current easements the City owns on private property. Thirdly, it should delete the Beauregard/Seminary corner from other important sites, as listed in the report, property which was acquired for the grade of Seminary and Beauregard should be considered as part of a redevelopment

scheme for this area. The property could be traded for another property, which may be more suitable for open space. He said Council should add a Backlick Run Greenway to the list of trails opportunities to extend the Greenway to link to Fairfax County trails.

(d) Katy Cannady, 20 E. Oak Street, said she couldn't participate in the open space bus tour in May, so on Sunday she went on her own tour, visiting all the addresses given in the open space report. She said she believes there should have been two criteria that the open space steering committee did not use - accessibility and ease of conversion. By accessibility, in procuring open space, they should give a very high weight to property that is located in busy areas, visible to many passers by and near townhouses, apartments and condo buildings. She said the City needs to consider the needs of those living in apartments, condos and townhouses, and who are often with young children. Nearness to multi-family housing is another plus. Ranking those attributes high is necessary if they are going to be One-Alexandria. Ms. Cannady said that by ease of conversion, she means land that can be converted to park and recreational uses without great expense to the City. Under both of her criteria, the Second Presbyterian site moved to the very top of the list. She said they could add picnic tables and pavilions and those picnic tables would be in use every weekend. Ms. Cannady said public meeting spaces are not plentiful, and the Church building could serve some of that need and could be rented. She said that for what it offers, the land is cheap. Ms. Cannady said she also thought the land at Seminary and Beauregard and behind the Masonic Temple were worthy of consideration.

(e) James Rapp, 110 Roberts Lane, #101, located by the Masonic Temple grounds, applauded keeping the area as open space, however, he didn't want to see the Mason's forced to make it used in some capacity. He noted that they have very limited use of the land now.

(f) Renaldo Nicholson, 2901 Eisenhower Avenue, with the Virginia Department of Transportation, said regarding the property owned by VDOT at Hunting Point, VDOT has reserved the area in question for open space - it is included in an environmental preservation easement and will be there as the wetland mitigation site. The concern with the report is that it mentions a trail easement traversing through the wetland area. He said they are required to construct and maintain that wetland mitigation site for five years and they would be concerned if there is anything that the acquisition of the easement or the possible construction of a boardwalk or trail through that area may impact VDOT's requirement with the Corps of Engineers. Mr. Nicholson said they have approval of the Mt. Vernon trail in a permanent location, which will be constructed in Spring 2005, that provides connectivity with the other trail systems that either the project or as planned with the City as well as that going over the Woodrow Wilson Bridge. Mr. Nicholson said there have been concerns raised with privacy with the tenants at Hunting Point on their temporary trail at the location, and before they move forward, VDOT would have to raise those issues with them as they move forward.

Councilman Macdonald said there was a meeting the other day dealing with the

security issues related to Jones Point Park, and he had a conversation with Audrey Calhoun, of the GW Memorial Parkway, and she is in favor of a trail going that way, along the water.

(g) Jim Hurysz, P.O. Box 5191, Arlington, said he is concerned about in-fill development and the need for open space and innovative transportation systems. He said he sees vertical sprawl, and he said Congress should fully fund open space and transportation needs legislation, and he encouraged the Council to begin working with state and federal transportation organizations to provide innovative transportation and open space solutions.

(h) William Branson, 727 Upland Place, said the work of the Committee has been good. The one point of refinement is the procedure of how it establishes priorities, particularly on larger tracts. He said the Ivor Lane property is a good example in that there is a fairly large portion of that tract that was designated, all of which the City will not be able to obtain because it will have to be subdivided. The subdivision of that for the needs of Seminary Forrest do not diminish the value of the property as a connector. Mr. Branson said further division of it into three properties would diminish the value of that property as a connector. If development were determined to be an appropriate use, the City should go ahead and explore those evaluations. He said when it loses open space, it is important to track the money, that when development occurs in a space like that, it would be appropriate for that money to be redirected at open space acquisition. Mr. Branson said the same thing applies to the portion of Ivor Lane. The City is looking at spending nearly \$1 million for it.

(i) Frederick Nelson, 2723 King Street, president of the Congregation, First Christian Church, said the Church has not had time to develop an official position on the report, however, his comments represent many of their members. He said the church owns property listed in the reports opportunities list, the King Street to Rosemont neighborhood path, at 2723 King Street. He said the letter sent to them on June 11 was the first they had heard of the open space plan and the first that they were aware that their property was under consideration. Mr. Nelson said their immediate reaction was surprise and concern that some event would take place that would have an impact on them. He said their concern was encouraged about the uncertainty about what Council is scheduled to do tomorrow evening. Mr. Nelson said the church will be open to dialogue with the planning groups, and he said he hoped the City would be sensitive to the dynamics of the market for real estate at this time.

