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Kenneth W. Wire
Direct: 703.712.5362

McGUIREWOODS

Real Estate and Land Use
kwire@mcguirewoods.com

5
1-25-14
submitted by Kenneth Wire

January 24, 2014

VIA EMAIL TO jackie.henderson@alexandriava.gov

Mayor Euille and Members of City Council

City Hall

301 King Street, Suite 2200

Alexandria, Virginia 22314

RE: 220 Union

Dear Mayor Euille and Members of City Council:

On behalf of my client, Carr City Centers, LLC, I am requesting the following amendments to the recommended conditions of approval for Development Special Use Permit 2012-0019.

The project team worked with City planning and BAR staff to revise the attached project elevations to address the concerns raised by the Planning Commission. It is my understanding that staff agrees with the followings amendments to Conditions 1 and 11:

Condition 1

The Final Site shall be in substantial conformance with the preliminary plan dated October 28, 2013, **the architectural elevations shall be in substantial conformance with the elevations presented to City Council on January 25, 2014** and comply with the following conditions of approval.

Condition 11

The building design shall exhibit a high-quality architectural finish, ~~to the satisfaction of the Director of P&Z based on the concept review comments regarding the project's scale, mass and general architectural character received from the~~ **City Council on January 25, 2014** ~~OHAD Board of Architectural Review on December 18, 2013 and the comments received from the Planning Commission on January 7, 2014. In addition, the applicant shall work with the staff and the Board of Architectural Review to minimize the visual impact of the Mansard roof on the Duke Street elevation and to address the extent to which architecture and site design reflect the important design principles illustrated by the scale model prepared by the City during the Waterfront planning process, while still maintaining a financially viable project to the satisfaction of the City Manager. Final building design, including fenestration, materials and color selection, is subject to Board of Architectural Review approval of a Certificate of Appropriateness. (P&Z)(PC)~~

January 24, 2014

Page 2

The Waterfront Small Area Plan recommends a \$9.00 per square foot developer off-site contribution which is \$575,000 for the proposed project. This recommendation was based on an economic analysis that occurred before the City significantly increased the sewer connection fees and the construction costs for the project increased by nearly 15%. As such, we request the City Council not increase the contribution above what was recommended in the Small Area Plan and approve the following amendments to Conditions 105 and 106:

Condition 105

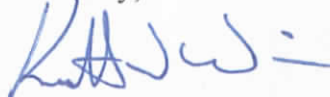
~~The applicant shall contribute \$20,000 to the City prior to Final Site Plan release towards expansion and/or operation of a bike share station in the vicinity of the project as part of a coordinated bike share program. * (T&ES)~~

Condition 106

Pursuant to the Waterfront Small Area Plan, provide a monetary or in kind contribution of ~~\$675,000~~ **\$575,000** to be used for off-site improvements to the existing and planned public spaces, including Point Lumley Park, between Union Street and the Potomac River. These contributions shall be due prior to the issuance of the final certificate of occupancy for the building.

We look forward to discussing the requested amendment with you at tomorrow's City Council hearing.

Sincerely,



Kenneth W. Wire

cc: Mark Jinks, Deputy City Manager
Faroll Hamer, Planning Director

5
1-25-14

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January 24, 2014

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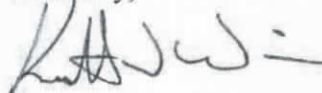
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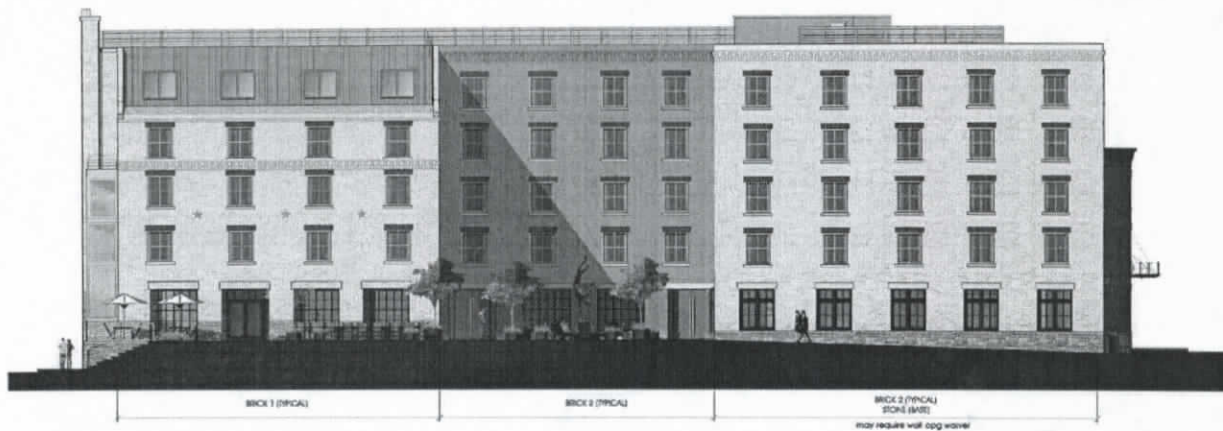
We look forward to discussing the requested amendment with you at tomorrow's City Council hearing.

Sincerely,



Kenneth W. Wire

cc: Mark Jinks, Deputy City Manager
Faroll Hamer, Planning Director



UNION STREET AND COURTYARD ELEVATIONS

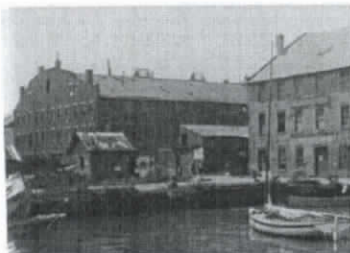
CUMMINGS SITE HOTEL

220 South Union Street
Alexandria, VA 22314

11.012



1.15.14



HISTORIC PRECEDENT FOR FENESTRATION

DUKE STREET AND STRAND ELEVATIONS
CUMMINGS SITE HOTEL

220 South Union Street
Alexandria, VA 22314

11.012



1.15.14



Carr City Centers



Corner of Union and Duke



Union Street



Union Street



Duke Street



The Strand



The Strand



The Strand



Master Plan Development Guidelines

- Active uses on The Strand and Union Street
- Mixed-Use
- Enhanced Streetscape
- Midblock Passages and Alleyways
- Open space
- Public Art
- Below Grade Parking
- 3.0 FAR
- 50 feet with SUP

The Model, pages 84-85

Each SUP for a restaurant, hotel, entertainment, or other commercial use on the waterfront must be reviewed , and appropriate findings made, according to the following guidelines:

4(b)(xi) The extent to which the architecture and site design reflect the important design principles illustrated by the scale model prepared by the City during the Waterfront planning process, including alleys as view corridors; design elements that minimize the impacts of height, such as setbacks above the third story along Union Street and incorporation of the top story within a roof form; and small foot print buildings instead of large “superblock” Development.”

Evolution of Hotel Design

150 rooms in SAP - 125 rooms first proposed - now 120 room hotel

Less than 3.0 FAR

Carriageway on South Union Removed

Removal of Transformer from open space plaza

Accommodate Raising The Strand

Multiple Architectural Studies

The Strand Elevation



Duke Street Elevation At Planning Commission



Current Duke Street Elevation





South Union Street Elevation



Courtyard Elevation



Courtyard



Courtyard



Hotel Facts

High Quality Hotel

Significant New Tax Revenue of over \$750,000 per year

Off Peak Traffic

Public Open Space

\$9 per square foot developer contribution to off-site improvements

\$1.50 per square foot affordable housing contribution

220 South Union

Questions or Comments ?

Prior Strand Elevation



Prior Duke Street



Prior Union Street



Prior Courtyard



SPEAKER'S FORM

DOCKET ITEM NO. 5

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Kenneth Wise
2. ADDRESS: 1750 Tysons Blvd
TELEPHONE NO: 703-712-5322 E-MAIL ADDRESS: KWise@Mega-woods.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: ☒ AGAINST: ☐ OTHER: ☐
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES ☒ NO ☐

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

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

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

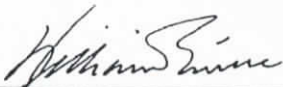
CITY OF ALEXANDRIA, VIRGINIA

Guidelines for Honest Civic Discourse for those Participating in Meetings in the Council Chamber

Members of the Alexandria community, its elected officials and City staff place a high value on constructive and thoughtful debate on public issues. To this end, all who participate in meetings in the Chamber, including public officials, staff and members of the community, are expected to observe the following guidelines.

