

**City of Alexandria
Meeting Minutes
City Council Public Hearing Meeting
Council Chambers
Saturday, March 16, 2013, 9:30 a.m.**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg (arrived at 9:47 a.m.) and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Police Captain Wemple, Police Department; Ms. Hamer, Director, Planning and Zoning; Ms. Anderson, Acting Deputy Director, Planning and Zoning; Ms. Wright, Planning and Zoning; Ms. North, Planning and Zoning; Mr. Moritz, Planning and Zoning; Mr. Wagner, Planning and Zoning; Ms. Williams, Planning and Zoning; Mr. Catlett, Director, Office of Code Administration; Ms. Blackford, Office of Communications; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Bryon, Information Technology; and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All the members of Council were present. (Councilman Smedberg arrived at 9:47 a.m.)

2. Public Discussion Period.

1. Andrew Baldwin, 15 E. Rosemont Avenue, representing the Economic Opportunities Commission, summarized points on the Housing Master Plan, which the EOC submitted to the Housing Office last week. Mr. Baldwin said the plan is silent in two critical areas: the plan does not include numerical targets for affordable housing preservation and new unit creation scaled to address the scope of the problem; and it does not delineate a process for tracking progress in achieving the plan's goals, nor does it attempt to quantify the costs involved so they can compare to the available resources and determine what, if any, gap is needed to be closed in the years ahead. He said a process for tracking and reporting progress toward achieving the plan's goals is also necessary to ensure accountability and to help the City assess the success of its strategies and make corrections as necessary. He said affordable housing resources will continue to be scarce even as demand increases and the City should pursue all funding strategies detailed in the plan and some that are not.

2. Annabelle Fisher, 5001 Seminary Road, spoke of the need to eliminate more boards, commissions and advisory groups, as they take up too much staff time, such as the Commission for Women, the Commission on Persons with Disabilities and the Landlord-Tenant Relations Board. She asked how many housing, social services and

transportation groups do the City need. She requested that the City Manager docket this item for discussion before the end of the year/session. She said because they have term limits for boards and commissions, she suggested that there be term limits for the Mayor and City Council.

3. Charles Ziegler, 1201 Saint Stephens Road, vice president of the Friends of Beatley Central Library, urged support for elements of the FY 2014 budget as pertains to the library system. The budget includes funding for nighttime cleaning three days a week at the Beatley Central, Barrett, Burke and Duncan branches, and it is a welcome move toward resolving the problem and providing a cleaner environment for both library patrons and staff. The CIP includes funds for carpet replacement and treating wall system water penetration problems at Beatley, which are important steps in addressing serious deterioration of the infrastructure. The CIP also includes additional funds for replacing carpet at the Barrett Branch and a water chiller system to improve the internal climate controls at the Burke Branch and should be supported by Council. He noted the decrease of funds for the purchase of books, including eBooks, CD's and DVD's, and the funds should be restored. Mr. Ziegler said it is planned to cut openings times by two hours a week at several branches, and he said the cuts should not take place.

4. Helenmarie Corcoran, 1250 S. Washington Street, representing the Alexandria Arts Forum, spoke about arts in Alexandria, noting that Arts Place has named Alexandria as one of 44 robust arts places in the country, and detail released from the arts and economic prosperity study for from the Americans for the Arts shows the substantial impact of the arts on the economy of the City. She gave Council briefing books on the arts organizations in the City and said they depend on the City for financial support through grants, but they also depend on the City for the vision to capitalize on the rich resource for the good of the entire community.

5. Poul Hertel, 1217 Michigan Court, spoke about civility and said what he has witnessed in the Chambers is people are confusing different value systems with the tenor of the person. He said he appreciates the messages sent out to the public but he urged that they look at some of the actions behind the dais in front of him. He said when citizens speak of their grievances, Council should not take the opportunity to go after them. He said the Planning Commission meeting was not a pleasant event and it is difficult in three minutes to have a constructive dialogue with anyone.

6. Philip Matyas, N. Pitt Street, said that a few months ago, Council approved the reduction of 400 new hotel rooms from a Potomac Yard landbay. He said that at a public meeting, he asked the City Manager to oppose the 400 room reduction and to convey it to Council, which he would not do. He said they are tax revenue, income producing rooms that would be necessary to accomplish the additional visitors envisioned by Mayor Euille when he approved an additional \$100,000 for ACVA advertising and \$200,000 in ACVA advertising that Mr. Young has requested for a Charmville campaign in the upcoming budget. He said if they do not need the 400 hotel rooms for tax revenue, then it would be appropriate to remove hotel development from the waterfront discussion today. He spoke of the burden of finding a parking space within a reasonable distance of a resident within four blocks of the river and that needs to be removed from the backs of the property owners and residents. He implored Council to institute a resident only parking policy from 6 p.m. to 7 a.m. daily. He said in the budget, one way to create millions of dollars is to look at the tax rates that are charged on commercial property owners. Mr. Matyas thanked Mr. Baier for his placement of an ill-placed sign and

there are now people not parking in front of a driveway/alleyway.