(j) Lillian J. White, 119 W. Mason Avenue, co-president of the League of Women Voters of Alexandria, said the League supports continued efforts to acquire additional land for open space. She said Council should review public hearing testimonies and defer decisions to a later date. She said they recommended the establishment of a City office on open space, who should report to the City Manager and City Council. The City should work with the community to create an Alexandria open space conservancy, which can work with the Episcopal Church, the Masonic Memorial and other large institutional land holders to develop a workable open space

conservation strategy. She said they applaud Council's support for the one cent initiative for open space, but Council should also use bonds to acquire open space. The coordinator's office should also enlist contributions to the City open space fund from individuals, corporations, foundations, public grounds, etc. Ms. White said Council should take a second look at the framework of the 15 open space goals and prioritize them.

(k) Elizabeth Wright, 113 S. Ingram Street, said when she thinks of the charm of Old Town, it wasn't a vision or a strategic plan, but it was economics where it was a depression where people couldn't afford to put up new buildings. She said it is economics that is driving the decision on Second Presbyterian and she felt passionate about that property. She said when the committee inventoried sites, she wondered if they inventoried church properties, because the developers are inventorying church properties, including the St. James Methodist Church on the west end. Ms. Wright noted that she delivered 185 flyers to let people know about the public hearing this evening, and the main thing she heard was she thought it was a done deal. Ms. Wright asked Council to look at the property and not let economics be the sole decision.

(l) Lynn Bostain, 5695 Rayburn Avenue, speaking on behalf of the Second Presbyterian Church, said she is president of a civic association on the west end of town, said there is a difficiency in understanding the easements and ownerships in some of the sites selected for open space. She said that at Seminary and Beauregard, the people were notified by letter about a week before and the gentlemen thought he was going to lose his house, so some things were not thought out thoroughly. She echoed the comments of Katy Cannady about accessibility and ease of conversion, and it seems Second Presbyterian Church would lend itself well to those issues. She asked Council to consider Second Presbyterian Church as one of the first, if not foremost sites, to chose.

(m) Kathleen Kust, 3104 Russell Road, said she lives on one of the properties directly affected by the recommendations. She said the group of property owners around Monticello Park have not had a chance to contribute to the recommendations, so the report contains language and emphasis that they cannot accept. Ms. Kust said they want to enter into the record a change to the language on page seven, a new subparagraph as follows: "H. With respect to these properties, the action authorized by adoption of this plan is entering into discussions and negotiations with the owners of the properties identified for consideration of protective measures and implementation only upon the respective owners providing written consent." Ms. Kust said valuable open space does not necessarily equate to public park land. Part of the City's open space should be natural and relatively undisturbed. There is objectionable language in the report--the emphasis on turning the entire area into a public park is a decision easily made in the abstract, but one that should not be made in the case of their land. She said they do not want Council to adopt a report that will institutionalize language. She said her family is in the process of creating an open space easement and wants to be unhindered by an institutionalized goal set down in writing that conflicts with their goals. She said it seems there is a misplaced attempt to make up for the mistake for not

reserving enough public park land as the City was developed by placing the burden on the very people who have cared for nature the most. Ms. Kust said that in exchange for giving up development rights, they would appreciate help from the City, such as including a well thought out process with options to consider legal help, help with professional fees, and meaningful cuts in the property taxes paid on land with a conservation easement in perpetuity.

(n) Jim Huddle, 3104 Russell Road, said the City Attorney said the acquisition must be made consistent with the master plan, and that seems reasonable, but he asked if the report would become part of the master plan.

City Attorney Pessoa said the open space plan was already adopted as part of the master plan. This strategic plan with the priorities is not envisioned to become part of the master plan.

Mayor Euille asked what rights do the property owners have, given the fact that the master plan will govern.

Mr. Pessoa said the fact that the property may be listed in the master plan as open space is merely one threshold question. Just because it's listed does not mean the City will acquire it - it is simply authority for the City to proceed with the acquisition if that is the route that Council takes.

In response to a comment from Mr. Huddle, Mr. Pessoa said the strategic plan, as Council has before it for public hearing this evening, and for possible adoption and consideration tomorrow evening, is not intended to become part of the master plan. The open space plan, the green book, is part of the master plan, but the report and the implementation plan, which is what Council has this evening, is not part of the master plan.