1. Treat Everyone with Respect and Courtesy
2. Do Your Homework – Be Prepared and Be Familiar with the Docket
3. Express Your Ideas and Opinions in an Open and Helpful Manner
4. Be Respectful of Others' Time by Being Clear and Concise in Your Comments and/or Questions
5. Demonstrate Honesty and Integrity in Your Comments and Actions
6. Focus on the Issues Before the Decision Making Body – Avoid Personalizing Issues
7. Listen and Let Others Express their Ideas and Opinions
8. If a Decision is Made with which You Do Not Concur, Agree to Disagree and/or Use Appropriate Means of Civil and Civic Recourse, and Move On

Adopted by the Alexandria City Council on October 12, 2004.



William D. Euille, Mayor

**A statement by Bert Ely to the Alexandria City Council
urging Council to deny a DSUP for the Carr hotel proposal**
January 25, 2014

5
1-25-14
submitted by
Bert Ely

Mr. Mayor and members of Council, I am Bert Ely, a c-chair of Friends of the Alexandria Waterfront, or FAW. I am here this morning to express FAW's continued opposition to the construction of a hotel on the Cummings property at Duke and South Union, especially one as massive as that proposed by Carr Hospitality.

Before explaining why FAW continues to oppose this project, I want to ensure that members of Council have received a letter from Roy Shannon, the attorney for the Iron Ladies, placing the City on notice that his clients intend to file a Notice of Appeal with the Supreme Court of Virginia appealing a recent order of the Alexandria Circuit Court dismissing a lawsuit seeking to have declared void the Council ordinance amending the W-1 zone that would allow hotels as a permissible land use in the W-1 zone as well as increased height and density. Attached to my statement is a copy of Mr. Shannon's letter, which was sent to the City's attorneys yesterday.

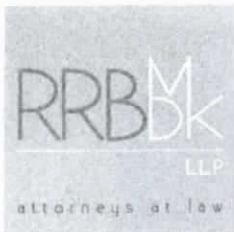
Given the pending appeal, Council should defer taking any action today to approve the DSUP and related SUPs and Encroachment for the proposed hotel. As a practical matter, Carr will find it extremely difficult, if not impossible, to obtain construction financing for a hotel as long as the Supreme Court appeal is pending. However, if Council decides to act today on the DSUP and related measures, FAW strongly urges Council to trim the size of the hotel by reducing the permissible FAR on the Cummings property from 3.0 to no more than 2.5 or even to 2.0, which is the maximum FAR currently allowed on this property if it was developed under the current by-right zoning as a mixed-use development of residential and commercial activity.

As you have heard before and will hear again and as the Planning Commission and the BAR have heard, there is a broad consensus that the building which would house the proposed hotel is simply too massive in size and scale relative to nearby existing buildings and what is likely to be developed across Duke on the south Robinson Terminal site. Further, a hotel of the size proposed, including the proposed 120-seat restaurant, will generate far more parking demand at peak hours than the hotel's parking garage can accommodate, thereby increasing parking demand on nearby streets and garages that already are full at peak times.

As many have noted, the development of the Cummings site will set a pattern for the development of other parcels along the Alexandria waterfront, notably the two Robinson Terminal sites. Therefore, it is extremely important that Council set the proper tone for redevelopment of the entire waterfront by approving a first-class project for the Cummings property. Carr's proposed hotel will not set the proper tone, or even come close.

In closing, I again urge you to not approve the proposed DSUP or if you do, to trim the maximum FAR so as to force a significant downsizing of the hotel to a more reasonable building mass.

Thank you for your time today. I welcome your questions.



RICH
ROSENTHAL
BRINCEFIELD
MANITTA
DZUBIN &
KROEGER, LLP

January 24, 2014

Via Facsimile, First Class Mail and Electronic Mail:

Mayor Euille, Members of the City Council, and City Manager
c/o John Wilburn, Esq. and Anastasia Cordova, Esq.
McGuireWoods, LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102-4215
jwilburn@mcguirewoods.com
acordova@mcguirewoods.com

**Re: Saturday January 25, 2014, Docket Item 5, DSUP12-019
April Burke, et al. v. City Council for the City of Alexandria**

Dear John and Anastasia:

Please take note that this letter is addressed to you and your Firm, as James Banks, the City Attorney, has informed our office to work with you and your firm on this matter. We, therefore, direct you to forward this letter to the City Council and appropriate parties in order for this letter to be made a part of the public record on the above matter and to be considered by the Council prior to their deliberations.

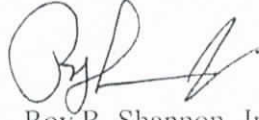
As you are aware, our office represents the Plaintiffs in the above pending lawsuit in the Alexandria Circuit Court. The purpose of the letter shall serve as their notice to inform you together with the Mayor, the City Manager, the Applicant and the City Council that my clients intend to file a Notice of Appeal with the Supreme Court of Virginia, appealing the Court's Order of January 23, 2014 sustaining the Defendants' Demurrer and dismissing the case. As the City Council is currently set to review and vote on Docket Item # 5 DSUP12-019 (the Cummings Hotel Project) on Saturday, January 25, 2014, my client's appeal and subsequent appellate proceedings will significantly impact the Project and therefore should be considered by the Council prior to their vote.

As you are aware the pending lawsuit and appeal seeks to declare the passage of the Text Amendment to the W-1 zone void. The Text Amendment to the W-1 zone that is being challenged currently allows "hotels" as a use and increases the allowable height and density for the W-1 zone. If the Plaintiffs are successful in their appeal, the proposed hotel would not be allowed under the current zoning, thus this Cummings Hotel would not be permitted at this location, 220 South Union Street. If an applicant wanted to proceed with building a hotel at this site, then it would need to also apply for a map amendment asking the Planning Commission to

amend the map, changing the zone from a W-1 to a zone that allows hotels, as well as increases the allowable density and height restrictions to accommodate a hotel.

If you have any questions, please feel free to reach me on my cell phone.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy R. Shannon, Jr.", with a stylized, cursive script.

Roy R. Shannon, Jr.

cc: James Banks, City Attorney (James.Banks@alexandriava.gov)
Kenneth Wire, Attorney for Applicant (kwire@mcguirewoods.com)

1-25-14

submitted by *Deanne*
Savitch

Today: Duke Street (looking Northward)



Today: Duke Street (looking Northward)



After: Mock Up/ Fifty Foot Building /South Union & Duke Street (Looking North)



After: Mock-up Fifty Story Building: Looking Eastward on Duke



5
1-25-14
submitted by
Michael Jennings

MEMORANDUM

To : City of Alexandria City Council
William D. Euille, Mayor william.euille@alexandriava.gov
Allison Silberberg, Vice Mayor allison.silberberg@alexandriava.gov
John T. Chapman john.taylor.chapman@alexandriava.gov
Timothy B. Lovain timothy.lovain@alexandriava.gov
Redella S. Pepper del.pepper@alexandriava.gov
Paul C. Smedberg paul.smedberg@alexandriava.gov
Justin Wilson justin.wilson@alexandriava.gov

From : Michael V. Jennings emichaeljennings@gmail.com

Subject : 220 South Union Street – Cummings Hotel Docket Number 5

Date : Friday, January 24, 2014

Good Morning, Mr. Mayor, Madam Vice Mayor and members of Council, my name is Michael Jennings. My wife, Chantal, and I have lived at Ten Potomac Court on the south side of the one hundred block of Wolfe Street since 1975. Our home overlooks both the Robinson Terminal South as well as the townhomes at Harborside. During the week, I utilize South Union Street to drive and from to my office on North Pitt Street so I am reasonably familiar with the traffic flow and commercial use of South Union Street on both the south and north sides of 220 South Union Street. Every morning there are restaurant delivery trucks blocking one lane of the street and most afternoons the Federal Express and UPS trucks do so as well. As you can well imagine, with this amount of congestion already impacting South Union Street, adding more delivery trucks and taxi cabs will only make the situation worse.

I would first like each of you to try and visualize the mass and scale of what the developer is proposing for this rather small approximately one-half acre site :

- 1 floor of underground parking; and
- 5 floors of above grade building.

Assuming the height of the underground floor will be at least 8 feet, this project will occupy almost 950,000 cubic feet of space ! The 50 foot building will dwarf the townhomes to the west of the site, robbing them of their morning sunlight, and may not integrate very well with whatever development ultimately occurs on the Robinson Terminal South site immediately across Duke Street.

Secondly, I think the proposal of using two of the existing parking spaces on South Union Street to accommodate the arrival of all guests for a 120 room hotel and a 120 seat restaurant is, quite frankly, evidence of the developer's lack of concern for adjacent property owners and street traffic. I strongly urge City Council to send the developer back to the drawing board by insisting on an off street entrance, that can accommodate at least four vehicles at any one time, being located on Duke Street and not on Union Street. Even Morrison House, with only 45 rooms, provides this benefit to its neighbors. If this is not done, I can assure you that double parked taxicabs and vehicles awaiting valet parking will make the 200 block of South Union Street impassable at times.

