

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Public Hearing Meeting
Saturday, March 18, 2006 - - 9:30 a.m.**

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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. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Johnson, Director, Office of Management and Budget (OMB); Ms. Fogarty, Director, Planning and Zoning (P&Z); Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Josephson, Deputy Director, P&Z; Mr. Neckel, Director, Finance; Ms. Peterson, Urban Planner, P&Z; Ms. Beeton, Urban Planner, P&Z; Mr. Mason, Acting Public Information Officer /Special Assistant to the City Manager; Mr. Skrabak, Division Chief, T&ES; Ms. Baker, City Engineer; Ms. Vosper, Landscape Architect Supervisor, Parks, Recreation and Cultural Activities; Ms. Barron, Division Chief, Office of Housing; Ms. Smith-Page, Director, Real Estate Assessments; Mr. Hunt, Urban Planner, P&Z; Ms. Hood, ITS; Mr. Sood, ITS; Mr. Lloyd; and Police Lt. Uzzell.

Recorded by: Gloria Sitton, Deputy City Clerk and Clerk of Council

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the Roll; all the Members of Council were present.

2. Public Discussion Period.

The following persons participated in the Public Discussion Period:

(a) Charlotte Landis, 433 North Patrick Street, spoke about the possibility of the Parker-Gray Historic District receiving a tax credit and requested a response from staff concerning the matter.

In response to Ms. Landis, City Attorney Pessoa reported that outside counsel was researching the issues and he would give Council and Ms. Landis a response to the issue as soon as he received it from counsel.

(b) Frank Shaforth, 410 Virginia Avenue, thanked Mayor Euille and Deputy City Manager Jinks for contributions to the fundraiser for tsunami victims. Mr. Shaforth also requested that Council consider renaming the fields at George Washington Middle School in honor of the Swanson family who have made numerous contributions to the Alexandria community.

Mayor Euille stated that the request for renaming the fields would be forwarded to the Naming Committee for further consideration.

Vice Mayor Pepper noted that citizens from the North East Civic Association are interested in naming a park after Tom Whitey and she would like their request to be forwarded to the Naming Committee for further consideration.

(c) Charles Benagh, 1204 South Washington Street, Apt. 228W, representing Hunting Terrace and Hunting Towers, spoke on the issue of affordable housing in Alexandria and how the complexion of Alexandria is changing not to include those of modest means. Mr. Benagh stated that the residents have a petition circulating seeking support from Council to maintain affordable housing in the community, particularly at Hunting Terrace and Hunting Towers. Mr. Benagh requested that the residents of Hunting Terrace and Hunting Towers be included in any decisions with the state officials about the future of Hunting Terrace and Hunting Towers.

(d) Joseph Bennett, 5108 Donovan Drive, #402, invited the members of Council and the community to attend a campaign forum on March 30, 2006 at 7:00 p.m., at Patrick Henry Elementary School Auditorium, 4643 Taney Avenue.

(e) Julie Crenshaw, 816 Queen Street, spoke about efforts taken to preserve affordable housing in Alexandria and noted that the minutes of the Woodrow Wilson Bridge should not censure comments of the citizens. Ms. Crenshaw stated that she hoped that there would be more progress on various issues during these months before elections.

(f) David Fromm, 2307 East Randolph Avenue, reported that the fifth annual Meet-n-Greet sponsored by the Del Ray Citizens Association was successful and he thanked the City staff for helping to make the event successful. Mr. Fromm pointed out that there was a need for numerous services provided by the City and the citizens of Alexandria demand the services. Mr. Fromm stated that in order for the level and quality of services the citizens receive to continue, there is a cost that everyone in Alexandria has to pay.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-5)

Planning Commission

3. SPECIAL USE PERMIT #2005-0001
25 SOUTH QUAKER LANE
ROCKLANDS BARBECUE AND GRILLING CO.
Public Hearing and Consideration of a request to amend a special use permit to allow the sale of beer and wine, on and off premise; zoned CSL/Commercial Service Low. Applicant: John B. Snedden

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated February 7, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 3/18/06, and is incorporated as part of this record by reference.)