Mr. Huddle also added his support of the paragraph H on page 7 to reword the report.

(o) Montie Kust, 3104 Russell Road, said she had fears since getting the notice, as it concerned their whole property, but some of her questions have been answered. She said she and her family want to create a nice land with their native plant species and preserving land for the wildlife. She noted that they are also negotiating for an easement at this point.

(p) Victoria Radke, 306 Beverly Drive, said her property is adjacent to the Kust family properties. She said she hoped there were no plans to expand the park into that area - as she didn't want a park in her backyard and didn't want people walking through it and ruining the existing beauty that is there. She supported what her neighbors have offered as an addendum to the report. She said her biggest concern is that she and her father never received notice that her property was in the report, so that made her nervous and concerned. She asked that there be better care in the

communication and outreach to the neighbors.

(q) Martin Healy, 3106A Russell Road, spoke of the lack of notice that his property was being considered for being listed and the failure to give them notice that it was listed until he read an article in the newspaper. He said everything that was said is reassuring, but his objection is that is not what the report says. He asked that the report be amended to reflect the language and the sentiment being expressed. He said the report should say it is merely a list of possible candidates and the report does not authorize any action for acquisition. He said he also endorsed the amended language proposed earlier.

(r) Michael Hobbs, 479 Canyon Street, president of the Old Town Civic Association, said open space is important to their physical and mental health, to their natural and physical environment, to the individual and family recreation, and what they identify as essential to their quality of life, and it is important to their economy. Mr. Hobbs said the waterfront is central to the City's heritage and history, and it is central to the identity of the City today. He said the committee's final recommendation is that Council explore options for capitalizing the money represented by the one cent allocation in order to obtain additional monies right away for purchasing and protecting land for open space. He said the civic association strongly supports the concept of issuing bonds to generate funds for open space. The criteria the committee used to rank the 10 priority sites addressed the abstract open space value of the potential sites, but not the cost or urgency of protecting that value.

(s) Richard Leibach, 200 N. Pickett Street, said he has known the Ivor Place property for 18 years, and it is beautiful, wild, free and open property. He endorsed the purchase of the property. He said it is a primary and important parcel for the City to purchase as part of the open space acquisition program.

(t) Bill Dickinson, 805 Quaker Lane, speaking as a private citizen, said he is a member of the Open Space Committee and is the one who recommended the Seminary Forest Apartment, the link between Braddock Road and Seminary Road to be included in the plan. He said that almost 40 years ago, that site was the subject of the Council arguing over the rezoning of the land from R-8 to a garden apartment complex. He said that at that time, there was a vision that Pickett Street was going to extend from Seminary Road to Braddock Road. This is a unique piece of land, and he encouraged Council to purchase it. He said that when it develops the land, Council should immediately figure out how to best use it.

Mayor Euille noted that this is not only a partial purchase of the site, but more than two acres are being gifted to the City by the property owner.

(u) Julie Crenshaw, 816 Queen Street, said she was taken aback after reading the document, as it comes across as a takings to private property owners and to small businesses. The document should be reworded, and not just by putting a piece of paper in front of it that clarifies the intentions. Ms. Crenshaw said the

waterfront properties are listed as the most important, and waterfront properties are not available for purchase right now--no one on the list is interested in selling right now. She said for the other aspect, there are legal problems, and when that will be settled, she didn't know. She said it is presumptuous for the City to look at it for development property, and in the past, designs on these pieces of property have been development oriented. Most of the people who are interested in open space want this as open space, not as developed property, but at the same point, the City needs to recognize, and the citizens need to understand, that these are flood prone properties. Ms. Crenshaw noted that she went to a discussion of climate change at the American Academy for the Advancement of Sciences, and she noted that the Potomac River waters will rise two inches to four to five inches at the maximum. She said the property that is available for a high price is the Second Presbyterian property, and it can be used as an artists in residence, a poet in residence, an historian in residence, it can use the small building for recreation, and Council will wish it bought this property in years to come.