In closing, I would also respectfully ask you to cogently consider : (i) reducing the proposed building height and floor area ratio; and (ii) deferring this decision until it can be coordinated with the re-development of the Robinson Terminal South parcel.

I will be pleased to answer any questions you may have.

5
1-25-14
submitted by
Charles Trozzo

Mayor, Vice Mayor and Members of City Council

I am Charles Trozzo; I have lived at 209 Duke Street for the past 35 years. I have been a resident of Alexandria since 1965.

I appreciate the opportunity to speak before you today.

OTHERS HAVE AND WILL SPEAK IN OPPOSITION TO THE MASS, SCALE, AND FLOOR PLANS FOR THE PROPOSED HOTEL AT 220 SOUTH UNION STREET; I GENERALLY SUPPORT THOSE POSITIONS.

HOWEVER, I WANT TO LIMIT MY ATTENTION HERE TO THE TREATMENT OF DUKE STREET UNDER THE PROPOSAL BEFORE YOU.

I HAVE PASSED OUT COPIES OF TWO PAGES FROM THE WATERFRONT SMALL AREA PLAN. THESE SHOW THE EXISTING AND PLANNED CONNECTIONS TO THE RIVER ALONG THE WATERFRONT AREA. THESE ARE VERY IMPORTANT BECAUSE THEY CONSTITUTE THE VISUAL AND PHYSICAL ACCESS POINTS THAT RESIDENTS, VISITORS AND TOURISTS WILL HAVE TO THE POTOMAC.

HOW THE PRESENT PROPOSAL WILL AFFECT THE VISUAL AND PHYSICAL ACCESS PROVIDED BY DUKE STREET WILL SET A PRECEDENT FOR ANY FUTURE PROPOSAL. OBSTRUCT THAT ACCESS IN ANY WAY

ALONG DUKE STREET AND ACCESS WILL BE UP FOR GRABS AT ANY OR ALL OF THE CONNECTIONS UP AND DOWN THE WATERFRONT.

THE LAST OLIN PLANS THAT I'VE SEEN INDICATE TO ME THAT THEY ALSO SEE THE VALUE OF THESE CONNECTIONS IN PROMOTING THE ATTRACTIVENESS OF THE OVERALL ALEXANDRIA EFFORT TO MAKE OUR WATERFRONT A DESTINATION LOCATION.

CURRENTLY, THE PLAN CALLS FOR ALL PICKUPS AND DELIVERIES OF TRASH, RECYCLABLES, RESTAURANT FOOD SUPPLIES, LAUNDRY, HOTEL MAINTENANCE MATERIALS, WINE, LIQUOR, BEER AND WATER SUPPLIES, AND PROBABLY MORE, BE MADE ON DUKE STREET.

I SUBMIT THAT THAT CONSTITUTES A HEAVY VOLUME AND VISUALLY OBJECTIONABLE OBSTRUCTION TO THE VIEW AND PHYSICAL ACCESS TO THE POTOMAC ALONG DUKE STREET FROM AS FAR WEST AS LEE STREET.

CURRENT CONDITIONS ON THESE DELIVERIES AND PICKUPS DO NOT PROVIDE ADEQUATE PROTECTION OF THE ACCESS THAT SHOULD BE AVAILABLE TO RESIDENTS, VISITORS AND TOURISTS.

AND THE PLANNED ACCESSES TO THE NORTH OF THE PROPOSED HOTEL ARE NOT IN ANY WAY

REPLACEMENTS OR SUBSTITUTES FOR THE DUKE STREET ACCESS. THE TWO SHOWN EXTEND ONLY EAST OF UNION STREET, BORDERED ON THEIR WEST ENDS BY STRUCTURES, INSTEAD OF THE LONG VISTA TO THE WATER FROM FARTHER WEST ON DUKE STREET.

STAFF RECOMMENDATION 40A (PAGE 35) DOES NOT GO FAR ENOUGH TO PROTECT THE DUKE STREET VISTA AS IT SHOULD BE.

STAFF RECOMMENDATION 100 (PAGE 45), AS STATED, ALLOWS DELIVERIES AND PICKUPS FROM 7 A.M. TO 11 P.M. WHILE THIS MIGHT STEM NOISE FOR THE LOCAL RESIDENTS DURING SLEEPING HOURS, IT IS SO OVERLY PERMISSIVE THAT RESIDENTS, VISITORS, AND TOURISTS MIGHT WELL BE FORCED TO ENGAGE IN THE CONTACT SPORT OF TRUCK AVOIDANCE WELL PAST DINING OR RIVER VIEWING TIME.

I SUBMIT FOR YOUR CONSIDERATION AND ADOPTION DECREASING THE PERIOD DURING WHICH DELIVERIES AND PICKUPS MAY BE MADE TO THE HOURS BETWEEN 7 A.M AND 11 A.M. STRICT SCHEDULING OF THE ARRIVALS FOR DELIVERIES AND PICKUPS SHOULD BE IMPOSED ON THOSE ENGAGED IN THIS TRAFFIC ALONG WITH

**THE PROHIBITION OF THE LOITERING BY TRUCKS
ON THE ADJACENT STREETS.**

THANK YOU FOR YOUR ATTENTION TO THIS MATTER.