4. SPECIAL USE PERMIT #2005-0135
4678 KING STREET (4700 KING STREET)
ULTIMATE RESULTS PHYSICAL TRAINING
Public Hearing and Consideration of a request for a special use permit to operate a personal physical training facility; zoned OCM-100/Office Commercial Medium. Applicant: Ultimate Results Personal Training and Wellness Center, LLC by Anthony Malave and Mustafa Nazary

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 3/18/06, and is incorporated as part of this record by reference.)

5. SPECIAL USE PERMIT #2005-0136
700 NORTH PATRICK STREET
HAIR SALON
Public Hearing and Consideration of a request for a special use permit to operate a nonconforming personal service use (hair salon); zoned RB/Residential. Applicant: Sophea Nuth

PLANNING COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 3/18/06, and is incorporated as part of this record by reference.)

9. SPECIAL USE PERMIT #2006-0002
2615-2617 MOUNT VERNON AVENUE

LOS TIOS RESTAURANT

Public Hearing and Consideration of a request for a special use permit to expand an existing restaurant; zoned CL/Commercial Low. Applicant: Meija Brothers, Inc., by Mariela Garrido.

PLANNING COMMISSION ACTION: Recommend Approval with amendments 5-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/18/06, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the action consent calendar, with the inclusion of docket item #9.

- 3. City Council approved the Planning Commission recommendation.
- 4. City Council approved the Planning Commission recommendation.
- 5. City Council approved the Planning Commission recommendation.
- 9. City Council approved the Planning Commission recommendation.

The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

- 6. Public Hearing on the Increase in Real Estate Tax Revenue, at a Rate Not to Exceed \$.847 per \$100 of Assessed Value, Attributable to the Increase in Value of Assessed Property as of January 1, 2006, and Known as the "Effective Rate Increase" pursuant to Section 58.1-3321 of the Virginia Code.

The following persons participated in the public hearing:

- (a) Maria Wildes, 3452 Martha Custis Drive, spoke about the increase in property taxes over the years and the affect the increase has had on affordable housing in Alexandria. Ms. Wildes asked City Council to step out of the box and come up with a budget that spends less than they have spent in previous years.

(b) Jack Sullivan, 4300 Ivanhoe Place, representing the Seminary Hill Association, stated that the Association formally requested last year that any City budget increases be kept at three percent to remedy the out of control spending and were ignored by the Manager's proposed budget. Mr. Sullivan noted that inflation was about four percent and he requested that City spending be limited to a four percent increase. Mr. Sullivan also noted that staff prepares a worst case scenario budget at minus one percent of the previous year's budget and cuts should come from that budget first. Mr. Sullivan suggested that budget cuts could also come by eliminating merit pay for employees. Mr. Sullivan asked Council to be mindful of how the tax increase will affect affordable housing in the City.

(c) Ernest Lehmann, 621 North Saint Asaph Street, spoke in favor of reducing the real estate property tax but he would like to reduce the rate to below \$.80 per \$100. Mr. Lehmann referenced a memo received by Council in November 2005 offering alternate budget scenarios, particularly the scenario that would set the rate at \$.798 per \$100, resulting in a 3.3% increase. Mr. Lehmann pointed out that Council has never directed staff to prepare a budget proposing a 4% growth rate. Mr. Lehmann noted that Fairfax City had a proposed tax rate of \$.74 per \$100 and the citizens have noticed that the rate in Alexandria has increased during the current Council's tenure about 11-19%. Mr. Lehmann requested that another budget be created with a lower increase for citizens to review.

Councilman Macdonald requested staff to prepare a budget memo that showed what the average tax bill would be today if a three percent budget had been implemented in 1991.

(d) Roger Waud, 501 Slaters Lane, #1203, spoke about the cost of personnel for the City. Mr. Waud recommended cutting the number of employees receiving merit pay increases and increasing the amount of the co-payments employees contribute to health insurance. Mr. Waud also suggested that the City look at becoming self-insured.

(e) Lou Cordia, 904 Vicar Lane, representing Alexandrians for a Three Percent Compromise, stated that Council rejected the plea from citizens to increase spending only by three percent and he stated that Council should have directed the City Manager and staff to prepare a budget with a much lower increase. Mr. Cordia requested that various spending options be considered to lower the budget amount. Mr. Cordia reported that on February 20, Alexandrians for a Three Percent Compromise formally requested that Council put two specific spending documents on the table for citizens to review: (1) the City staff's annually prepared minus one percent budget and (2) a staff prepared three percent budget requested by citizens, which spends 103 percent of what Council approved in the All Funds budget last year.