(v) Ellen Pickering, 103 Roberts Lane, speaking as a citizen, said the master plan is a guideline, and even if the open space plan is part of the master plan, it is still a guideline. She said Ms. Crenshaw has just made her argument for the waterfront - it is a floodplain, and they shouldn't put a lot of buildings in the floodplain. She said the title of the document reads the open space priorities and opportunities, and on page one, it says their intent is to underscore that they possess characteristics that are important to the overall character of the community and there is a full range of conservation tools available if the owners chose to preserve these aspects of their property. Ms. Pickering noted that there are a lot more properties out there that they don't know about, and they are hoping that people will come forward and tell them. Ms. Pickering noted that she heard a complaint about the criteria used, and the criteria used was goal 2, and they are recommending to Council attachment 6 on page 53, recommended criteria for open space priorities list for Council to look at and consider as they consider the purchase and going forward with new properties. Ms. Pickering asked Council to stay with the pocket parks, and Ivor Lane is worthy of saving.

(w) Janak Parvin, 5101 Seminary Road, speaking on behalf of the owner of the property at 5101 Seminary Road, which is listed as a potential police site #3, said he was never notified of this and it will affect him and his client. He noted that the criteria must be discussed before making a final decision, and he requested that Council not consider this property.

(x) Frank Putzu, 1423 Juliana Place, president, Seminary Hill Association, said their association discussed some of the properties, and in their neck of the woods, they are able to identify a lot more properties on Seminary Hill that are the subject of open space preservation. Mr. Putzu noted three properties: Quaker View, which had been denied an application, and they asked that it be considered as a pocket park; Ivor Lane, as that property was the subject of a rezoning during the Burke Library debate, to allow for Seminary Forrest Apartments, and it was referred to as a buffer zone in 1960, so it may be limited to what they can do for that property, and what it will do with it when

it acquires five acres is also a sensitive matter; and Second Presbyterian, and they went through the neighborhood to get as much information as possible, and after a lengthy debate and analysis, Seminary Hill concluded that they were supportive of the application in light of the significant cost issues that still remain, the uncertainty regarding the disposition of the property, and the fact that even in Seminary Hill, there are many other properties that are the subject of being preserved and acquired. Mr. Putzu urged Council to consider the acquisition of a third lot on the Second Presbyterian site.

(y) Heather Cox, 3106 Russell Road, said she wanted to speak on the Monticello Park piece, and it sounds as though they have made some great progress as far as what was discussed with the neighbors, and Council's recommendation to change the report language so it is clear they will negotiate with the landowners. Ms. Cox said that speaking for her neighbors, they are very supportive of the open space, and they want the opportunity to discuss with Council and negotiate appropriately. She said that hopefully, they will find opportunities to look at properties that are up for development and stop the development of those properties versus having to come to landowners and talk to them.

(z) John Ordway, 2425 Ridge Road, said he wished to address the Braddock Valley Ridge property, and he was speaking on behalf of the Northridge Citizen Association, who strongly endorses the report of the Open Space Steering Committee be adopted. Mr. Ordway said on page nine, #9, it is a wonderful piece of property, and it is a sloping property, and they strongly endorse the recommendation of the donated or purchased easement.

(aa) Steven Carman, 1245 Madison Street, said he is speaking for those household owners in the Braddock Place Townhouse Association, who would like to preserve the central park area green space on the north side of Madison Street in the 1200 block between Madison and Braddock Place. He said developers are soon going to present their designs for 145,000 square foot building on the site, and that will affect and deprive their 48 households, the 140 condo households, 250 Braddock apartment units, 300 Meridian apartment units, and the 80 public housing units south of Madison, which use the park area. He said the area is used by many adults and children, and it is the only green space for a densely populated area. Mr. Carman said they need more time to air the issues and to make people in the City aware of the issues. He encouraged Council to consider the funding of bonding to be able to buy this space presently under private ownership.

(bb) Steve Perry, 4448 W. Braddock Road, said Ivor Lane is a poor road other than the first 100 feet of it, and if the City will buy that property, he believed Council needed to set aside the money to improve that road to proper standards. Mr. Perry said he failed to get proper notice, and that is something they might want to address in the future. He said for the waterfront area, he supports Council trying to protect that as much as possible, but on the other side, they have to look out after the people that currently own the property and look after their rights as well.

Mayor Euille asked the City Manager to be prepared tomorrow evening on the item on Ivor Lane to address the road that's been raised this evening.

Vice Mayor Pepper said on page 36, trails opportunities, she would like to use the words that they would research the possibility of putting all of it into the Master Plan, because there is an awful lot they are incorporating and she would not want it to go directly into the Master Plan unless they had an opportunity to single it out for further research.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, Council moved to close the public hearing. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

THERE BEING NO FURTHER BUSINESS, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, the special public hearing meeting of June 21, 2004, adjourned at 9:00 p.m.

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jackie M. Henderson, City Clerk