Figure 6a: Connections - North Section

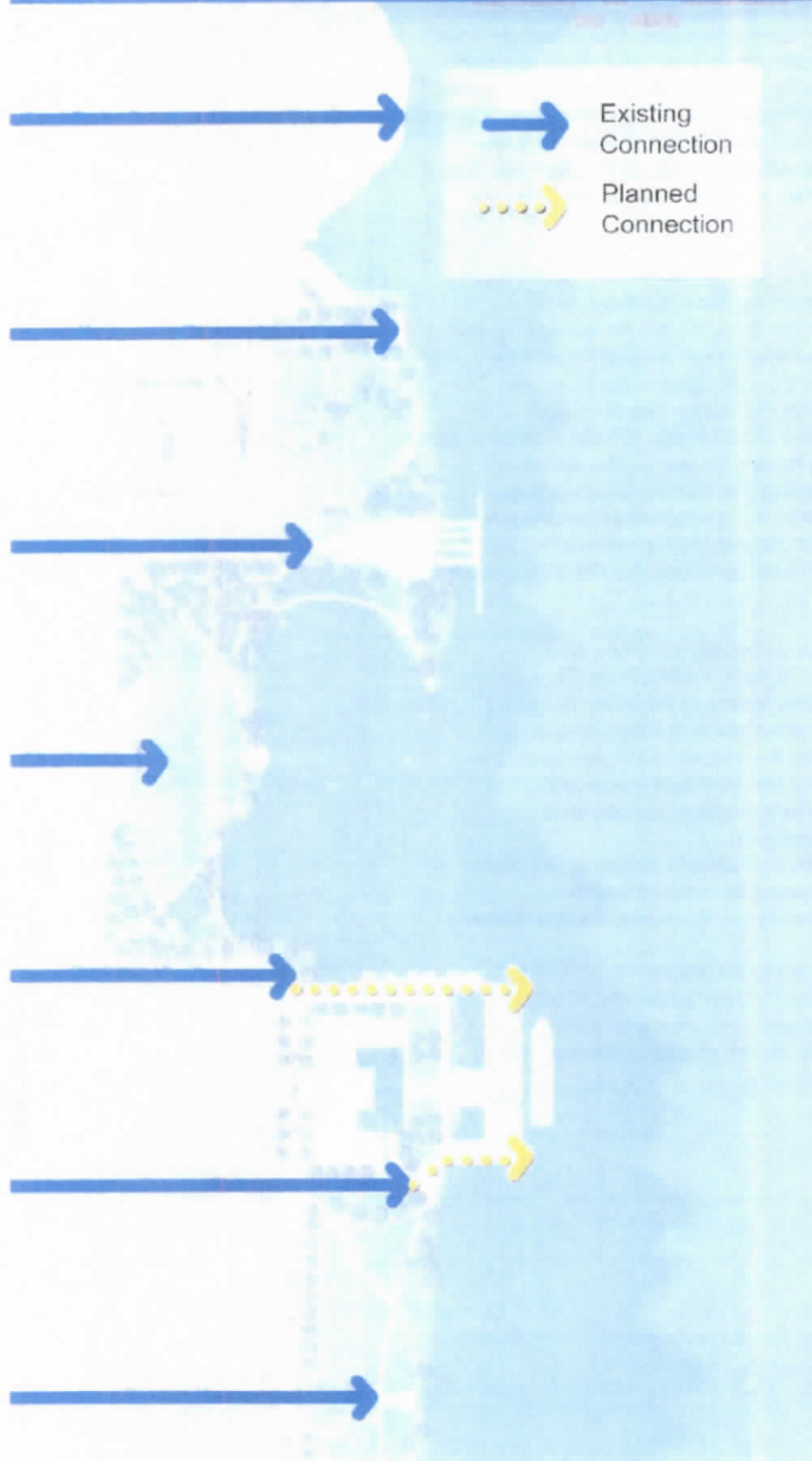
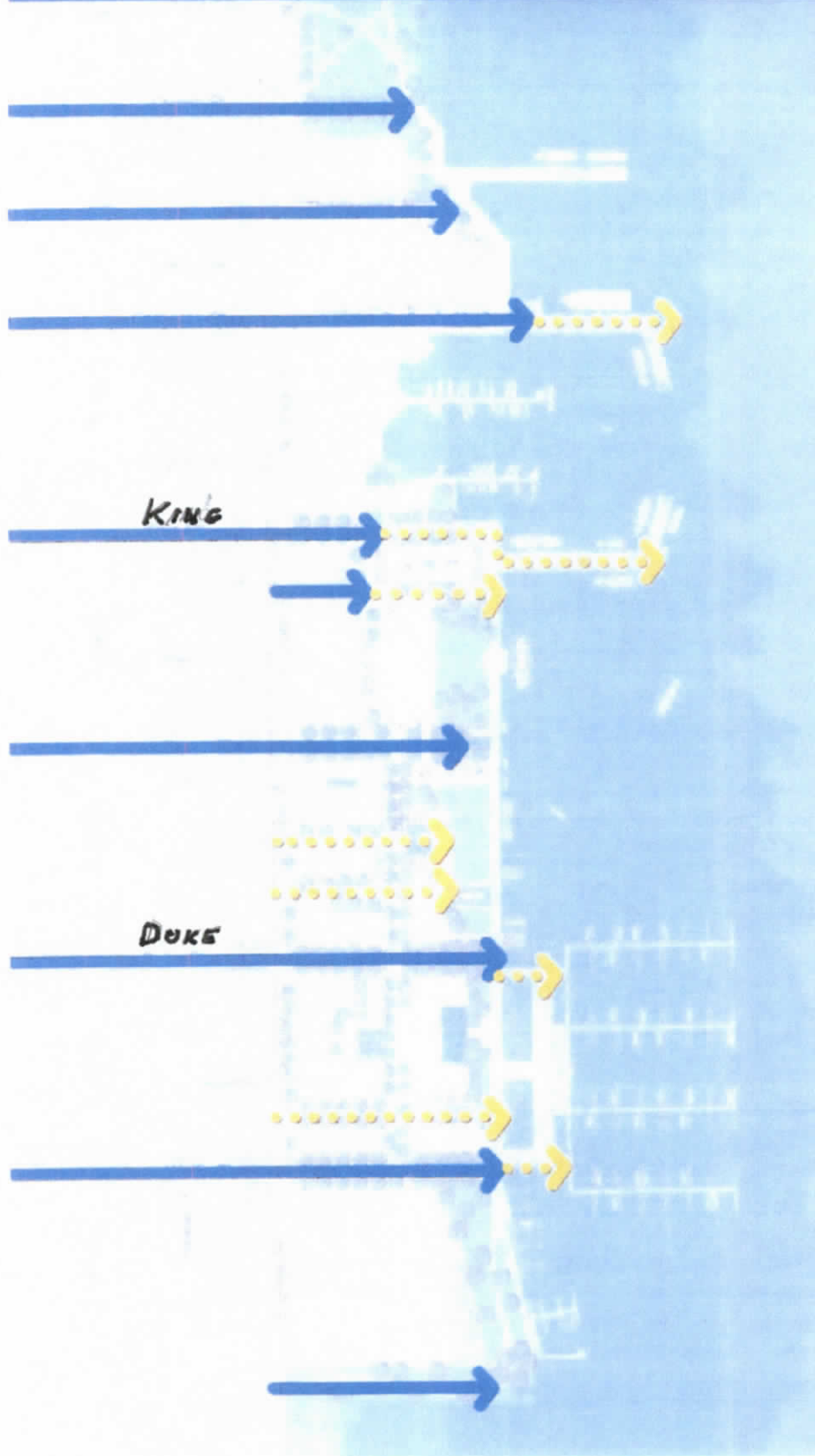


Figure 6b: Connections - South Section



Waterford Place Homeowners Association
318 South Union Street
Alexandria, Virginia 22314

January 24, 2014

By Hand Delivery and Email

Mayor William Euille
Vice Mayor Allison Silberberg
Councilman John Chapman
Councilman Timothy Lovain
Councilwoman Del Pepper
Councilman Paul Smedberg
Councilman Justin Wilson
City Hall
301 King Street
Alexandria, Virginia 22314

**Cummings-Turner Block Development Project and the
Carr Application for Development Special Use Permit 2012-0019
To Build a Hotel and Restaurant on the Cummings Property at 220 S. Union Street**

Dear Council Members:

The Waterford Place HOA (WPHOA) represents the owners of 36 homes located on the 100 block of Duke Street, the 300 block of South Union Street, and the 100 block of Wolfe Street. As Waterford Place residents, we live, work, shop, and raise our families in Old Town and, understandably, have concerns about the impact the Cummings-Turner Block Redevelopment project will have on our neighborhood. This project in the 200 block of S. Union Street, and the adjacent planned redevelopment of Robinson Terminal South, both sit directly across the street from, or adjacent to, our properties. Together, we walk, drive, and bike along these blocks regularly as we travel to and from our homes. These projects are not only part of our neighborhood, as a practical matter they will be our front and back yards. As such, the development of these properties will significantly impact the safety and quality of our lives.

The City Council's action on the pending application by Carr Hospitality for a special use permit (SUP) to build a hotel on the Cummings Property on the corner of Duke and S. Union Streets will not only set a precedent for the rest of the Turner-Cummings and Robinson Terminal South development, but also for the remaining undeveloped portions of the waterfront. And, while the project affects our immediate lives, most decidedly it will have substantial ramifications on the rest of Old Town. These consequences will extend into the foreseeable future, leaving an indelible footprint on a critical swath of the waterfront. What is built on this site will shape the behavior of those who live here, work here and play here.

We choose to live in Old Town because we love its historic nature, architectural beauty, waterfront vistas and the family-oriented lifestyle it affords us. The WPHOA feels strongly that our neighborhood remain a safe, beautiful, and relatively quiet historic place where we can enjoy the things we love about Old Town, and where our children can continue to safely play outside and ride their bikes along Union Street. One of our foremost concerns is that the development must adhere to the existing ordinances concerning minimum parking spaces, height limitations and other building and design features that are intended to

preserve the architectural integrity and safety of our community. Exceptions to these standards should be approved only if they present no adverse impacts on the "character and enjoyment of nearby neighborhoods," as required by the Waterfront Small Area Plan. We feel that the proposed SUP exceptions to required on-site parking, maximum building height, and requirement for accommodation of all service needs on-site will have significant adverse impacts and should not be approved.

In preparation for the public hearing on the Carr application, we have attempted to ensure that we have the most up-to-date information about the proposed project. To that end, we have carefully reviewed the Planning Commission's recommendations and the Staff Report to City Council, including the proposed conditions on approval. Although we appreciate the careful work both have done to conform the project to the goals of the Waterfront Small Area Plan Policy for Restaurant/Hotel Uses and to identify ways to minimize the impacts of this proposed project on the neighborhood both during construction and after, we feel the Carr application falls short.

Certainly, our concerns are expressed relative to the circumstance we directly face, but they reflect a broader set of issues. We recognize that while we may not change the City's resolve to approve construction of a hotel on the Cummings Property, we want to ensure that whatever is built will preserve an environment that all of us in Old Town hold dear. It is for these and other reasons that we bring our concerns about the Carr SUP 2012-0019 to your attention, in a spirit of collaboration and cooperation:

Proposed Building Mass and Scale

WPHOA is concerned that the Developer and City Staff have justified a hotel on a site that is too small to economically accommodate a hotel, restaurant, and related services, and notes the substantial variances proposed from current zoning and planning requirements. The Waterfront Plan explicitly calls for maintenance of a building scale "compatible with existing fabric" across the street (Plan at 100). Like some members of the Board of Architectural Review (BAR) and Planning Commission, and all of those presenting testimony at the January 7, 2014 Planning Commission meeting, we feel that the proposed allowance of a 50-foot building height (with addition of chimneys, pediment, and mechanical equipment above 50 feet) results in a structure that is simply too big for the proposed half-acre site. Although we understand that the applicant and City staff continue to adjust the design to try and make the building look smaller and more historic, adjustments to window shape and roof slope cannot make a boxy five-story building topped with screened mechanical equipment look like it fits on this relatively small plot of land adjacent to a historic residential neighborhood. Moreover, we do not find compelling the rationale provided by City Staff, in that the scale of the building is not compensated by additional significant setbacks, open spaces, or view sheds.

By way of illustration, we attach photographs of the proposed site from various vantage points on historic Duke Street and South Union Street, including those taken from the vantage our own windows. We respectfully disagree with the conclusion reflected in the Staff report that the building's presence along Duke Street is less significant to the existing neighborhood than the view from South Union Street. As clearly shown in the attached photographs, residents of Waterford Place, as well as cars and pedestrians approaching the site from Duke Street and traveling along Duke Street to Point Lumley Park, have a clear view of the entire elevation along Duke Street. This impact along Duke Street is just as important, or perhaps more so given its role as a gateway to the waterfront. In short, the proposed structure, which will be significantly more than twice the height of the existing warehouse and taller than any other building in the immediate vicinity, will detract from the historic vista leading to the redesigned Point Lumley Park and overwhelm the surrounding residential neighborhood.

The Planning Commission's suggested Condition 11 to require that the proposal be adjusted at a minimum to conform to the scale of the building anticipated by the Waterfront Plan model (i.e., only a

four-story structure) is a step in the right direction but falls short by suggesting that the applicant's analysis of the financial viability of the proposed hotel project could take precedence over conformance with the plan. We could find no reference in the City's adopted policy on hotel/restaurant use to allow the consideration of financial viability as a criterion for approval of a SUP. We urge the Council not to make a decision based on a single applicant's assertions of the financial viability of redevelopment under its preferred business model. The proposal should be judged solely on its own merits and consistency with the plan. Although we are as anxious as anyone to see a good development project proceed expeditiously on this site so that our neighborhood will be improved, as currently structured, this project is simply too big for the proposed site. We are confident, however, that another project (even a hotel project) that is more compatible with this site will be proposed by this applicant or another, and we are willing to wait for it.

Open Space/Landscaping – The Proposed Alley

The Waterfront Plan specifically calls for at least two mid-block breaks between new buildings on the Cummings parcel and the adjacent Turner parcel to the north, with public space and addition of street trees (Plan at 101). The adjacent Turner parcel currently contains a single-story flounder-style retail building and a parking lot that also serves the adjacent historic warehouse and retail buildings to the north. The plan calls for a third alleyway to be opened on the parcels on the far northern end of the block.

The applicant proposes to satisfy its obligation under the plan by providing a 10-foot wide pedestrian alley on the north edge of the site starting on South Union Street that expands into a courtyard and area for outside seating at the proposed restaurant site near the Strand. Although everyone appears to agree that a 10-foot wide alley is not what the Waterfront Plan envisions, the assumption is that at some point in the future the alley would be widened to 20 feet by requiring the future developer of the smaller adjacent Turner property to the north to match the alley's width on the adjacent land. However, because there is no current proposal for development of that property, it is impossible to know if or when the alley will be widened.

We believe that the 10-foot alley is insufficient to improve access and views to the water as the Waterfront Plan envisions. The narrow alleyway, even if duplicated on the Turner property, will not accomplish the goal for a wide vista that would open up the waterfront to the street, nor will it adequately compensate for the sacrifice of the Duke Street streetscape and the entrance to Point Lumley Park for the hotel's loading docks and parking garage. WPHOA requests that the applicant be required to provide a full 20-foot alley as part of its proposed project either on the existing parcel or by purchasing additional land. Alternatively, WPHOA suggests relocating the loading dock to a wider alleyway for delivery and service to the hotel and restaurant on the north side of the proposed building, in lieu of the narrow pedestrian alleyway proposed. WPHOA notes that since the Cummings-Turner site was not developed as one scheme, delivery and service for any development on the Turner site could share the alleyway service access.

Duke Street and the Loading Dock and Taxi Stand

Duke Street is a historic street and one of the benefits of redevelopment is improvement of the street's end point to restore its character. Nonetheless, the applicant proposes that this block be the location for both a taxi stand and a loading dock. This is in addition to a parking garage entrance that eventually will serve all of the underground parking on the Cummings-Turner block.

To attempt to conform to the City's policy on hotel uses that all service needs be screened and accommodated on-site, the Planning Commission recommended a condition requiring that all loading/unloading occur on-site within the proposed loading dock (although it does not require that the

doors be closed during loading and unloading). We concur with this recommendation as a minimum condition, but request that the City further consider whether the loading dock itself can be moved to a less conspicuous and less historic location, potentially in the alleyway on the north side of the property. As noted above, the entire expanse of the proposed building on Duke Street is clearly visible all the way up the 100 block of Duke Street.

We are also concerned that inadequate loading dock space will inevitably result in services not being screened and delivery and service vehicles will back up on the public streets. The proposal only includes one loading dock, despite current requirements for four loading docks. There is no justification for this decision in the Staff's report, other than that it cannot be accommodated in the footprint of the proposed building spaces (pages 14 and 15).

We also request that the SUP make clear that wherever the loading dock is located, the hotel is absolutely prohibited from accepting deliveries anywhere in public right-of-way on that street and trucks not be permitted to queue on the street awaiting access to the loading dock. The fact that a truck may be too big to fit easily in the loading dock should provide no exception to the on-site requirement.

Even if the actual loading/unloading is successfully screened, the act of accessing the loading dock will itself be noisy (with the beeping of back-up warning alarms), and disruptive of both the view and activity leading into the park. The applicant testified before the Planning Commission that it expects daily deliveries of clean linens, food, and beverages, and pickup of dirty linens, trash, and recycling totaling somewhere between five and nine trucks a day. Under the current proposal, the only condition is that deliveries not occur between 11:00 p.m. and 7:00 a.m. We believe these restrictions are insufficient. No deliveries should be allowed on Duke Street after normal business hours (i.e., after 4:30 p.m.), or on weekends.

With respect to the proposed taxi stand, such an operation on the corner of South Union Street and Duke Street is inconsistent with the historic nature of the block and the surrounding residential neighborhood. As a result, if taxi services are needed for the hotel, the taxis should be located at a remote location and called when needed for pickup. Taxis dropping off guests should use the on-site driveway provided by the applicant. At a minimum, there must be strict limits to one taxi vehicle at a time, and restrictions on idling vehicles.

Traffic Flow and Parking

Two additional elements central to the City's policy on hotel use are to mitigate the potential for undue congestion of pedestrians or vehicles, and the need for parking for visitors, customers, and employees on site (Plan at 85). Yet, the proposed project would allow the hotel to use a public right-of-way currently in the middle of one of the busiest bike paths in the country for valet parking, and would grant the applicant an exception to the minimum requirements for on-site parking. We oppose both aspects of the proposal.

Even without any new development, the 200 block of South Union Street and the intersection with Duke Street is among the most congested in the historic district, if not the entire City. This is especially true during the summer and on weekends, when commercial vehicles (including service vehicles and tour buses), private vehicles (both local and visiting), pedestrians (including families with children, strollers, and dogs on leashes), and biker riders (both the experienced and novice) converge on the area and compete for use of the public right-of-ways. We respectfully disagree with the City Staff report which asserts "(t)he intersections immediately adjacent to the site, which are all-way stop controlled, have ample excess vehicle capacity during the peak hours." The Staff have, perhaps, addressed traffic congestion and delays, rather than safety, as pedestrians, cyclists and vehicles already heavily use this intersection. The applicant estimates that the hotel will generate 80 a.m. peak hour trips and 84 p.m. peak hour trips a day.

Many of these may be concentrated during check-in and check-out periods. Some of these guests will arrive by taxi and some by car. Some may approach the hotel from Duke Street or from the south, but many likely will arrive from the north. The proposal to accommodate this additional traffic using two valet parking spaces in the already congested public right-of-way and oriented to accept vehicles arriving only from Duke Street or the south is inadequate. It is not difficult to image what would result if cars arriving from the north must reverse direction, if taxis stop in the southbound lane to let passengers pay and disembark, or if despite the valets' best efforts even one car is forced to double-park. The result is not only grid lock for the block and surrounding area, but disruption of travel on the bike path as well with families and children stopped with their bikes in the middle of the road until it is safe to pass. The applicant's proposal to shift traffic at the end of the block by moving parking from the west side to the east only compounds the problem.

Consistent with the policy of requiring that the hotel accommodate all services on-site and out of the public right-of-way, the Council should require the applicant to provide an on-site driveway sufficient to accommodate traffic arriving from both the north and south and an area large enough to allow guests to embark and disembark safely without disrupting the traffic in the road, on the sidewalk, or in the bike path.

WPHOA has substantial concerns that the loss of parking, coupled with the impacts of the hotel and restaurant, will further exacerbate an already stressed parking situation in the immediate vicinity of our homes. We do not find the parking study presented by the Developer persuasive; the applicant's study of other hotels is not representative of the unique location of the proposed project or of the peak summer demand (the study referred only to information collected over one two week period at an unspecified time of year and location). We note that the City's own studies have revealed that street, surface lot, and public garage parking in the immediate vicinity of the site is "effectively full" during evenings and weekends. Many of the cars currently traveling down Duke Street and South Union Street are looking for parking. Even if off-street parking is available for a fee, most people will not pay for parking until they are certain that there is no free parking space left on the street.

Further, there has been no consideration or study of the impacts of a new restaurant on parking in this specific area, near the edge of the CBD. We note that the proposed restaurant will be the southern-most retail establishment along The Strand/South Union Street corridor.

The proposed development nets zero new parking spaces for the public by adding spaces along the unit block of Duke Street to compensate for spaces lost on the west side of South Union Street. However, there is no compensation for the 35 paid public spaces currently provided by the Solo garage in the 200 South Union Street warehouse building. Most WPHOA residents park a vehicle daily on the streets surrounding our neighborhood and provide their guests temporary parking permits to park when they are visiting. The impact to street parking caused by the loss of this many spaces will have a substantial detrimental impact on our residents' quality of life and the livability of our neighborhood.

In addition to the imposition of the current Code requirement to provide 87 spaces in the proposed hotel, the City should require the applicant to validate hotel and restaurant guests parking in nearby public and private parking garages. We also believe that further study of the impacts to residential parking, of proposed hotel, retail and restaurant uses contemplated in the Waterfront Small Area Plan is required prior to granting the Special Use Permits.

In any event, to ensure that sufficient street parking remains available to residents, the City should designate all purely residential streets within a one-block area of the hotel site (i.e., the 100 blocks of Prince Street and Duke Street and the 300 block of South Union Street "residents only" parking after 5:00 p.m. and on weekends. Such a designation would mitigate the impacts of higher traffic volumes from the

hotel and restaurant and be consistent with the fact that the project, which reserves the garage for the exclusive use of hotel and restaurant guests and employees, does not comply with the City's policy of requiring that parking garages be operated so that they are open to the public at peak times (Plan at 85).

Construction

There is no question that construction will be disruptive to the neighborhood, and we appreciate the proposed requirements that the applicant: (1) ensure that sidewalks remain open, (2) provide free off-street parking for all construction workers, and (3) meet with adjacent property owners and civic associations to review these points as well as the hours and overall schedule for construction. We feel, however, that it is not enough to simply be informed of construction hours. Construction should be limited by permit to normal business hours and weekdays. In addition, no delivery of equipment or building materials should be allowed during morning and evening commuting times or weekends. The permit also should prohibit the closing of South Union Street to vehicle or bike traffic at any time, even temporarily. With respect to removal of construction debris and fill material, we believe that can best be accomplished by barge and request that such a condition be included in the SUP. In the alternative, the applicant should be limited to one truck per hour on of the local streets, and be required to use covered trucks to avoid unintentional spillage of dirt, rocks, or debris.

Construction also has the potential to result in air pollution, particularly fugitive dust, and rodent infiltration into the sewer system. The SUP should be modified to require preparation and implementation of a fugitive dust plan that includes screening of pedestrian areas and watering of dust generating activities. It also should require a rodent control plan.

In summary

Like other citizens of Alexandria, we are hopeful about the potential for significant improvements in the waterfront and feel that if redevelopment is approached correctly it will enhance the entire city. Conversely, if it is approached without sufficient care and attention to the issues we describe above, it will have the opposite effect. We believe that the current proposal is not workable within the guidelines of current Plans and requirements, and request that the Council deny the SUPs. However, we also stand ready to work further with the developer and City Staff should the applicant propose alternatives to address our concerns.

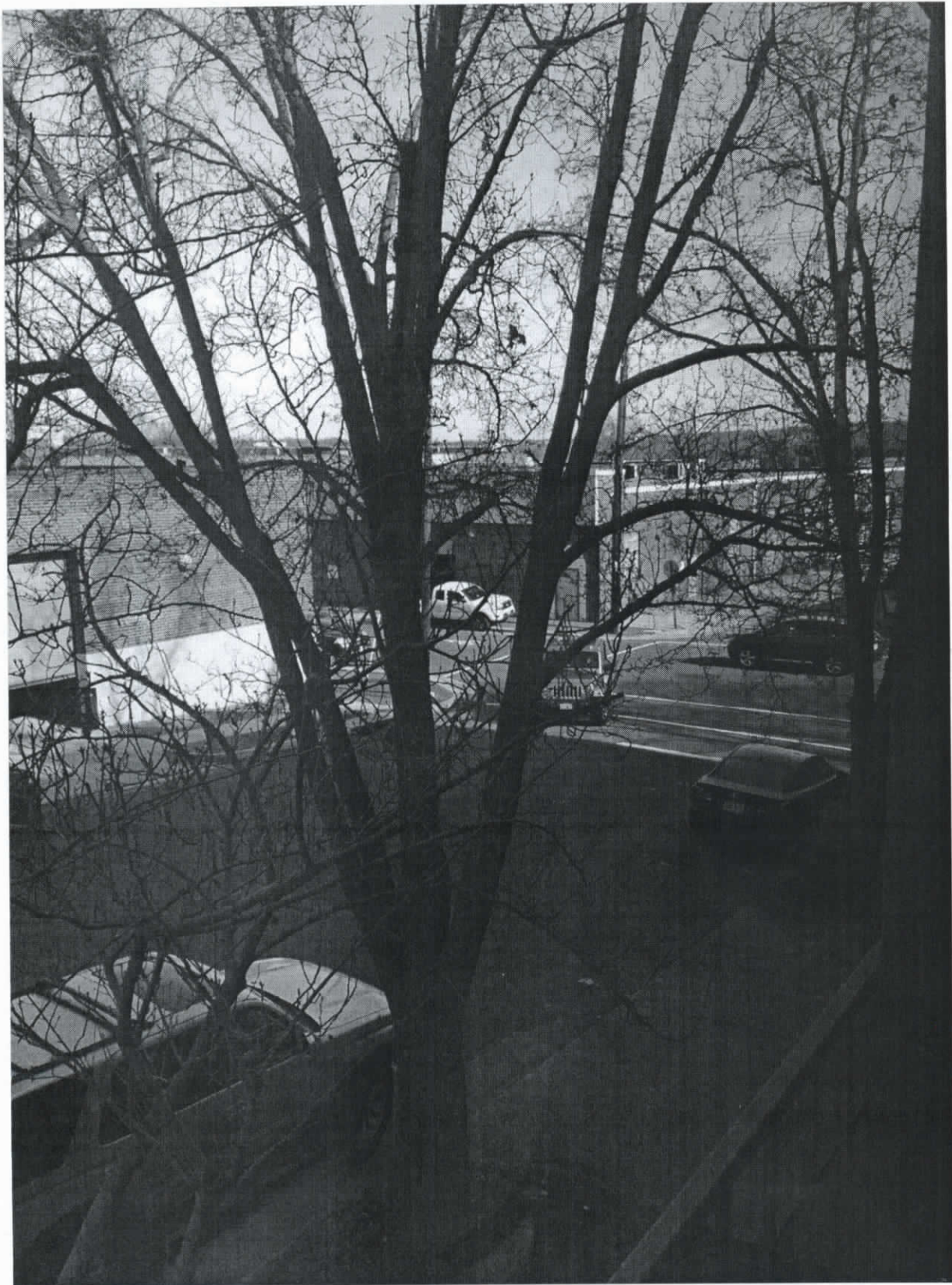
As is often said, we have but one chance to do this right. We trust the Council will carefully consider these points and work with us to bring about a waterfront we can all point to with pride. We can only accomplish these things for our neighborhood and our city with your help!

Sincerely,

Scott Dinwiddie, WPHOA Board Sec

Scott Dinwiddie, President
Waterford Place Homeowners Association,
on behalf of the WPHOA

cc: Rashad Young, City Manager
Farrol Hamer, Director, Planning and Zoning Department



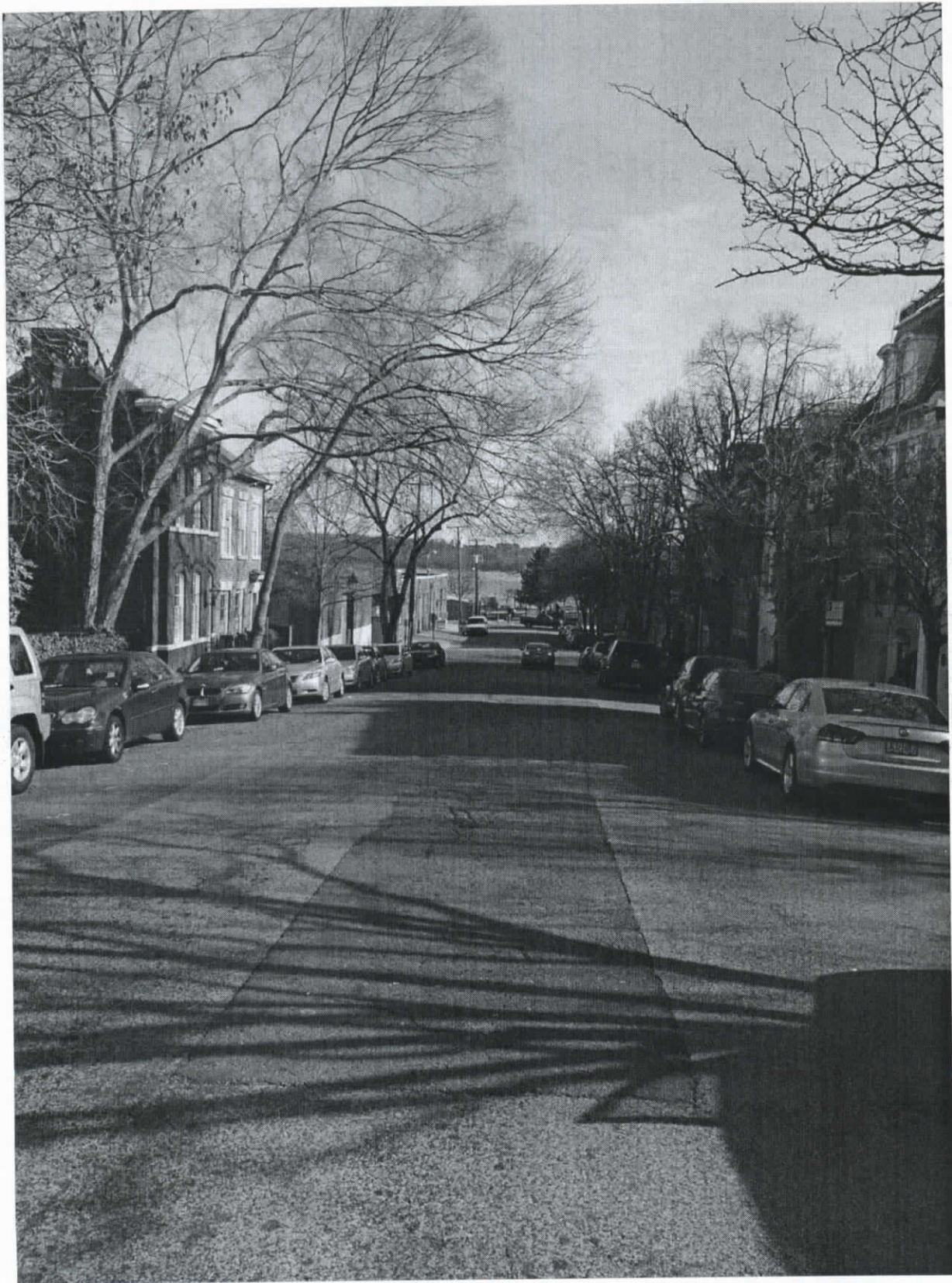
View from Waterford Place Residence



Pedestrian view from lower 100-block of Duke Street



Pedestrian view from mid-100 Block of Duke Street



Vehicle View from Duke and S. Lee Street



Site from Outside Waterford Place Residence on S. Union

Gloria Sitton

5
1-25-14
submitted by Kathryn Papp

From: Jackie Henderson
Sent: Friday, January 24, 2014 1:47 PM
To: Gloria Sitton
Subject: FW: Call.Click.Connect. #45208: Mayor, Vice Mayor City Council The Carr Hospitality hotel projects in O

From: kpappva@gmail.com [mailto:kpappva@gmail.com]
Sent: Friday, January 24, 2014 1:39 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #45208: Mayor, Vice Mayor City Council The Carr Hospitality hotel projects in O

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 45208.

Request Details:

- Name: Kathryn Papp
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: kpappva@gmail.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: The Carr Hospitality hotel projects in Old Town total 229 rooms. The Prince Hotel, listed in the Planning&Zoning project list as 'Under Final Review' offers 109 rooms.

Swapping the capacity of the hotels would NOT decrease the revenues to either the city or Carr and would satisfy the well-grounded concerns.

It is likely that the Prince street property would benefit both by going to 120 rooms, as it will cater to the stable and well-funded business sector. It's close Metro connection is a big plus in keeping high capacity, revenue generating, numbers.

This is a very important tradeoff that benefits all parties, both politically and financially.

- Expected Response Date: Friday, January 31

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Howard Bergman
101 Quay Street
Alexandria, VA 22314
January 23, 2014

DSUP 12-019 Cummings Hotel (Agenda Item #5)

Dear Mayor Euille, Vice Mayor Silberberg, Members of City Council,

I have no doubt that the City Council will follow the recommendations of Staff, the Board of Architectural Review and the Planning Commission to approve the Special Use Permits and Modifications requested by Carr City Center, needed to build a 120 room hotel at the site of the Cummings warehouse.

But, after all of the effort we have put into developing our Waterfront Plan, it is very disappointing that this is the hotel that we will be stuck with. Alexandria deserves better.

There is no doubt that Staff and Carr have worked hard to improve Carr's original proposal; they should be commended for that. And both the BAR and the Planning Commission have spent significant energy reviewing the project and offering constructive suggestions for improvement. As a result of all of this effort, the design has been raised from horrible to merely mediocre.

But there is a limit to what can be done when Carr insists on squeezing 120 rooms into the footprint granted them. And, unfortunately, that limit seems to be at the level of mediocre.

It is probably too late to consider alternatives, but I wonder what designs might have been possible if Carr were given the opportunity to build a maximum of 120 rooms on a footprint that included the 'public space' at the northeast portion of the site (but excluding the alley connecting Union and Strand). We would have given up some 'public space', but we might have gained a hotel that is more interesting in design and less formidable in height and mass. The trade-off might have been a net benefit for the citizens living in the neighborhood as well as the visitors who are looking for a hotel that is actually boutique.

I use quotes around 'public space' because I strongly suspect that most people, residents and visitors alike, will not perceive the space as truly 'public', but as part of the hotel property.

I can only hope that we do better when we consider the design for the new development at Robinson Terminal North.

Best wishes,
Howard Bergman

5
1-25-14

Gloria Sitton

From: Jackie Henderson
Sent: Friday, January 24, 2014 9:29 AM
To: Allison Silberberg; William Euille; Del Pepper; Jane McDonald; John Chapman; Justin Wilson; LaShawn Timmons; Lillian Thompson; Mark McHugh; Nancy Lacey; Nancy Lavalley; Paul Smedberg; Timothy Lovain; Wendy Donohue
Cc: Gloria Sitton
Subject: FW: Support for the Cumming Site Hotel project

From: Brian O'Donnell [<mailto:brianhodonnell@gmail.com>]
Sent: Friday, January 24, 2014 9:22 AM
To: Jackie Henderson; Faroll Hamer
Subject: Support for the Cumming Site Hotel project

Good morning,

My name is Brian O'Donnell and I am a city resident of Alexandria.

I firmly believe that the proposed development of 220 S. Union Street is a successful and appropriate design for the area. The design does not over power the existing architecture and infrastructure, and at the same time it will provide accessibility to the public. The design brings a renewed sense of vibrance to the underutilized waterfront of Old Town Alexandria. This should be an area that can be enjoyed by the citizen, and I believe that this design and developer is giving this to Alexandria.

Thank you for your time, and please take this into consideration on Saturday's city council meeting.

Sincerely,

Brian O'Donnell

5
1-25-14

Jackie Henderson

From: hildes66@aol.com
Sent: Thursday, January 23, 2014 11:43 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #45158: Mayor, Vice Mayor City Council at 220 S UNION ST Dear Mayor Euille, Vice Mayor Silberberg

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 45158.

Request Details:

- Name: Carl Hildebrand
- Approximate Address: 220 S UNION ST (See [map below](#))
- Phone Number: 703-299-1176
- Email: hildes66@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille, Vice Mayor Silberberg, and Members of the City Council:

We are writing to urge you to reconsider the Planning Commission's vote to allow the plan for the Carr Hotel to go forward. We believe that the vote of the Commission does not reflect the sense of the community at large as evidenced in the public comment at the Jan. 7, 2014 Planning Commission meeting.

As we understood the discussion, there was a suggestion both from experts on the Planning Commission and from numerous citizens that the Carr design be scaled back to provide a structure more compatible with the design principles articulated in the Waterfront Plan -- and more consistent with preserving the historic look and feel of Old Town.

As long-time residents of Old Town, we urge the City Council to reject the Carr proposal as is and require the applicants to resubmit a scaled back proposal consistent with the principles of the Waterfront Plan and with the recommendations made by expert members of the Planning Commission at the Jan. 7 meeting.

Thank you for considering our comments.

Respectfully,
C. E. and J. H. Hildebrand
110 Quay Street
Alexandria, VA

- Expected Response Date: Thursday, January 30



5
1-25-14

Gloria Sitton

From: Jackie Henderson
Sent: Friday, January 24, 2014 11:27 AM
To: Allison Silberberg; William Euille; Del Pepper; Jane McDonald; John Chapman; Justin Wilson; LaShawn Timmons; Lillian Thompson; Mark McHugh; Nancy Lacey; Nancy Lavalley; Paul Smedberg; Timothy Lovain; Wendy Donohue
Cc: Gloria Sitton
Subject: FW: In Support of 220 S. Union Street Hotel

From: ari belmonte [<mailto:aribelmonte@gmail.com>]
Sent: Friday, January 24, 2014 11:22 AM
To: Jackie Henderson
Subject: In Support of 220 S. Union Street Hotel

Dear Ms. Jackie Henderson,

My name is Ariadna Belmonte. I'm an architect who works and lives in the City of Alexandria since 11 years ago.

I live in the Old and Historic district and I would like to express my support to the 220 S Union Street Hotel Project.

A brand new, first class boutique hotel in a location that is currently home to an unsightly warehouse will be a significant upgrade. The current site has no open space, while the hotel will provide nearly 25%. A path for Alexandrians to see and walk through to the water will replace what is currently a brick wall and garage door.

The proposed 120 room boutique hotel to be located at 220 S. Union Street is the result of over 3 years-worth of planning. Despite zoning that allows up to a 3.0 FAR, the hotel is only 2.87 FAR. Every aspect of the design was refined countless times to achieve the result you see today.

Alexandria's waterfront should serve to everybody's enjoyment, not just to the neighboring properties. This project will help to achieve the dynamism the residents of Alexandria, like myself, and the visitors are requesting of the area.

Hope you all can help make this project move forward.

Do not hesitate to contact me if you might have any question or request. Below you can find my contact information.

Appreciate your time and consideration,

Ariadna Belmonte

715 S. Washington St. B14

Alexandria, VA 22314

aribelmonte@gmail.com

703.937.7853

5
1-25-14



RICH
ROSENTHAL
BRINCEFIELD
MANITTA
DZUBIN &
KROEGER, LLP

January 24, 2014

Via Facsimile, First Class Mail and Electronic Mail:

Mayor Euille, Members of the City Council, and City Manager
c/o John Wilburn, Esq. and Anastasia Cordova, Esq.
McGuireWoods, LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102-4215
jwilburn@mcguirewoods.com
acordova@mcguirewoods.com

Re: Saturday January 25, 2014, Docket Item 5, DSUP12-019
April Burke, et al. v. City Council for the City of Alexandria

Dear John and Anastasia:

Please take note that this letter is addressed to you and your Firm, as James Banks, the City Attorney, has informed our office to work with you and your firm on this matter. We, therefore, direct you to forward this letter to the City Council and appropriate parties in order for this letter to be made a part of the public record on the above matter and to be considered by the Council prior to their deliberations.

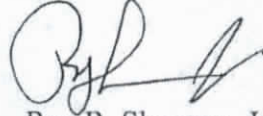
As you are aware, our office represents the Plaintiffs in the above pending lawsuit in the Alexandria Circuit Court. The purpose of the letter shall serve as their notice to inform you together with the Mayor, the City Manager, the Applicant and the City Council that my clients intend to file a Notice of Appeal with the Supreme Court of Virginia, appealing the Court's Order of January 23, 2014 sustaining the Defendants' Demurrer and dismissing the case. As the City Council is currently set to review and vote on Docket Item # 5 DSUP12-019 (the Cummings Hotel Project) on Saturday, January 25, 2014, my client's appeal and subsequent appellate proceedings will significantly impact the Project and therefore should be considered by the Council prior to their vote.

As you are aware the pending lawsuit and appeal seeks to declare the passage of the Text Amendment to the W-1 zone void. The Text Amendment to the W-1 zone that is being challenged currently allows "hotels" as a use and increases the allowable height and density for the W-1 zone. If the Plaintiffs are successful in their appeal, the proposed hotel would not be allowed under the current zoning, thus this Cummings Hotel would not be permitted at this location, 220 South Union Street. If an applicant wanted to proceed with building a hotel at this site, then it would need to also apply for a map amendment asking the Planning Commission to

amend the map, changing the zone from a W-1 to a zone that allows hotels, as well as increases the allowable density and height restrictions to accommodate a hotel.

If you have any questions, please feel free to reach me on my cell phone.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Shannon, Jr.', with a stylized flourish at the end.

Roy R. Shannon, Jr.

cc: James Banks, City Attorney (James.Banks@alexandriava.gov)
Kenneth Wire, Attorney for Applicant (kwire@mcguirewoods.com)

5
1-25-14

Gloria Sitton

From: Jackie Henderson
Sent: Friday, January 24, 2014 10:04 PM
To: Gloria Sitton
Subject: Fwd: Call.Click.Connect. #45221: Mayor, Vice Mayor City Council Mr. Mayor & Members of Council:As a

Begin forwarded message:

From: <jody@thewaterfrontmarket.com>
Date: January 24, 2014 at 9:27:46 PM EST
To: <CityCouncil@alexandriava.gov>, <CityCouncilAides@alexandriava.gov>, <jackie.henderson@alexandriava.gov>, <communityrelations@alexandriava.gov>
Subject: Call.Click.Connect. #45221: Mayor, Vice Mayor City Council Mr. Mayor & Members of Council:As a

Dear Call.Click.Connect. User

A request was just created using Call.Click.Connect. The request ID is 45221.

Request Details:

- Name: Jody Manor
- Approximate Address: No Address Specified
- Phone Number: 7039264767
- Email: jody@thewaterfrontmarket.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Mr. Mayor & Members of Council:

As a long term member of the City's Waterfront Commission I've seen many iterations of the Carr Hospitality project for the Cummings property on Union Street. Honestly every time we've looked at revisions submitted by the architect of record I've found them uglier each time. This week, Al Cox presented some new ideas that were received very favorably by the joint meeting of the Parks & Recreation and Waterfront Commissions. It was the first time I felt that we could get a building of merit on the site.

While some continue to argue about the size and mass of the project, those decisions were agreed to long ago with the passage of the Waterfront Small Area Plan. It seems to me that two important considerations remain - to approve a building we as citizens can be proud of - this is now largely the domain of the Board of Architectural Review. Equally important is to approve this project so that we can all move forward with the other important components of the Waterfront Plan. Not approving the Carr hotel would send a poor signal to the potential developers of the Robinson Terminal projects and would sadly solidify the City's reputation as a difficult place to do business.

Now is the time to move forward with the world class waterfront we'd all like to enjoy

and to create the dynamic tax base that future generations will appreciate.

Thank you.

Jody Manor

- Expected Response Date: Friday, January 31

Please take the necessary actions in responding, handling and/or updating this request at the Call.Click.Connect. staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a Call.Click.Connect. request. Please do not reply to this email.

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1-25-14

Gloria Sitton

From: Jackie Henderson
Sent: Friday, January 24, 2014 10:04 PM
To: Gloria Sitton
Subject: Fwd: Waterfront hotel meeting

Begin forwarded message:

From: William Euille <William.Euille@alexandriava.gov>
Date: January 24, 2014 at 9:31:22 PM EST
To: City Council <CityCouncil@alexandriava.gov>
Subject: Fwd: Waterfront hotel meeting

FYI
Bill

Sent from my iPhone

Begin forwarded message:

From: <MYoung7988@aol.com>
Date: January 24, 2014, 6:16:20 PM EST
To: <william.euille@alexandriava.gov>
Subject: Waterfront hotel meeting

Mr Mayor.

Mike Young here at # 6 Prince Street just around the corner from the proposed Hotel.

As I'm sure you know many people are behind the waterfront plan as well as the proposed Hotel. Please vote yes to the proposed hotel. Most of the people I talk to at my shop on prince street about the hotel, resident or not, would prefer the hotel over more and more townhouses along Union street. Or more office buildings.

Again please approve the hotel,
Thanks for your time and good luck tomorrow,

Mike Young
Olde Towne Gemstones
6 Prince Street