(f) Tom Parry, 317 Skyhill Road, thanked members of Council for the treatment of connector issues a few years ago. Mr. Parry stated that the community needed the same treatment of the budget and more information from staff, not discrete

budget cuts or increases. Mr. Parry requested that staff produce a three percent General Funds budget that the community could discuss. Mr. Parry noted that staff compensation and benefits should be examined carefully in order to reduce the budget.

(g) Douglas Meick, 1103 North Royal Street, stated that he had reservations about the submission of several budgets. Mr. Meick also stated that because there were several budget options, the community has yet to receive the best budget. Mr. Meick suggested that the City hold the budget amount where it is. Mr. Meick disagreed with putting any surplus money the City might receive in a reserve for later use.

(h) James Thomas, 1709 Dogwood Drive, stated that the rate of increase of taxes over the past years is frustrating and he stated that he hoped Council showed leadership while assessing the upcoming property tax rate.

(i) Joanne Lepanto, 4009 North Garland Street, stated that City spending has been spiraling out of control over the past several years. Ms. Lepanto questioned whether the new T.C. Williams could have been built for less than \$100 million and whether a new police headquarters could be built for less than \$50 million. Ms. Lepanto stated that Council needed to control costs because the citizens cannot afford the increases.

(j) Thomas Shimkin, 2205 Ivor Lane, requested that Council adopt a three percent budget with a corresponding tax increase. Mr. Shimkin pointed out that a three percent increase would not be a cut to the budget. Mr. Shimkin stated that a large portion of the citizens of Alexandria prefer to live in a City with a moderate tax increase each year and perhaps fewer services.

Councilman Krupicka requested that staff and the community be reminded of the background and costs for the new Police Department.

(k) Janet Macidull, 501 Slaters Lane, #519, stated that she would focus on affordability for our current residences and creativity in finding income for the City. Ms. Macidull reported that when she moved to the City in 1984, she bought her home for \$130,000 and now her home is worth \$560,000. Ms. Macidull stated that she has a moderate income and she is in the process of deciding if she can continue to live in Alexandria. Ms. Macidull stated that developers have been receiving tax income credits for years, not requiring that developers pay full taxation to the City, including City improvements. Ms. Macidull noted that there are many opportunities for generating more income for the City if everyone worked as a team to create an amicable plan. Ms. Macidull stated that the burden for expenses were being carried on the private residential tax base.

(l) George Barsness, 309 Mansion Drive, stated that his property tax assessment has increased 200% in the past six years and his tax bill is almost \$20,000 a year. Mr. Barsness stated that City spending was out of control and Council feels entitled to continue this kind of spending. Mr. Barsness requested across the board

cuts in all discretionary spending and the elimination of all new capital discretionary expenditures. Mr. Barsness stated that most of the programs funded were part of a wish list and Council has never seen a program that they turn away. Mr. Barsness stated that many of the programs and projects should be taken out the budget including the All Sports Center, laptop programs for the schools, and wireless access for Market Square.

(m) Chip Carlin, 1302 Princess Street, stated that as a native Alexandrian, he believes that Council is listening to the citizens and the dialogue this year is more open and broader. Mr. Carlin stated that BFAAC reported the most effective way to offer tax relief for the citizens was to reduce the tax rate. Mr. Carlin stated that the biggest problem was that people are not willing to wait for results, everyone wants results now. Mr. Carlin noted that the leadership and the community priorities would determine what is best for the City's budget.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg, City Council closed the public hearing. The voting was as follows:

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

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

7. TEXT AMENDMENT #2006-0002
THIRD PARTY REVIEW OF TRAFFIC STUDIES
Public Hearing and Consideration of an amendment to Article 11 of the Zoning Ordinance to require independent, third party reviews of traffic studies submitted as part of certain development applications. Applicant: City of Alexandria, Departments of Planning and Zoning and Transportation and Environmental Services.