7. Sally Valdes, 3508 Sterling Avenue, president, Friends Group at Burke Library, spoke about the value of the libraries to the community, noting that they provide services to children, families, new immigrants and the community. She said the proposed cuts would cut staff, resources and hours, limiting the library's ability to serve their communities. The summer programs provide a safe, social learning environment, they provide free internet for those who do not have the resources at home.

8. Lisa Desjardins, 235 E. Monroe Avenue, said she lives three doors from the possible site of the new Walgreens. She said small businesses are what keep Del Ray able to keep that community feel that they have. She said they are concerned about the Walgreens, not only because there is another drug store a block away, but also because there is a laundromat there, and it is a crucial part of the community. She said if Council can do anything to prevent Walgreens, the community would be grateful.

9. Jason Desjardins, 235 E. Monroe Avenue, spoke of the proposed Walgreens in Del Ray. He said one of the most influential reasons for him to move to the area was because of the small businesses that line the street. He asked Council to think about the long run and if they start allowing more big businesses to move in, what will happen to the neighborhood.

10. Heidi Ford, 1022 Oronoco Street, president, West Old Town Citizens Association and a member of the Braddock Implementation Advisory Group, spoke of staff planning efforts for the Post Office park, which is related to the Post Office on Pendleton Street. She said the deal made with the residents and the City was that the neighborhood would accept increased density in exchange for certain amenities. One of the amenities was a park of at least one acre on the Post Office lot, and the park was to be protected from Henry Street, namely that it did not want a park that faces on Henry Street. She said when she went to the staff's open house on the park planning efforts, they heard City staff say that the interim park was going to go forward and she said that is not what the Braddock Advisory Group was looking at and what the West Old Town Citizens supports. Ms. Ford said it doesn't make sense for the City to expend millions of dollars planning and developing an interim park that in a few years may be irrelevant anyway. She said it makes more sense to save the money, have staff continue to press forward with the Post Office, acquire the land and if the park needs to be delayed, that is worthwhile.

Mayor Euille said he asked staff about the status of the Post Office, and staff will report back to Council.

11. Leslie Zupan, 1309 Queen Street, immediate past president of the West Old Town Citizens Association, and a member of the Braddock Implementation Advisory Group, spoke of the development of the amenity funds, noting that they said they would take the higher density and traffic if they have amenities and there is an investment in a neighborhood that's had little investment. She said their neighborhood pushed for the idea that they get something out of the development and that is key to most of the small area planning efforts. She said they like the idea of the park on Fayette as it protects it and is a sheltered area. She asked why would they expend this on a temporary park and then waste the money by having to dig it up again when the property is redeveloped. She said they are concerned about the City moving aggressively.

12. Sarah Haut, 228 E. Nelson Avenue, spoke of the Walgreens store and said she shared the concern of the Desjardins and while she had nothing against Walgreens, it makes her sad to see five businesses that may be displaced. The businesses add to the charm and vibrancy of the community and she found studies that show that local retailers contribute more to the local economy. She said it may be a done deal, but she hoped the community and the City can work with them to find another location that is already vacant.

13. Lee Blount, 7936 Wellington Road, said he is the business owner at the property that is being discussed for the Walgreens. He said he and his wife own the antique store on the corner as well as the consignment shop. He said they have 30 different dealers who all have business licenses and pay taxes in the City. He said his business helps the community in that they have helped 2,000 different consigners, they have customers who come from all over the Metropolitan area and have been involved in different events in Del Ray. He said he found out recently that they are being displaced and are looking for space and would like to stay in the City, although it is not affordable. He spoke of the upgrades to the building they have made and done over the years.

Mayor Euille noted that the staff from the Economic Development Partnership are in the Chambers today, and he would ask them to be in contact with Mr. Blount.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

3. Development Special Use Permit #2012-0026
99 Carriage House Circle, 1 - 45 Carriage House Circle - Colonial Heights Amendment
Public Hearing and Consideration of a request for an amendment to the Colonial Heights cluster development special use permit and site plan (DSUP #99-0046) to allow second-level decks to homeowners on eligible lots; zoned RT/Townhouse zone. Applicant: Colonial Heights Homeowners Association represented by Thomas Collelo, president
Planning Commission Action: Recommend Approval with amendments 7-0

(A copy of the Planning Commission report, dated March 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #3, 3/16/13, and is incorporated as part of this record by reference.)

Ms. North, Planning and Zoning, made a presentation of the staff report and she, along with Ms. Wright, Planning and Zoning, responded to questions of City Council.

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

1. John Von Senden, 18 Carriage House Circle, vice president, Colonial Heights Homeowners Association, and also a member of the Board of Architectural Review, spoke in support of the request.

2. Eleanor Ratcliff, 34 Carriage House Circle, secretary, Colonial Heights Homeowners Association, spoke in support of the request.

3. Roland Shaw, 25 Carriage House Circle, a member of the board of the Colonial Heights Homeowners Association, spoke in support of the request.

4. Thomas Colello, 1 Carriage House Circle, president, Colonial Heights Homeowners Association, spoke in support of the request.
5. Ron Bennett, 23 Carriage House Circle, spoke in support of the request.
6. Victoria Gilner, 21 Carriage House Circle, spoke in support of the request.
7. Frank Putzu, 1423 Juliana Place, spoke in support of the request.
8. Rosalyn Bellis, 42 Carriage House Circle, spoke in support of the request.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, noting on page 10, #19j to add the two words “and privacy” so that it reads “for screening and privacy.” The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

4. Text Amendment #2013-0005 A) Initiation of a Text Amendment; B) Public Hearing and Consideration of a request for a text amendment to Section 5-500 of the Zoning Ordinance for the W-1/Waterfront Mixed Use zone to add and remove certain uses, to reference the Height District Map, and to add a provision for increased Floor Area Ratio with a special use permit for certain sites. Staff: Department of Planning and Zoning
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report, dated March 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #4, 3/16/13, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, spoke of an appeal received Thursday evening regarding an oral determination made by her at the Planning Commission meeting that the W-1 amendment is a text amendment and not a map amendment and that it affects the rights of the opponents who are appealing. She said the appeal didn't meet the minimum standards in the Zoning Ordinance, so she rejected it. She said she immediately received an appeal of her decision to reject it, which she rejected since it did not meet the minimum standards, so it is okay to go forward today.

Mr. Banks, City Attorney, spoke about the protest petition and the appeal to the BZA. He noted that he provided legal advice to the Planning Director on the appeals to the BZA. He said the Planning Director is given the obligation to make an initial determination of the validity of an appeal to the BZA, and he concurred with her authority and with her decisions on the appeals. He updated Council on his review of those matters pertaining to the protest petition provisions applying to a text amendment, noting that 11-808, prior to last year, had never been thought or thought to apply to text amendments and had never been used to apply to text amendments, and the legislative history supports that interpretation by indicating that it was drafted to apply to map amendments only.

Mr. Moritz, Deputy Director, Planning and Zoning, made a presentation of the report.

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

1. Andrew Macdonald, 217 N. Columbus Street, spoke in opposition to the text amendment.
2. Bert Ely, 200 S. Pitt Street, spoke in opposition to the text amendment and offered suggested language to be added to the Zoning Ordinance.
3. Dino Drudi, 315 West Street, spoke in opposition to the text amendment.
4. Skip McGinnis, 801 N. Fairfax Street, speaking on behalf of the Alexandria Chamber of Commerce, spoke in support of the text amendment.
5. John Long, 801 N. Fairfax Street, president/CEO, Alexandria Chamber of Commerce, spoke in support of the text amendment.
6. Al Kalvaitis, 17 Franklin Street, spoke in opposition to the text amendment.
7. Van Van Fleet, 26 Wolfe Street, spoke in opposition to the text amendment.
8. Robert Pringle, 216 Wolfe Street, spoke in opposition to the text amendment.
9. James Pelkofski, 520 John Carlyle Street, spoke in support of the text amendment.
10. Lee Ann Gardner, 626 S. Henry Street, spoke in opposition to the text amendment.
11. Kathryn Papp, 504 Cameron Street, spoke in opposition to the text amendment.
12. Bob Wood, 711 Potomac Street, spoke in opposition to the text amendment.
13. Michael Jennings, 10 Potomac Court, spoke in opposition to the text amendment.
14. Frank Putzu, 1423 Juliana Place, spoke in opposition to the text amendment.
15. Sharon Annear, 1118 N. Howard Street, spoke in opposition to the text amendment.
16. Ursula Weide, 1302 Bayliss Drive, spoke in opposition to the text amendment.
17. Jeaanne-Marie Murphy, 2404 King Street, spoke in opposition to the text amendment.
18. Barbara Corcoran, 507 Braxton Place, spoke in opposition to the text amendment.
19. Roy Shannon, 201 N. Union Street, spoke in opposition to the text amendment and spoke to the appeals that have been filed.

20. Lynn Bostain, 5695 Rayburn Avenue, spoke in opposition to the text amendment.
21. Patsy Ticer, 512 Prince Street, spoke in opposition to the text amendment.
22. Beth Gibney, 300 S. Lee Street, spoke in opposition to the text amendment.
23. Val Hawkins, 418 Duke Street, president and CEO, Alexandria Economic Development Partnership, spoke in support of the text amendment.
24. Poul Hertel, 1217 Michigan Court, spoke in opposition to the text amendment.
25. David Brown, 503 Willow Terrace, spoke in support of the two text amendments.
26. Mark Mueller, 414 S. Royal Street, spoke in opposition to the text amendment.

WHEREUPON, upon motion by Vice Mayor Silberberg, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

A MOTION WAS MADE by Vice Mayor Silberberg to initiate an amendment to the waterfront small area plan to consider a compromise proposal whereby it would have a maximum of one small hotel rather than two and whereby it would remain at the 1992 zoning and density levels. The motion failed for lack of a second.

WHEREUPON, a motion was made by Councilman Smedberg and seconded Councilman Wilson that City Council approve the Planning Commission recommendation.

Mr. Nate Macek, a member of the Planning Commission, went over the Planning Commission's deliberations on the text amendment.

The voting on the motion was as follows and carried by a vote of 6-1: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

5. Text Amendment #2013-0006 A) Initiation of a text amendment; B) Public Hearing and Consideration of a request for a text amendment to Section 11-808(D) of the Zoning Ordinance to clarify the applicability of this provision. Staff: Department of Planning and Zoning. Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report, dated March 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #5, 3/16/13, and is incorporated as part of this record by reference.)

Ms. Anderson, Acting Deputy Director, Planning and Zoning, made a presentation of the report and she, along with Mr. Banks, City Attorney, responded to questions of City Council.

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

1. Jack Sullivan, 4300 Ivanhoe Place, spoke in opposition to the text amendment.
2. Bert Ely, 200 S. Pitt Street, co-chair, Friends of the Alexandria Waterfront, spoke in opposition to the text amendment and instead to authorize formation of a citizens committee that would recommend how to modernize the Zoning Ordinance in all regards.
3. Van Van Fleet, 26 Wolfe Street, spoke in opposition to the text amendment.
4. Kathryn Hoekstra, 1310 N. Chambliss Street, spoke in opposition to the text amendment or to delay the vote until the court cases are over.
5. Michael Jennings, 10 Potomac Court, spoke in opposition to the text amendment.
6. Bob Wood, 711 Potomac Street, spoke in opposition to the text amendment and asked for deferral.
7. Frank Putzu, 1423 Juliana Place, spoke in opposition to the text amendment.
8. Sharon Annear, 1118 N. Howard Street, spoke in opposition to the text amendment.
9. Ursula Weide, 1302 Bayliss Drive, spoke in opposition to the text amendment.
10. Roy Shannon, 201 N. Union Street, spoke in opposition to the text amendment and asked for deferral.
11. Beth Gibney, 300 S. Lee Street, spoke in opposition to the text amendment.
12. Howard Bergman, 101 Quay Street, spoke in opposition to the text amendment
13. Margaret Wood, 711 Potomac Street, spoke in opposition to the text amendment.
14. Annabelle Fisher, 5001 Seminary Road, spoke in opposition to the text amendment.
15. Michael Hobbs, 419 Cameron Street, spoke in opposition to the text amendment and to the process of the amendment.
16. David Brown, 503 Woodland Terrace, spoke in support of the text amendment.
17. Yvonne Weight Callahan, 735 S. Lee Street, president, Old Town Civic Association, spoke in opposition to the text amendment.
18. Poul Hertel, 1217 Michigan Court, co-chair, Alexandria Federation of Civic Associations, asked that the federation be allowed to continue the dialogue with the staff.
19. Mark Mueller, 414 S. Royal Street, spoke in opposition of the text amendment and asked that Council defer the decision.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman

Pepper and carried unanimously, City Council closed the public hearing. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilmember Lovain and carried 6-1, City Council approved the Planning Commission recommendation, including the recommendation that staff come back with possible revisions to 11-808 in all promptness to the Planning Commission. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, the public hearing meeting of March 16, 2013, was adjourned at 3:40 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council