| G                          | eneral Data  |
|----------------------------|--|
| <b>Planning Commission</b> | June 4, 2024                                       |
| Hearing:                   |  |
| City Council               | June 15, 2024                                      |
| Hearing:                   |  |
|                            |  |
|                            |  |
|                            |  |
| Zone:                      | Existing: CL/Commercial Low                        |
|                            | with Proffer                                       |
|                            |  |
|                            | Proposed: CL/Commercial Low                        |
| Small Area Plan:           | Braddock Road Metro Station                        |
| Siliali Alva I lali.       | Braddock Road Metro Station                        |
|                            |  |
|                            |  |
|                            | Planning Commission Hearing: City Council Hearing: |

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes, ordinances and recommended permit conditions found in Section III of this report.

Staff Reviewers: Sam Shelby, sam.shelby@alexandriava.gov

Tony LaColla, AICP, anthony.lacolla@alexandriava.gov

<u>PLANNING COMMISSION ACTION, JUNE 4, 2024</u>: On a motion by Commissioner Lyle, seconded by Commissioner Manor, the Planning Commission moved to recommend approval of REZ #2024-00001. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

#### Discussion:

Commissioner Manor clarified with the applicant and staff how trash would be managed and collected. The applicant explained that they did not expect the coffeeshop to generate high volumes of trash and staff. Staff noted that a dumpster is stored in the adjacent alley. The applicant also answered Commissioner Manor's question about the size of the tenant space, explaining that about 700 square feet would be used for coffeeshop customers. Commissioner Manor also suggested that the City work with the applicant to establish a loading zone on Pendleton Street in front of the subject property.

Commissioner Lyle expressed support for the request and found the subject property to be

suitable for uses consistent with the CL zone. She encouraged the applicant to meet with neighbors as the project moved forward.

Commissioner Brown clarified with staff that the proffer was not put in place due to the subject property's characteristics but instead established to make use of the property more consistent with the pre-1992 zoning and Master Plan. Mr. Brown was supportive of the rezoning request.

Vice Chair McMahon found the request consistent with the Master Plan. She acknowledged that parking availability is an issue City-wide and that the City must balance protection of residential areas with encouragement of desirable mixed-use neighborhoods. Vice Chair McMahon also observed that the office market is weak and that offices generally do best as a land use when they are located with other nonresidential uses. She also acknowledged that any use, including offices, creates parking demands.

Chair Macek echoed other commissioners' support for the request. He noted that the subject property is located within a walkable area with easy access to bus routes. Chair Macek stated that low-intensity commercial uses located at the subject property would likely serve the immediate neighborhood and would not generate significant parking demands.

#### Speakers:

Dale Tasharski, 532 North Columbus Street, spoke in opposition to the request and cited concerns about traffic, rodents, parking, and noise. He also expressed concern about precedent for other rezoning requests.

Curtis Byron, 609 North Columbus Street, representing several adjacent neighbors, spoke in opposition to the request and raised concerns about parking, rodents, trash, and odors generated by a restaurant use.

Elizabeth Fay, 534 North Columbus Street, spoke in opposition to the request. She expressed concerns about pedestrian safety, traffic, deliveries, rodents, and trash.

Pamela Graham, 530 North Columbus Street, spoke in opposition to the request and was primarily concerned about parking issues.

Warren Kenneth Linnerooth II, 537 North Columbus Street, spoke in opposition to the request; citing concerns about neighborhood character, parking, and the alley's narrowness.

Victoria Reppert, 518 North Columbus, spoke in opposition to the request. She was also concerned about pedestrian safety, traffic, parking, trash, neighborhood character, and concerns about precedent for other rezoning requests.

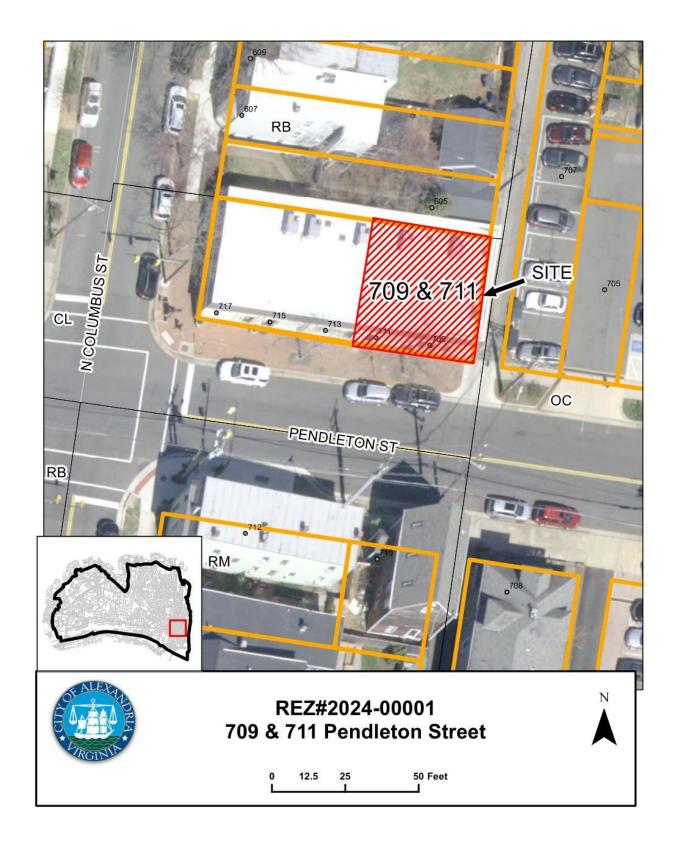
Afet Suleymanova, representing the applicant, summarized the details of the proposed business operation. Ms. Suleymanova explained that the coffeeshop would operate more as retail operation with minimal on-site food preparation and limited seating due to the size of the tenant space.

Jiangling Wang, applicant, explained that the proffer represents a challenge considering that the demand for office space is low. She stated that it has caused difficulty in finding tenants for their unit (709 Pendleton Street). Ms. Wang also explained that she visits the subject property weekly to clear the alley of litter.

<u>PLANNING COMMISSION ACTION, MAY 7, 2024</u>: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission moved to defer REZ #2024-00001. The motion carried on a vote of 7 to 0.

#### Reason:

The applicant did not meet the legal noticing requirement.



#### I. DISCUSSION

The applicants, Sevda Tahirli, Shi Hailing, and Jiangling Wang, request an amendment to the official zoning map to rezone the subject properties at 709 and 711 Pendleton Street from CL/Commercial Low with proffer to CL/Commercial Low.

#### SITE DESCRIPTION AND BACKGROUND

The subject properties include two condominium lots at the intersection of Pendleton and North Columbus Streets. 709 Pendleton Street (Unit 1) is 21.83 feet wide and has a lot size of 874.9 square feet. 711 Pendleton Street (Unit 2) is 17.45 feet wide and has a lot size of 699.4 square feet. Both lots front on Pendleton Street. A 10-foot wide public alley runs along 709 Pendleton Street's eastern lot line.

Each property contains tenant space within an existing one-story commercial building. Commercial and residential uses surround the subject properties. The building was constructed in 1941.



Figure 1 – Subject properties outlined in red



Figure 2 - Surrounding zoning

The subject properties are located within the Braddock Road Metro Station Small Area Plan (SAP) Chapter of the City's Master Plan which designates them for low-density commercial uses.

The subject property has a somewhat complicated zoning history. A grocery store known as "Sunshine Market" operated on the site from 1941 to the early 1970s. In 1951, when the subject properties were rezoned to RB/Residential, the applicable zoning regulations classified the grocery store, a retail use, as nonconforming. Between 1972 and 1979, City Council granted two special use permits (SUPs) for community building and office uses. At the time, the RB zone permitted these uses with SUP approval. In 1975 and 1977, the property owner sought to rezone the property from RB/Residential to C-2-B/Commercial. The applicant withdrew their 1975 rezoning request and City Council denied a second request in 1977.

In April 1979, City Council finally approved a request to rezone the subject properties from RB/Residential to C-2-B/Commercial with proffer. The proffer limited the use of the subject property to "general and business offices" and is still in effect today. At the time, the City's master plan identified the subject property for medium density residential uses only. Staff found that the rezoning, though inconsistent with the master plan, was acceptable given that City Council granted a similar rezoning request to a property nearby (708 Pendleton Street). This rezoning also included a proffer that limited the use of that property to "professional and general offices."

In June 1992, City Council adopted a new zoning ordinance and master plan. The subject property was then rezoned to CL/Commercial Low with proffer. The master plan changed the property's land use designation from medium-density residential to low-density commercial.

In December 1996, an applicant filed requests to rezone the property to remove the proffer and for an SUP to operate a health profession office. Staff recommended approval, stating that "the CL

zone without the proffer is appropriate for the site because it was designed to be located adjacent to residential neighborhoods and is limited to non-automobile oriented and neighborhood serving uses." The applicant ultimately withdrew the request at the February 4, 1997 Planning Commission hearing.

A day labor agency operated at the site from 1999 to approximately 2005. A number of complaints were filed with the City including litter, loitering, and noise in the early morning hours. After the day labor agency ceased operation, tenants of the subject properties the City received further complaints related to parking, traffic, trash, noise, and litter.

#### **PROPOSAL**

The applicants request an amendment to the official zoning map to rezone the subject properties, from CL/Commercial Low with proffer to CL/Commercial Low. If approved the properties could be used in accordance with the uses permitted by the CL zone and not limited to just office uses. The request does not require a Master Plan Amendment because the proposal would be consistent with the Braddock Road Metro Station SAP's land use designation (low-density commercial uses).

#### **ZONING**

The current zoning regulations (CL with proffer) only allow office uses for the subject properties. If approved, the rezoning would allow these units to be used in accordance with the use provisions of the CL zone. The rezoning would not affect the building's compliance with the CL zone's bulk and open space regulations. The following uses would be permitted by-right in the CL zone given the properties' current configuration and size of tenant spaces:

Business and professional office\*\* Day care center with an approved pick up and drop off plan

Health profession office\*\*

Health and athletic club or fitness studio\*

Medical laboratory\*

Personal service establishment Private school, commercial Retail shopping establishment Social service use\*

Utilities

Accessory uses

\* off-street parking required to be within 1,000 feet of the subject property

The following uses otherwise permitted by-right in the CL zone would not be permitted without a full parking reduction SUP approval:

Church Multi-unit dwelling\* Public school Social service use

The following uses otherwise permitted by-right in the CL zone would not be permitted without redevelopment of the subject property:

<sup>\*\*</sup>currently permitted with existing proffer

<sup>\*</sup>site plan with modifications to front and side yards would be required

care facility with overnight Animal accommodation in a commercial complex\*

Bus shelter on private property

Single-unit dwelling Two-unit dwelling

Auxiliary dwelling

Cemetery

Motor vehicle parking/storage (<20 vehicles)

vehicle parking/storage Motor

vehicles)\*

Outdoor dining located on private property\*

Outdoor garden center\*

Outdoor market\*

Restaurant located within a commercial

complex

\*would also require administrative or full hearing SUP approval and/or parking reduction SUP approval

The following uses would be allowed with administrative SUP approval:

Restaurant Valet parking

The following uses would be allowed only with full-hearing SUP approval. Many would also require a parking reduction SUP.

Animal care facility Any use with live entertainment

Co-living dwelling Congregate housing facility

Day labor agency

Continuum of care facility

Fraternal or private club

Funeral home

Medical care facility

Nursing or convalescent home or hospice Private school, academic with more than 20

students

Public building

Given the subject property's location within the Old and Historic Alexandria District (OHAD), any exterior alteration would require Board of Architectural Review (BAR) approval.

The building occupying the subject property also exceeds the CL zone's maximum permitted floor area ratio (FAR) so no expansion could be legally constructed.

#### II. STAFF ANALYSIS

Staff recommends approval of the applicant's request to rezone the subject properties. The applicant's proposal would be consistent with the master plan and compatible with surrounding uses. Given the constraints of the subject property, a limited number of additional uses would be permitted by-right which would further limit the potential for impacts to adjacent properties.

#### CONFORMANCE WITH THE MASTER PLAN

The rezoning would be in conformance with the Braddock Road Metro Station SAP which designates this area for low-density commercial uses. The SAP identifies low-density commercial uses as compatible in scale and intensity with adjacent residential uses. Because the master plan no longer designates the property for residential uses, the proffer limiting uses to office uses is no longer necessary to make use of the subject properties consistent with the master plan.

#### ADDITIONAL CONSIDERATIONS

Staff notified the Old Town Civic Association, Old Town North Community Partnership, and the North Old Town Independent Citizens' Association (NOTICe). To date, staff has not received any questions nor comments from any of these organizations.

Two neighbors, residing at 625 and 607 North Columbus Street, wrote in strong opposition to the request. They cited concerns about the subject property's lack of loading spaces; insufficient space for trash storage; littering; high activity levels along Pendleton Street, including concerns about traffic and pedestrian safety; and lack of parking. These letters are included with this report.

Staff held a conference call with the neighbors on April 24 and met with them on site on April 25. They identified similar issues to those by the neighbors who submitted letters. They emphasized the narrowness of the public alley that runs along 709 Pendleton Street's eastern lot line. The neighbors stated that the alley is often obstructed by parked vehicles at the electric vehicle charging equipment located on the adjacent lot to the east.

The applicant who owns 711 Pendleton Street plans to operate a restaurant at this location. The CL zone would require administrative special use permit (SUP) approval for this use. A full review and analysis of the applicant's proposed operations would occur with the SUP submission.

Staff feels that the CL zone's use provisions provide sufficient protection from land use impacts to the surrounding residential properties. The number of employees, customers, and clients within each unit would be quite limited given that they are all approximately 700 square feet in size. Though each unit has a basement which is not included in the total square footage, these areas could not be used for customers given building code and egress concerns.

#### **CONCLUSION**

Staff recommends approval of the rezoning request as it would be consistent with the City's master plan.

STAFF: Sam Shelby, Principal Planner, Department of Planning and Zoning Tony LaColla, AICP, Division Chief, Department of Planning and Zoning

#### III. CITY DEPARTMENT COMMENTS

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

## <u>Transportation & Environmental Services:</u>

Fire Department:

No comments.

| F-1 | D-ROW, SWM, Traffic Engineering, Transportation Planning and Public Work Services |
|-----|---|
|     | have no comments.   |

| Code Administration:                       |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
| C-1 A building permit is required.         |  |  |  |  |  |
|  |  |  |  |  |  |
| No comments.                               |  |  |  |  |  |
|  |  |  |  |  |  |
| Archaeology:                               |  |  |  |  |  |
|  |  |  |  |  |  |
| No comments.                               |  |  |  |  |  |
|  |  |  |  |  |  |
| Recreation, Parks and Cultural Activities: |  |  |  |  |  |
|  |  |  |  |  |  |
| No comments received.                      |  |  |  |  |  |
|  |  |  |  |  |  |
| Real Estate Assessments:                   |  |  |  |  |  |
|  |  |  |  |  |  |
| No comments received.                      |  |  |  |  |  |



### **APPLICATION**

| Master Plan Amendment MPA#  |  |
|-----------------------------|--|
| Z Zoning Map Amendment REZ# |  |

|                            | 711 Dondlo                             | ton Ct. Alexandr     | ia 1/4 222  | 114          |  |   |
|----------------------------|--|----------------------|-------------|--------------|--|---|
| PROPERTY LOCATION          | 4: 711 Pendie                          | ton St, Alexandr     | 1a, VA 223  | 14           |  |   |
| APPLICANT                  | Sevda Tahirli                          |                      |             |              |  |   |
| Name:                      |  | ery Ct,Fairfax, V    | /A 22030    |              |  |   |
| Address: PROPERTY OWNER:   |  | ory our amaz, v      | 7122000     |              |  | _ |
| Name:                      | ARCHOUSTI                              | CS LLC               |             |              |  |   |
| Address:                   | 711 Pendleton St, Alexandria, VA 22314 |                      |             |              |  |   |
| Interest in property       | :                                      |                      |             |              |  |   |
|                            | O Owner                                | <b>⊙</b> Contract Pu | rchaser     |              |  |   |
|                            | O Developer                            | OLessee              |             | OOther_      |  |   |
|                            | some form of                           | compensation, d      |             | _            | ch as an attorney, a realtor, or obusiness in which they are emp |   |
|                            | OYes: If yes,                          | provide proof of     | current Ci  | ty business  | s license.   |   |
| •                          | ONo: If no, s                          | aid agent shall o    | obtain a bu | siness licer | nse prior to filing application.                                 |   |
|                            | 01B of the Zon                         | ing Ordinance, h     | ereby gran  | nts permiss  | ation is complete and accurate ion to the City of Alexandria, Vi |   |
| Sevda Tahirli              |  |                      |             | Ske          | the  |   |
| Print Name of Applicant or | Agent                                  |                      | Signature   | 0            |  |   |
| 10508 Chancery Ct          |  |                      | 703990      | 774          |  |   |
| Mailing/Street Address     |  |                      | Telephone   | e #          | Fax#   |   |
| Fairfax, VA                | 22                                     | 030                  | 01/25/20    | )24          |  |   |
| City and State             | Zip Co                                 | ode                  | Date        |              |  |   |
|                            | DO NOT I                               | WRITE IN THIS S      | PACE - O    | FFICE USE    | ONLY   |   |
| Application Received:      |  |                      |             |              |  |   |
| Legal advertisement:       | AISSION                                |                      | ACTION      | - CITY COU   | NCII ·   | - |

| MPA # |  |
|-------|--|
| REZ # |  |
|       |  |

#### **SUBJECT PROPERTY**

Provide the following information for each property for which an amendment is being requested. (Attach separate sheets if needed.)

| Address<br>Tax Map - Block - Lot | Land Use<br>Existing - Proposed | Master Plan Designation Existing - Proposed | Zoning Designation Existing - Proposed | Frontage (ft.) Land Area (acres) |
|----------------------------------|---------------------------------|---|--|----------------------------------|
| 711 Pendleton                    |                                 |   |  |                                  |
| 2                                |                                 |   |  |                                  |
| 3                                |                                 |   |  |                                  |
| 4                                |                                 |   | or of estable                          |                                  |

#### **PROPERTY OWNERSHIP**

| [,] Indi | vidual Own  | er [] Corporation or Partnership Owner                             |   |
|----------|-------------|--|---|
| Identify | y each pers | on or individual with ownership interest. If corporation or partne | ership owner, identify each person with |
| more t   | han 3% inte | erest in such corporation or partnership.                          |   |
| 1.       | Name: _     | Sevda Tahirli  | Extent of Interest: 100%                |
|          |             | 10508 Chancery Ct, Fairfax, VA 2203                                |   |
| 2.       | Name:       |  | Extent of Interest:                     |
|          | Address:    |  |   |
| 3.       | Name:       |  | Extent of Interest:                     |
|          | Address:    |  |   |
| 4.       | Name:       |  | Extent of Interest:                     |
|          | Address:    |  |   |

| MPA #  |  |
|--|--|
| REZ#   |  |
| No. of the Contract of the Con |  |

#### JUSTIFICATION FOR AMENDMENT

(attach separate sheets if needed)

- surrounding properties, in character with the applicable Small Area Plan and consistent with City policies:
  The proposed amendment is desirable and highly beneficial to surrounding properties as it will offer a unique concept of a Coffee Shop where customers can enjoy freshly brewed coffee and freshly made delicious pastries every morning. The place will have a very distinguishable character as there is no such place in that area art cafe/coffee shop will be a perfect spot for families with kids to spend nice weekends together in doing some art activities, as well as for neighboring office workers to grab a nice cup of
- 2. Explain how and why the proposed amendment to the Zoning Map(s) is consistent with the proposed amendment to the Master Plan, or, if no amendment to the Master Plan is being requested, how the proposed zoning map amendment is consistent with the existing Master Plan:
  - The proposed amendment is consistent with the proposed amendment to the Master Plan since in order to establish an Art Cafe/Coffee shop we need a bigger space and the amendment to the Master Plan involving the removal of a wall can substantially
- 3. Explain how the property proposed for reclassification will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire, drainage structures, refuse disposal, water and sewers, and schools.
  - The property proposed for reclassification will be highly beneficial for the City of Alexandria and its community and will be served adequately by essential facilities and service since the amendment we are requesting does not require any external
- 4. If this application is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinance, identify all proffered conditions that are to be considered part of this application (see Zoning Ordinance Section 11-804 for restrictions on conditional zoning):
  N/A

### APPLICATION

# Master Plan Amendment MPA# \_\_\_\_\_\_\_Zoning Map Amendment REZ# \_\_\_\_\_\_

| PROPERTY LOCATION: APPLICANT Name:   | Jiangling Wang, Hailing Shi                         |                                  |                  |                     |  |             |
|--|---|----------------------------------|------------------|---------------------|--|-------------|
| Address:   | 709 Pendleton                                       | Street, Alexandri                | a, VA 22314      |                     |  |             |
| PROPERTY OWNER:  | Pendleton Prop                                      | nertv I I C                      |                  |                     |  |             |
| Name: _  |   | Street, Alexandria               | VA 22314         |                     |  |             |
| Address:   | 7001 01101010                                       |                                  | , V/(22011       |                     |  |             |
| Interest in property:  | Owner   | Contract Pu                      | ırchaser         |                     |  |             |
|  | Developer   | Lessee                           |                  | Other               | ·  | <del></del> |
| person for which there is s<br>have a business license to  | o operate in Ale<br>Yes: If yes, p<br>No: If no, sa | exandria, VA:<br>provide proof o | f current City l | busine:<br>iess lic | ss license.<br>ense prior to filing appl | ication.    |
| THE UNDERSIGNED pursuant to Section 11-30 to post placard notice on the section to the post placard notice on the section to t | 1B of the Zonin                                     | ng Ordinance, I                  | hereby grants    | permis              | ssion to the City of Alex                |             |
| Jiangling Wang   |   |                                  | 0-               | 12                  | Way.                                     |             |
| Print Name of Applicant or A   | gent  |                                  | Signature        | 7                   | 8  |             |
| 709 Pendletn Street  |   |                                  |                  |                     |  |             |
| Mailing/Street Address   |   |                                  | Telephone #      |                     | <br>Fax #                                |             |
| Alexandria, VA   | 22314   |                                  |                  |                     |  |             |
| City and State   | Zip Co  | de                               | Date             |                     |  |             |
|  |   |                                  |                  |                     |  |             |
|  | DO NOT W  | RITE IN THIS                     | SPACE - OFF      | ICE US              | E ONLY                                   |             |
| Application Received:  |   |                                  | Fee Paid: \$     | B                   |  | <del></del> |
| Legal advertisement: ACTION - PLANNING COMM  | ISSION  |                                  | ACTION - C       | CITY CO             | UNCIL:                                   |             |

| MPA# |  |
|------|--|
| REZ# |  |

#### SUBJECT PROPERTY

Provide the following information for each property for which an amendment is being requested. (Attach separate sheets if needed.)

| Address<br>Tax Map - Block - Lot | Land Use<br>Existing - Proposed | Master Plan<br>Designation<br>Existing - Proposed | Zoning<br>Designation<br>Existing - Proposed | Frontage (ft.) Land Area (acres) |
|----------------------------------|---------------------------------|---|--|----------------------------------|
| 1                                |                                 |   |  |                                  |
| 2                                |                                 |   |  |                                  |
| 3                                |                                 |   |  |                                  |
| 4                                |                                 |   |  |                                  |
|                                  |                                 |   |  |                                  |

#### PROPERTY OWNERSHIP

| [] Individual Owner [] Corporation or Partnership Owner |                         | [] Corporation or Partnership Owner            | r  |
|---|-------------------------|--|--|
| Identi  | fy each person or indiv | ridual with ownership interest. If corporation | on or partnership owner, identify each person with |
| more  | than 3% interest in suc | ch corporation or partnership.                 |  |
| 1.  | Name:                   |  | Extent of Interest:                                |
|   | Address:                |  |  |
| 2.  |                         |  |  |
|   | Address:                |  |  |
| 3.  | Name:                   |  | Extent of Interest:                                |
|   | Address:                |  |  |
| 4 .   | Name:                   |  | Extent of Interest:                                |
|   | A ddrooo;               |  |  |

| MPA# |  |
|------|--|
| REZ# |  |

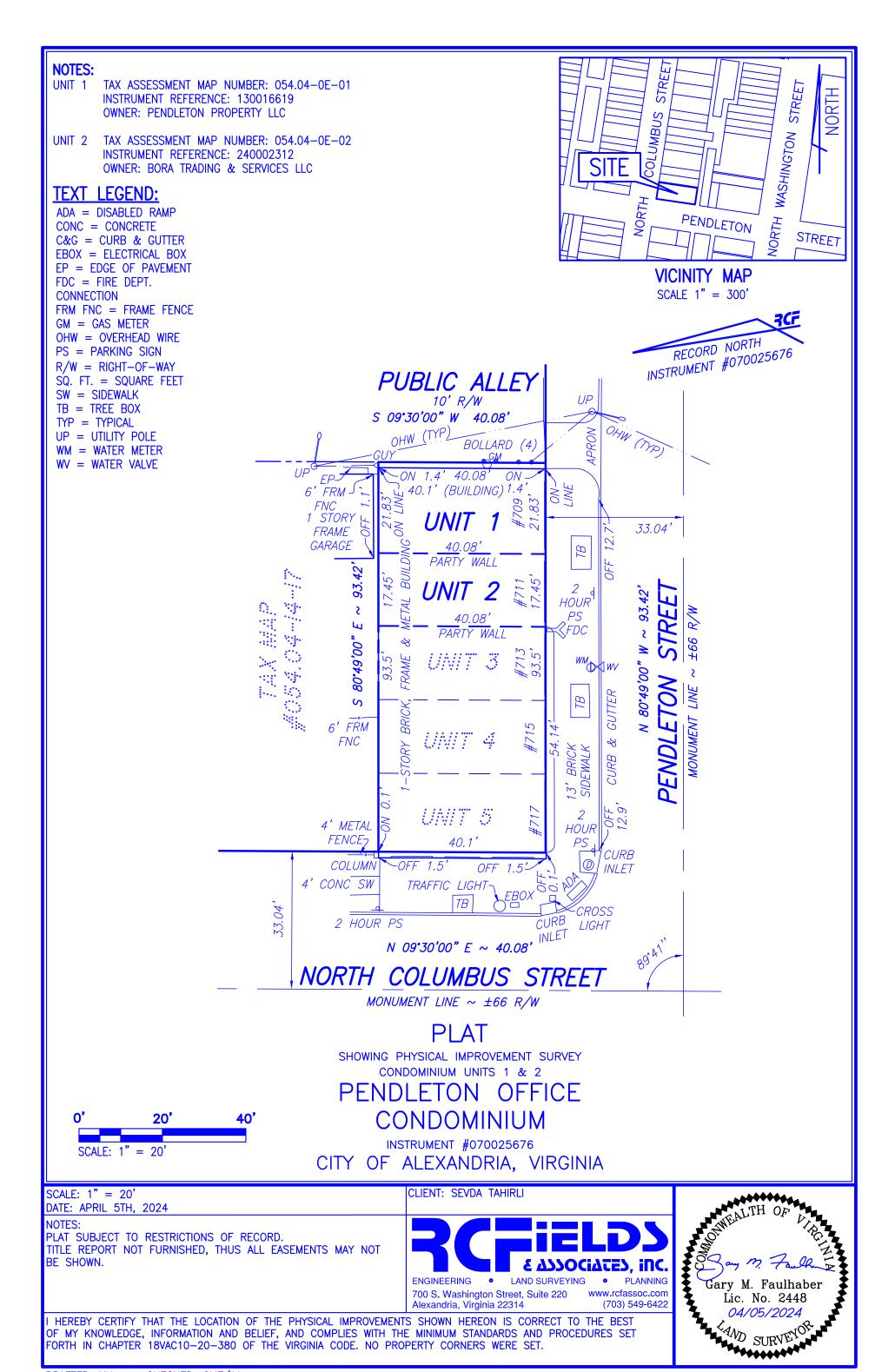
JUSTIFICATION FOR AMENDMENT (attach separate sheets if needed)

**1.** Explain how and why any proposed amendment(s) to the Master Plan are desirable, beneficial to surrounding properties, in character with the applicable Small Area Plan and consistent with City policies:

**2.** Explain how and why the proposed amendment to the Zoning Map(s) is consistent with the proposed amendment to the Master Plan, or, if no amendment to the Master Plan is being requested, how the proposed zoning map amendment is consistent with the existing Master Plan:

3. Explain how the property proposed for reclassification will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire, drainage structures, refuse disposal, water and sewers, and schools.

**4.** If this application is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinance, identify all proffered conditions that are to be considered part of this application (see Zoning Ordinance Section 11-804 for restrictions on conditional zoning):



700 S. WASHINGTON ST SUITE 220 ALEXANDRIA, VA 22314 (703) 549-6422 www.rcfassoc.com

April 16, 2024

This description is to be used for Planning and Zoning Applications only, and NOT for the transfer/sale of Real Property.

#### METES AND BOUNDS DESCRIPTION

## Condominium Units 1 and 2 PENDLETON OFFICE CONDOMINIUM

Instrument Number 070025676 City of Alexandria, Virginia

All those certain tracts or parcels of land lying, being and situated in the City of Alexandria, Virginia being known as **Condominium Units 1 and 2** of **PENDLETON OFFICE CONDOMINIUM** as duly platted and recorded in Instrument Number 070025676 among the Land Records of said City of Alexandria, Virginia.

Being further described by metes and bounds as follows:

**COMMENCING AT A POINT** at the intersection of the northerly right-of-way line of Pendleton Street (66± feet wide) with the easterly right-of-way line of North Columbus Street (66± feet wide);

Thence, departing said North Columbus Street and running with said northerly right-of-way line of Pendleton Street:

i. **South 80° 49' 00" East**, a distance of **54.14 feet** to the true **POINT OF BEGINNING** lying in the party wall between Condominium Units 2 and 3 of the above referenced Pendleton Office Condominium;

Thence, departing Pendleton Street and running with said party wall between Units 2 and 3:

1. **North 09° 30' 00" East**, a distance of **40.08 feet** (40 feet, 1 inch) to a point in the southerly line of the property now assessed as Tax Map #054.04-14-17;

Thence, departing said Unit 3 and running with the southerly line of said property assessed as Tax Map #054.04-14-17 being a common line with and the northerly line(s) of Units 1 and 2 (respectively):

2. **South 80° 49' 00" East**, a distance of **39.28 feet** and passing through the party wall of Unit 1 and Unit 2 of the above reference Pendleton Office Condominium at **17.45 feet** and continuing to a point on the westerly right-of-way of a public alley (10 feet wide);

Thence, departing said property assessed as Tax Map #054.04-14-17 and running with the westerly line of said alley:

3. **South 09° 30' 00" West**, a distance of **40.08 feet** (40 feet, 1 inch) to a point in the aforementioned northerly right-of-way line of Pendleton Street;

Thence, departing said alley and running with said northerly right-of-way line of Pendleton Street:

4. **North 80° 49' 00" West**, a distance of **39.28 feet** and passing through the party wall of Units 1 and 2 of the above reference Pendleton Office Condominium at **21.83 feet** to the **POINT OF BEGINNING.** 

Containing an Area of 1,574 Square Feet of Land.

From:

To: PlanCom

**Subject:** [fEXTERNAL]Fwd: 711 Pendleton St application for rezoning (2024-0001)

**Date:** Tuesday, April 16, 2024 8:07:58 PM

You don't often get email from kbcon541@gmail.com. Learn why this is important

I am writing in reference to the application for rezoning at 711 Pendleton St (2024-0001). I live immediately next door to the property.

As you know, there is a longstanding proffer on the property restricting its use to "business and professional office." The neighbors and I are strongly opposed to lifting this longstanding proffer.

The location is particularly ill suited for the proposed use for multiple reasons. There is no space for deliveries and unloading of the supplies required of such a business. That block of Pendleton is already congested with the bus route, the bank parking lot entrance, the EV chargers, and the busy alley serving the garage for NARFE building as well as the parking for the businesses on North Washington. In addition, there is no space for collecting trash generated by such a use as the alley already accommodates two large dumpsters which frequently overflow. The dumpsters, as well as the intensity of activity in the alley, regularly blocks access to my garage as well as access to the alley itself.

In addition, parking is quite limited in the area and because the street is so busy, it would be an additional hazard if the use intensified with short term parkers stopping for a coffee. This is illustrated clearly by the accidents which have occurred in the 800 block of Pendleton on weekends when Chewish Deli becomes busy.

Although I would welcome this business to the City, I believe the proposed location is not appropriate.

Thank you,

From: Clements, John E CIV USARMY HQDA DCS G-8 (USA)

To: <u>PlanComm</u> Cc: <u>John</u>

**Subject:** [EXTERNAL]711 Pendleton St application for rezoning (2024-0001)

**Date:** Monday, April 22, 2024 3:07:58 PM

I am writing in reference to the application for rezoning at 711 Pendleton St (2024-0001). I live on the block adjacent to the property.

As you know, there is a longstanding proffer on the property restricting its use to "business and professional office." The neighbors and I are strongly opposed to lifting this longstanding proffer.

The location is particularly ill suited for the proposed use for multiple reasons:

- There is no space for deliveries and unloading of the supplies required of such a business. There is no space behind the building as would be expected for a food service establishment.
- The new EV chargers in the bank parking lot were not planned well and
  it creates routine blocking of the alley and parking lot jams. As well as
  an unbelievable amount of trash that we the residents must pick up.
  (you should look closely are the real space requirements for charging
  stations like this in the future people loiter, talk loudly, clean their cars,
  play their car stereos, trash is either throw in residents trash cans or on
  ground).
- There is no space for collecting trash generated by such a use as the alley already accommodates two large dumpsters which frequently overflow and obstruct the alley access.

Pendleton is very busy, with the bus route, the bank parking lot entrance. parking is quite limited in the area and because the street is so busy, it would be an additional hazard if the use intensified with short term parkers stopping for a coffee. This is illustrated clearly by the accidents which have occurred in the 800 block of Pendleton on weekends when Chewish Deli becomes busy.

vr, John Clements 625 N Columbus St. From: Shannon McGahey
To: PlanComm

**Subject:** [EXTERNAL]711 Pendleton St application for rezoning (2024-0001)

**Date:** Wednesday, April 24, 2024 9:37:03 AM

I am writing in reference to the application for rezoning at 711 Pendleton St (2024-0001).

I live in the 600 block of N Columbus Street. The close proximity of this building and the businesses in it do affect our block and neighborhood.

The proffer currently attached to the building is there because the restrictions suit the setup and location of the building.

The building has no off-street parking, no area for deliveries, and no space for a large commercial trash can (I can assure you as a business owner of a food establishment, any sized food establishment needs a commercial trash can).

The city has taken parking spaces away from the street corners at the intersection for buses, allowed 3 new homes to be built in the 600 block of N Alfred without off-street parking, and allowed the building at 700 N Washington to be built without inadequate parking. The home owners with homes built in the early 1900's are being squeezed out of street parking by changes and allowances of the City.

I love a good coffee shop. But let it go into newly built space with adequate parking. Quit putting added burden on the current residents. There's often space in the building at 601 N Washington. There's a newly vacated space where Grateful Kitchen was in the 700 block of N Henry.

I am in support of leaving the proffer on the 711 Pendleton building restricting its use to "business and professional office".

Thank you,

S. McGahey

634 N Columbus Street

April 29, 2024

Planning Commission City of Alexandria 301 King St., Room 2400 Alexandria, VA 22314

RE: Docket Item 11, Rezoning # 2024-00001, 709 & 711 Pendleton Street

Dear Planning Commission Members and Staff,

My name is Elizabeth Fay and I am the property owner of 534 N. Columbus Street (Lot 501 SOPHIES CORNER -D280) which is located at the corner of N. Columbus Street and Pendleton Street – diagonally across the street from 709 & 711 Pendleton Street. I appreciate the opportunity to provide comments on the application of ARCHOUSTICS LLC request for amendment to the official zoning map to rezone the subject properties from CL/Commercial Low with proffer to CL/Commercial Low.

As a resident impacted by this zoning decision, I only learned of this administrative hearing yesterday from a neighbor. The public notice for this application and public hearing was not posted on the front of 709 & 711 Pendleton Street. Instead, the notice was posted on the side of 711 Pendleton in an alley which may be one of the factors of limited feedback on this application from the residential community surrounding this property.

I have lived at 534 N. Columbus since 2015 and I have witnessed the significant transformation of Old Town North/Parker Gray neighborhoods. I applaud the City of Alexandria in its efforts to spur development and economic growth. The recent debate on the Potomac Yard sports and entertainment complex raised the visibility of the challenges the City faces in expanding the non-residential tax base and I can appreciate the difficult choices the Planning Commission routinely faces. There are currently two other commercial food retail establishments located across from my property at 807 Pendleton Street (Chewish Deli) and 809 Pendleton Street (Mas Seafood) and I see the benefits these businesses bring to residents and the City.

As a coffee lover, I could certainly imagine myself as a patron of a coffee shop across the street from my home. However, as a taxpaying resident, I have very serious concerns that I ask the Planning Commission to consider when reviewing this application:

#### **Public Health and Safety**

1. Magnet for traffic accidents - The intersection of N. Columbus and Pendleton is a safety hazard. Motorists travelling north on N. Columbus and east on Pendleton routinely run the red light at this intersection. The 3-5 blocks preceding this intersection are intersections with four-way stop signs. Many motorists arrive at the intersection of N. Columbus and Pendleton in a rhythm of a four way stop and breeze right through the traffic light thinking

they have the right of way. I see near miss accidents almost daily and collisions at this corner occur frequently.

In addition, since the opening of the Chewish Deli (807 Pendleton Street)— a popular and small establishment where patrons routinely wait in line outside the shop to place/receive their order -motorists driving past slow down to look at the crowd and their distracted driving often causes accidents. In fact, my own car has been hit twice parked in front of my house by distracted drivers. In one of those instances, I received a knock on my door from Alexandria Police letting me know that a motorist looking at the line at Chewish Deli drove straight into my parked car forcing it onto two wheels on the sidewalk. Thankfully, there were no pedestrians on the sidewalk at the time or injuries to the driver. Just a few weeks ago, a Metrobus hit a Tesla driver in the exact same location. The small size of the proposed coffee shop at 709 & 711 Pendleton Street will likely lead to a similar situation of crowds gathering outside the building which will likely mean more rubbernecking, distracted drivers, and traffic accidents at an intersection which already has significant built-in risks due to drivers thinking the intersection is a four-way stop.

- 2. Rodents this area has significant rat issues. Despite residents implementing rodent control measures/baiting their properties and the city putting bait in the sewers, the lure of dumpsters containing discarded foot items by nearby businesses attracts rats and other animals. My Blink outdoor cameras regularly capture rats scurrying across my property. Adding an additional food establishment across the street will not help the rodent population in this neighborhood. Increased rodents pose a public health risk.
- 3. Parking The staff report for this application did not address resident complaints on parking except to note that land use impacts to surrounding residential proprieties would be "quite limited given that they [proposed coffee shop] are all approximately 700 square feet in size." Street parking is very difficult in the surrounding residential area. On weekends, patrons of the Chewish Deli and Mas Seafood (both small establishments) park illegally in bus zones, alleys, double park in on Pendleton Street which is a core Metrobus route, park in spots reserved for disability parking, and make dangerous u turns at an intersection already prone to traffic accidents. Additionally, there are two bus stops/bus curb cuts across the street from 709 & 711 Pendleton which reduce the amount of street parking available to residents. Patrons of the 532 Yoga studio, Talbots, and Trader Joes often park in this area, as well. At peak hours of these businesses, it is difficult for residents to find parking close to their homes. Also, the alley next 709 & 711 Pendleton Street is too narrow for commercial delivery trucks which means either more parking spots dedicated to a loading zone or delivery trucks will block a major bus route at an intersection where there are already traffic hazards.

I ask the Planning Commission to reject the application to rezone 709 & 711 Pendleton Street from CL/Commercial Low with proffer to CL/Commercial Low. Adjacent residents are already negatively impacted by the two small food businesses at 807 and 809 Pendleton Street and adding another food establishment will make the corner of N. Columbus and Pendleton even more of a public health and safety risk. I ask that you put the welfare of neighboring residents at the top of your considerations when reviewing the zoning for 709 & 711 Pendleton Street.

Thank you.

Sincerely,

Elizabeth Fay

534 N. Columbus Street

Alexandria, VA 22314

From: <u>Jordan Plieskatt</u>
To: <u>PlanComm</u>

**Subject:** [EXTERNAL]711 Pendleton St application for rezoning (2024-0001)

**Date:** Monday, April 29, 2024 2:49:46 PM

#### Dear Sir or Madam,

I am writing in reference to the application for rezoning at 711 Pendleton St (2024-0001) as neighbor living on the 600 block of North Columbus.

The current proffer in effect for the property is there for a reason, as this is a residential area. From the vacant business fronts and available properties across town, there are plenty of other storefronts in commercial areas that would better suit a coffee shop.

You can look at the recent development in the area for reasons why this is unlikely to be successful integration into the neighborhood:

- 1) Trash. Chewish Deli at 807 Pendleton, currently has an undersized dumpster that leads to a high volume of trash sitting on the ground and being dispersed across the neighborhood. In addition this impacts rodent infestation. The commercial dumpster area for the 711 Pendleton property is already undersized and has close proximity to electrical and utility lines which in the past has resulted in utility disruption and property damage during servicing of those dumpsters.
- 2) Parking. As proposed, 711 Pendleton is unlikely to engage the local community as a coffee shop as its primary customer basis. It is likely built on a loyal social media following. Citing Chewish Deli at 807 Pendleton is another example. I encourage the zoning/planning commission to visit the area on a Saturday/Sunday morning few Chewish customers are local residents. Most drive their cars and double park, park in the alley, or take up the residential spaces on the 600 block. The current parking situation is not sustainable for another business in this area. Madabolic on N Washington is another case to cite as the majority of their patrons park on the 600 block of N Columbus for classes.
- 3) Deliveries. There is not a suitable delivery space for a food establishment in this area. The deliveries for Chewish are often double parked on North Pendleton or block/idle in the alley for extended periods of time. Deliveries for 711 pendleton will either: 1) Block Pendleton, which is a bus route, 2) Block N Columbus, which is an emergency route (and a highly used racing track for N Washington commuters) or 3) block the alley, idling for additional residential noise.

While the staff cites administrative approval as it supports the master plan, the city needs to take into account how it impacts its residents and surrounding communities/families. I would insist, beyond your one line rationale for approval that it fits the master plan, that you study/evaluate:

- 1) Traffic patterns on N Columbus and Pendleton street
- 2) Evaluate parking on N Columbus. Including extending the permit parking to 7 days a week 7a-7p.
- 3) Proper monitoring of businesses in residential areas to assure they meet code and have appropriate rodent, trash receptacles, and delivery times/hours. Likewise, businesses such as

Madabolic, should not be allowed to spray paint our side walks for free advertisements, defacing public and city property.

- 4) Evaluate how many public trash receptacles are available. There are few public trash cans accessible on these corners which are often overflowing. I can assure you most of the surroundings businesses trash ends up strewn in our alleys, sidewalks, and roadways.
- 5) Evaluate the business location (e.g. 711 Pendleton) during their actual proposed hours of operation. Evaluate how parking, pedestrian safety, etc would actually work on this corner at 9am on a Saturday.
- 6) Evaluate the public utilities in this surrounding area (**Application Justification #3 is insufficient how will property reclass actually be served adequately. Provide evidence**). As you know, N Columbus has had several sewer backups (likely due to the city allowing building on green spaces, and additional housing that has been built in this area). The city is now evaluating how to solve our sewer problems. Can the utilities support a commercial restaurant establishment: Will coffee grounds end up in the sewer, requiring tax payer money to repair and damage/flood to residential properties, can the gas pressure support any commercial planned operations in that property location (I believe N Columbus is just a low pressure line, given the number of leaks and workers we have spoken with).

I support small business growth, I own a small business myself. However zoning, permits and restrictions are in place for a reason. Rather than trying to fit a square peg in a round hole, I believe there are numerous other suitable locations that would lead to better success for the applicant business itself (with less impact to the surrounding location and community).

I'd also request that sufficient application Justification #1 be rewritten (The proposed amendment is desirable and highly beneficial to surrounding properties as it will offer a unique concept of a Coffee Shop where customers can enjoy freshly brewed coffee and freshly made delicious pastries every morning. The place will have a very distinguishable character as there is no such place in that area - art cafe/coffee shop will be a perfect spot for families with kids to spend nice weekends together...). What is the actual study that supports this? From evidence (google maps), there are 10+ coffee shops within a 5 block radius from this location. In addition, there are numerous established art locations across town. The Turkish Coffee lady (located at corner of N Columbus and King, which is a great commercial location!) is exactly the same as the proposed business at 711 Pendleton (coffee, pastries, and art). Lastly, the applicant cites families and kids to spend the weekend together: Where will strollers be parked? Will they have to stay outside obstructing the sidewalk? Or will they be allowed to park inside, obstructing the likely sole fire egress? How will ADA compliance be adopted as I believe there is a concrete curb to enter? A portal ramp that protrudes on to the sidewalk is likely to be an issue given sidewalk width and grade?

Thank you for the consideration of these points. Best Regards, Jordan Plieskatt From: <u>tasharsl@gmail.com</u>

To: PlanComm

**Subject:** [EXTERNAL]Rezoning #2024-00001 for 709 & 711 Pendleton street.

**Date:** Tuesday, April 30, 2024 2:09:33 PM

[You don't often get email from tasharsl@gmail.com. Learn why this is important at <a href="https://aka.ms/LearnAboutSenderIdentification">https://aka.ms/LearnAboutSenderIdentification</a>]

Dear planning staff,

I respectfully disagree with your approval of this extended zoning request for reasons you may not have considered. I speak as a close neighbor in sight of the building.

- 1. There is little similarity with the Braddock road 'precedent' cited areas around metro stations have obvious commercial capacity compared to the heart of a neighborhood. The metro site has more than half a dozen shops and restaurants stretching down a major, multi-lane, commuter corridor. The majority of the customer base is already present or passing through the space.
- 2. This is a significant departure from the current tenant usage. Offices are not coffee shops and even dental offices serve a limited number of patients by a small staff. Office waste is not attracting foxes, raccoons and rats as we have observed with regularity since the arrival of the deli. Daily deliveries have occurred as early as 4am and we have complained multiple times to the existing take out facility.
- 3. The Columbus intersection is already high risk. Numerous accidents both reported and non-reported have occurred. This is exacerbated by the 10A/B metro bus line running every 10-20 min both directions 5am- midnight which results in cars attempting to pass in oncoming traffic and to run the light. The bus stops further reduce available parking for residents.
- 3. We have windows on the intersection and can easily hear the frequent accidents and disputes—many of which are caused by people coming into the neighborhood to 'grab and go'. The constant churn of customers' cars entering and exiting makes it obvious more accidents will happen.
- 4. Additionally, because it's a residential neighborhood and 5 blocks from King there is extensive pedestrian use compared with other areas including preschools, people waiting for buses, neighbors with children, disabilities and pets.

I urge the committee and council to reject developers 'waiting out' neighbors.

There are many commercial vacancies elsewhere and no shortage of restaurants and coffee shops in old town-fully half a dozen or more within 5 blocks, in established commercial areas.

Changing the zoning of the neighborhood benefits only the landlord/developer. It harms our neighborhood and will result in more accidents, more rats, and more noise for already taxed neighbors.

Sincerely,

Laurie Tasharski 532 N columbus

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From: Kevin Bloomfield

To: PlanComm

**Subject:** [EXTERNAL]700 Pendleton rezoning application

**Date:** Wednesday, May 1, 2024 2:13:15 PM

#### Hello,

I understand there's a rezoning application before the city for a building on the 700 block of Pendleton St. I live on N Columbus St, just around the corner. I'm writing in support of the application.

My house abuts the public alley adjacent to the Chewish bagel shop and MAS Seafood on the 800 block of Pendleton St. I'm happy to live so close to the small businesses. Observing firsthand the growing success of these businesses and seeing the lines of customers buying bagels on weekend mornings is energizing. We frequently patronize these stores ourselves.

Having these businesses nearby has created some problems for us that I hope the city will require nearby food service businesses to plan for before approving any application. My nextdoor neighbor and I have both observed rats in the alley behind us, probably as a result of poor disposal practices (i.e., trash bags left out and dumpsters overloaded). As a public health matter, this issue must be crushed. And we've had to contend with the smell of marijuana wafting into our back patio where our child plays, evidently from employees on break. I understand marijuana is decriminalized in Virginia but--correct me if I'm wrong--this does not cover public spaces like the alley.

Beyond these concerns, I'm supportive of having a new coffee shop, restaurant, or similar, just around the corner.

Thank you,

Kevin

Kevin Bloomfield 612 N Columbus St

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From: <u>Jennifer Nightingale</u>

To: PlanComm

**Subject:** [EXTERNAL]Statement for meeting tonight, case 2024-00001 (709/711 Pendleton)

**Date:** Tuesday, June 4, 2024 11:29:53 AM

As a nearby homeowner, I oppose the plans for the special use permit at 709 and 711 Pendleton. As a homeowner, we moved into this area in 2019 for its quiet residential nature and slowly that has eroded. With the introduction of Chewish Deli and a nearby yoga studio, our parking has become more and more scarce and illegal double parking, blocking our streets is a daily occurrence. This represents a risk to pedestrians and puts additional stress and burden on homeowners.

This is particularly true for those of us who have mobility and health issues. The city has allowed the back alley of the 500 N Columbus block to become a dead end with a privately owned parking pad that blocks egress. This means our parking pads behind our home are unusable. Both my husband and I are disabled veterans and parking accessibility is a critical concern.

We do not need another coffee shop, there are at least 10 within easy walking distance. I agree with my neighbors about the challenges we've faced with garbage disposal, rats, etc.

I would also like to discuss the impact on neighborhood equity and disability access. The area in question is a major DASH bus thoroughfare and route to the metro station. Multiple times I have seen dash bus drivers move into the oncoming lane of traffic due to this or have people board from the street because customers park in the bus stop knowing parking enforcement likely won't be coming by during their 10-15 min trip. More than once I have a seen a near miss with the bus almost running into cars as they are forced into going around in the oncoming traffic lane.

There are residents that depend on the bus to get to the metro and then to work and could be fired for being late. Creating barriers to the bus lines is an equity issue. It also makes it difficult for residents in wheelchairs or the vision impaired to use buses if they don't have an open sidewalk spot. Adding another restaurant within a block will make this a greater danger.

Chewish already has had the effect of blocking the sidewalks and parking. We have a vision impaired mother-in-law and know other vision impaired residents who regularly walk on these blocks and face issues as Chewish patrons lining the sidewalk do not make space for them. Stop and go restaurants create a great burden on the surrounding areas with vehicular and foot traffic being a constant stream. Add to that people often turn down N Columbus when the parkway is busy making it increasingly perilous for pedestrians to cross. I've had a handful of near misses during the morning and evening commutes while walking our dogs. I see at least a few times a week where cars just roll through without stopping at signs.

We simply cannot absorb another business of this type without putting pedestrians and drivers at additional risk. There's not the space or infrastructure. If approved, we will mobilize residents and require the city to install meters in the surrounding blocks and continue to use our voices to openly oppose this project.

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From: PlanCom
To: m

**Subject:** Re: Pendleton St rezoning application **Date:** Tuesday, June 4, 2024 11:01:54 AM

I respectfully oppose the proposed amendment to the official Zoning Map to remove the longstanding proffer on the subject property because, given the location and size constraints of the subject property, any use

beyond that permitted under the existing proffer would have significant negative impacts on ourneighborhood and provide little, if any, benefit to the City.

The property is surrounded by residential uses to the north, south, and west. In prior staff reports on the subject property, City staff has acknowledged the limited availability of on-street parking at the site as well as the negative impact of an intensified use on human and vehicular traffic flow

through the residential neighborhood. The current Staff report acknowledges that, even with the existing proffer, the City has continued to receive complaints related to parking, traffic, trash, noise, and litter. This illustrates that any intensification of the use would result in greater complaints and burdens on the neighborhood and City enforcement personnel.

The property at issue sits on Pendleton Street (a major thoroughfare and primary collector street accommodating a bus route) in between North Washington (an arterial street) and North Columbus Street (a residential collector street which also serves as an emergency thoroughfare). Prior staff reports on the subject property have acknowledged that there are limited site distances at the intersection of North Columbus and Pendleton Streets due to existing on-street parking. The level of traffic on Pendleton, particularly with the recent addition of curb extensions, precludes any pick up and drop off activities, deliveries, loading, or trash collection and removal, both on-site and on the street.

Immediately east of the subject property is a 10-foot wide alley which is already subject to intensive use, precluding the accommodation of additional activity. It serves as egress for the underground parking garage of the NARFE building, the surface parking for multiple commercial properties in the 600 block of North Washington, as well as residential parking for the 600 block of North Columbus Street. The alley must also accommodate multiple dumpsters serving the Bank of America, all of the commercial properties on North Washington, as well as the existing businesses at the Pendleton Street site, in addition to residents' trash cans. The City has documented neighbor complaints regarding overflowing and broken dumpsters serving the existing businesses at the site and the dumpsters frequently block the alley after trash collection, requiring the neighbors to pick up the trash and roll the dumpsters back into place. The intensity of use of the alley makes it particularly ill-suited to accommodate any pick up and drop off activities for the site or serve as a loading zone for regular supplies necessary to operate any use beyond that allowed under the current proffer. Moreover, there is simply no additional space to accommodate trash collection for

an intensified use, particularly the level of trash generated by any use other than the current proffer allows. The physical location of the property also results in very limited visibility for the multiple vehicles regularly entering and exiting the busy alley presenting a significant danger to the heavy pedestrian traffic in the area.

Immediately adjacent to the alley is the very busy Bank of America parking lot which has become markedly more crowded since the approval of EV charging stations in the lot. In addition to serving the EV chargers and the bank, the small lot also serves as parking for the Pentecostal Church at Pendleton and North Columbus, as a condition for their SUP, and would therefore be unable to accommodate additional parking.

All of these uses produce significant demands which converge at the intersections as well as immediately in front of the subject property, frequently resulting in bottlenecks and presenting a significant danger to pedestrians.

The staff report notes that the rezoning would be in conformance with the Braddock Road Metro Station Small area plan which designates this area for low-density commercial uses. The staff report, however, acknowledges that the Small Area Plan adopted in June 1992 retained the longstanding proffer. Additionally, multiple neighbors participated extensively in the 2008 Braddock Metro Neighborhood Plan during which there was <u>no</u>discussion of lifting the proffer, a fact that would not have gone unnoticed, given our painful history with this property.

Additionally, the staff report describes the proposal as "compatible with surrounding uses" yet the subject property is surrounded primarily by residential uses and, as described above, I believe it is clear that any intensification beyond the current proffer would create significant negative impacts and be incompatible with the neighborhood.

The additional materials provided by staff lists eight businesses, apparently for the purpose of providing examples businesses located next to residential properties elsewhere in the City. None of these examples, however, is comparable to the Pendleton Street property. For example, the cited businesses are largely located in locations which enjoy significantly less vehicular and pedestrian traffic than the Pendleton Street site and none serves as a bus route. Moreover, staff fails to provide any indication as to whether these businesses have generated complaints from adjacent residential uses.

The staff report also suggests that "the CL zone's use provisions provide sufficient protection from land use impacts to the surrounding residential properties." Lifting the longstanding proffer, however, would subject the neighborhood to repeated applications for intensified uses requiring time-consuming engagement. Moreover, through years of experience, we are painfully aware that the burden of monitoring and reporting violations of SUP's falls squarely on our shoulders, given the City's limited enforcement resources. See e.g. Planning Commission Meeting, November 6, 2003, Text Amendment #2003-0006. The applicant's current business in Fairfax has already been the subject of critical health violations and the applicant failed to

observe the notification requirements with the initial application, which raises concerns about the applicant's ability to comply with land use requirements and the burden which would therefore fall on the neighborhood to report violations. This neighborhood endured years of significant disruption, including criminal and nuisance activity, at the subject property during past nonconforming uses. The neighbors spent hundreds of hours working with City staff, including Planning and Zoning, Code Enforcement, and Transportation and Environmental Services, the Mayor and City Council, and the Alexandria Police Department before the situation was ultimately remedied through expensive, years-long litigation. We do not wish to revisit that experience.

For these reasons, and given that the staff appears to concede that any use typically allowed in the CL zone would, in practice, not be allowed at the subject property given its size and location constraints, I respectfully request the Planning Commission deny the application and enforce the current, longstanding proffer upon which this neighborhood has relied for decades. Sincerely,

June 4th, 2024

Item 4, Case 2024-00001

Good evening, my name is Curt Byron. I live at 609 North Columbus Street with my wife and three school age children. I am here tonight representing not only my family but also: Ms. Kelly Conner at 605/607 North Columbus, the Chicco Family at 611, the Stein Family at 613, the DelBagno Family at 615, Mr. Rob Luther at 617, the Andrews Family at 619/621, Mr. Brad Gebert and Ms. Lecia Pearce at 623, and Mr. John Clements at 625. Thus, except for 629 which is vacant, 631 which is church owned and just renovated, and 633 which I believe is owned and/or

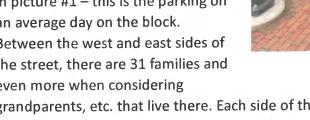
managed by the Alexandria Redevelopment and Housing Authority, I speak for the entire east side of the 600th block of North Columbus.

Bottom line up front – we oppose the proposed amendment to zoning changes. You have received several written objections that focus on the zoning language, staff reports, history of issues, and so forth. Thus, in the next couple minutes I will focus on the more human and subjective aspects.



Picture #2

For example, as you can see in picture #1 - this is the parking on an average day on the block. Between the west and east sides of the street, there are 31 families and even more when considering



grandparents, etc. that live there. Each side of the street's parking is approximately 300 feet which is 600 feet with both sides. According to multiple sources, the average length of a car is just under 15 feet. Thus, if each family owned two cars, we

require 930 feet of parking plus two feet front and back to parallel park equals 1,178 feet. If you would like to reduce it to 1.5 cars on average per family, we still require 948 feet which is over 18 cars worth. Where do we all park? Good question – wherever we can. Status quo sort of works. It's painful. But if we, more so you, added additional commercial space via rezoning...where are they parking or more importantly, where are we parking? Our second point - trash, debris, residue, smell, bugs, rodents, and unsightliness. For example, refer to pictures #2 and #3. These are pictures within the close general vicinity of our street with a commercial business involving food, etc. As you can see, there are overflowing trash bins, spilling liquid residue, broken objects, etc. My family alone on the east side of North Columbus have three young children, next door two, beside them two, beside them two, and a couple up another three. My question I pose to you for thinking on:



Picture #1

Picture #3

City of Alexandria Planning Commission Meeting 6/4/24 Remarks by Pamela Graham 530 N Columbus St owner/resident

Hello. My name is Pamela Graham. I live at 530 N Columbus St, three houses from Pendleton St. My husband and I bought the house 13 months ago. We are new to this city, but we have a fair amount of experience living in historic walkable cities. I was president of the Historic Neighborhoods Association in Petersburg VA and active with Fredericksburg Historical Foundation. The latter had numerous requests to spot-zone property within the historic district but did a good job managing growth while maintaining quality of life for the neighboring residents. As you know, It's a delicate balance which is easily upset.

In our current residential neighborhood, we are nearly completely bordered by businesses. From the alley on Pendleton off N Alfred St, all the way to Washington St, the north side is entirely commercial. We have Mas Seafood, Chewish Deli, New Pentecostal Church, Novicare Orthodontics, Alexandria Dental Center, Peak Chiropractic, two offices now closed, and Bank of America. Oh, and throw in two long on-street Metro Bus stops. There is NO designated or off street parking for any of these businesses, with the exception of the Bank. They all end into busy Washington St where parking is not allowed. I could speak about the noise problem. There are noisy middleof-the-night semi-trucks delivering to the food establishments which wake up and disturb a number of my neighbors. I could speak about the rodent problem when my next-door neighbor called me to say she'd just seen a rat nearly as big as my 4-lb dog and that I should keep a close eye on the dog outside. (I have since called the City and they've been out to abate. Here's hoping it helps.)

But tonight, I'll simply focus on the parking availability, which is our lack of it. In this few-block area, we simply don't have

sufficient parking for the residents and the current businesses. It is so bad on weekends and at noon-time that I will walk or Uber where I need to go because if I give up my street parking space, I won't find another on my block. I'm fortunate. I'm retired. I can pick and choose when I go out. Others are not so lucky. There are 9 parking places on both sides of Pendleton where the subject property along with 4 other businesses are located. That's it. And these are to serve 5 offices, their clients and employees and three residences. On Pendleton in the next block, there are 12 parking spaces to serve the deli, seafood store, a church and 7 residences. There is no parking in any of the alleys. And now you think we can throw a restaurant into the mix. The street parking situation seems somehow worse in the last couple weeks. And then I noticed something. The Bank has newly stenciled every single parking space in its lot in 8-inch letters: Bank of America Parking Only. They are clearly aware and it doesn't exist on the photos you were provided. You're conscientious commission members or you wouldn't have these jobs, so I know you've been out to check the parking situation around the subject property at various times of the day and night. If you haven't, I think you must abstain from voting tonight for lack of data to make an informed decision. The list of comparison properties and photos you received with your packet is somewhat deceiving. There is commercial relief around most of these businesses. There is only one reasonably busy restaurant, the rest are, or function like, offices. Spot zoning is bad. It hurts neighborhoods and it is lasting. No one appeals to upzone anything. Please deny this request. There are empty restaurant sites ready to go. Don't downzone another office building for busy commercial use.

I would also like to add that I am familiar with the master plan's desire to remove the proffers from certain zoning. But the way in which these businesses were allowed access in the past doesn't fit all of the master plan criteria today. So you have to carefully

consider what currently exists and does not fit new business regulations.

And further, let's not get stuck on the concept of the little neighborhood coffee and pastry shop. We all know that that can easily morphe into a sit-down breakfast, lunch & dinner establishment open into the late evening hours. Thank you.