PLANNING COMMISSION ACTION: Recommend Approval 5-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/18/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Krupicka and carried unanimously, City Council closed the public hearing. The voting was as follows:

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

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

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

8. MASTER PLAN AMENDMENT #2006-0001

FOUR MILE RUN

FOUR MILE RUN BETWEEN SHIRLINGTON ROAD ON THE WEST AND THE POTOMAC RIVER ON THE EAST

Public Hearing and Consideration of an amendment to the City's Master Plan to add the Four Mile Run Restoration Master Plan. Applicant: City of Alexandria, Recreation, Parks and Cultural Activities, Departments of Planning and Zoning, and Transportation and Environmental Services.

PLANNING COMMISSION ACTION: Recommend Approval 5-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 3/18/06, and is incorporated as part of this record by reference.)

Staff from Planning and Zoning and Parks, Recreation and Cultural Activities, along with consultants, gave a brief presentation of the Four Mile Run Restoration Master Plan.

The following persons participated in the public hearing:

(a) Judy Noritake, 605 Prince Street, representing the Four Mile Run Task Force, spoke in support of the Master Plan Amendment.

(b) Julie Crenshaw, 816 Queen Street, spoke in support of the Master Plan Amendment and requested that the undergrounding of the power lines be included in the plan.

(c) Ellen Pickering, 103 Roberts Lane, spoke in support of the Master Plan Amendment and she asked if the City would use the open space funds to purchase property.

(d) Maria Wildes, 3452 Martha Custis Drive, spoke against the Master Plan Amendment, citing the potential for flood damage and how the restoration would affect the properties near Four Mile Run.

Mayor Euille suggested that staff and the consultants meet with the management and the association at ParkFairfax to allay the fears about the flooding of Four Mile Run.

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

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

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

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

10. SPECIAL USE PERMIT #2006-0004
1225 POWHATAN STREET
RESTAURANT

Public Hearing and Consideration of a request for a special use permit to change the ownership of a restaurant; zoned RB/Residential. Applicant: Vasiliki Voliotis and Efthalia Dhana

PLANNING COMMISSION ACTION: Recommend Approval with amendments 5-0

(A copy of the Planning Commission report dated March 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 3/18/06, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing:

(a) Larry Grossman, 1123 Powhatan Street, spoke in support of the special use permit and requested that Council make the following changes to the conditions: (1) allow the restaurant to operate for longer hours; (2) allow the restaurant to have outdoor seating; (3) require the removal of the Dixie Pig sign from the building; and (4)

the removal of conditions in the SUP pertaining to remote parking, trash receptacles and annual review.

(b) Sylvia Sibrover, 915 Second Street, spoke in support of the proposed ownership change and requested that the \$1,000 contribution for the trash receptacle be removed.

(c) Richard Cooper, 1219 Powhatan Street, spoke in support of the proposed ownership change and requested that certain conditions remain in the SUP, including lighting of the parking lot during evening hours, on-site parking, and the deferral of any intensification of use.

(d) Jennifer Zydney, 714A Norfolk Lane, spoke in support of the proposed ownership change and requested that Council require the Dixie Pig sign be removed.

(e) Mariella Posey, 915 Second Street, spoke in support of the proposed ownership change and requested that Council not require a trash receptacle be placed in front of the restaurant. Ms. Posey also requested that Council not require the \$1,000 contribution from the restaurant for the trash receptacle.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper, City Council approved the Planning Commission recommendation with an amendment to condition #20(c) stating, "the director has determined that there are *issues* with the operation of the use and that new or revised conditions are needed." The voting was as follows:

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

ORDINANCES AND RESOLUTIONS

None.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR (11)

Planning Commission (continued)

- 11. SPECIAL USE PERMIT #2005-0137
3912 ELBERT AVENUE
COMMUNITY LODGINGS
Public Hearing and Consideration of a request for a special use permit for a noncommercial, not-for-profit facility and for a parking reduction; zoned

RA/Residential. Applicant: Community Lodgings, Inc., by Bonnie Baxley

PLANNING COMMISSION ACTION: Deferred

END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR

City Council noted the deferrals.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council adjourned the Public Hearing Meeting of March 18, 2006, at 1:05 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk