

**Docket Item #10****City Charter Section 9.06 Case # 2014-0002****1 and 2 King Street, 0 Prince Street, and 200, 204 and 208 Strand Street**

Application		General Data	
Request: Review whether: 1) the acquisition of 1 and 2 King Street (and adjacent claimed rights); 2) the acquisition of 204 and 208 Strand Street; 3) the transfer of 0 Prince, 200 Strand Street and a portion of 204 Strand Street for use as private property; and 4) the exchange of undefined potential alley access way rights between the City of Alexandria, Virginia and multiple property owners in the 200 block of Strand Street (Gilpin Alley) are consistent with the City of Alexandria, Virginia Master Plan pursuant to Section 9.06 of the City Charter.	Planning Commission Hearing:	September 4, 2014	
	City Council Hearing	September 13, 2014 (For Information Only)	
Address: Address #1 – 1 and 2 King Street (and adjacent claimed rights) Address #2 – 204 and 208 Strand Street Address #3 – 0 Prince Street and 200 Strand Street Address #4 – Gilpin Alley, 200 block of Strand Street	Zone: Address #1 – WPR: Waterfront Park and Recreation Zone Address #2 - W-1: Waterfront Mixed Use Zone Address #3 - W-1: Waterfront Mixed Use Zone Address #4 - W-1: Waterfront Mixed Use Zone		
	Small Area Plan	Old Town Small Area Plan and Waterfront Plan	

Staff:

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Staff Recommendation: Staff recommends that the Planning Commission approve this request; finding that the proposal is consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the acquisition, exchange, and transfer of property as described above.



SEC 9.06 #2014-0002

1 & 2 King Street; 0 Prince Street;

200, 204 & 208 Strand Street



Exhibit #1 – Address #1: Properties to be acquired by the City of Alexandria, Virginia (1 and 2 King Street *and adjacent claimed rights*)



Exhibit #2 – Address #2: Properties to be acquired by the City of Alexandria, Virginia (204 and 208 Strand Street)

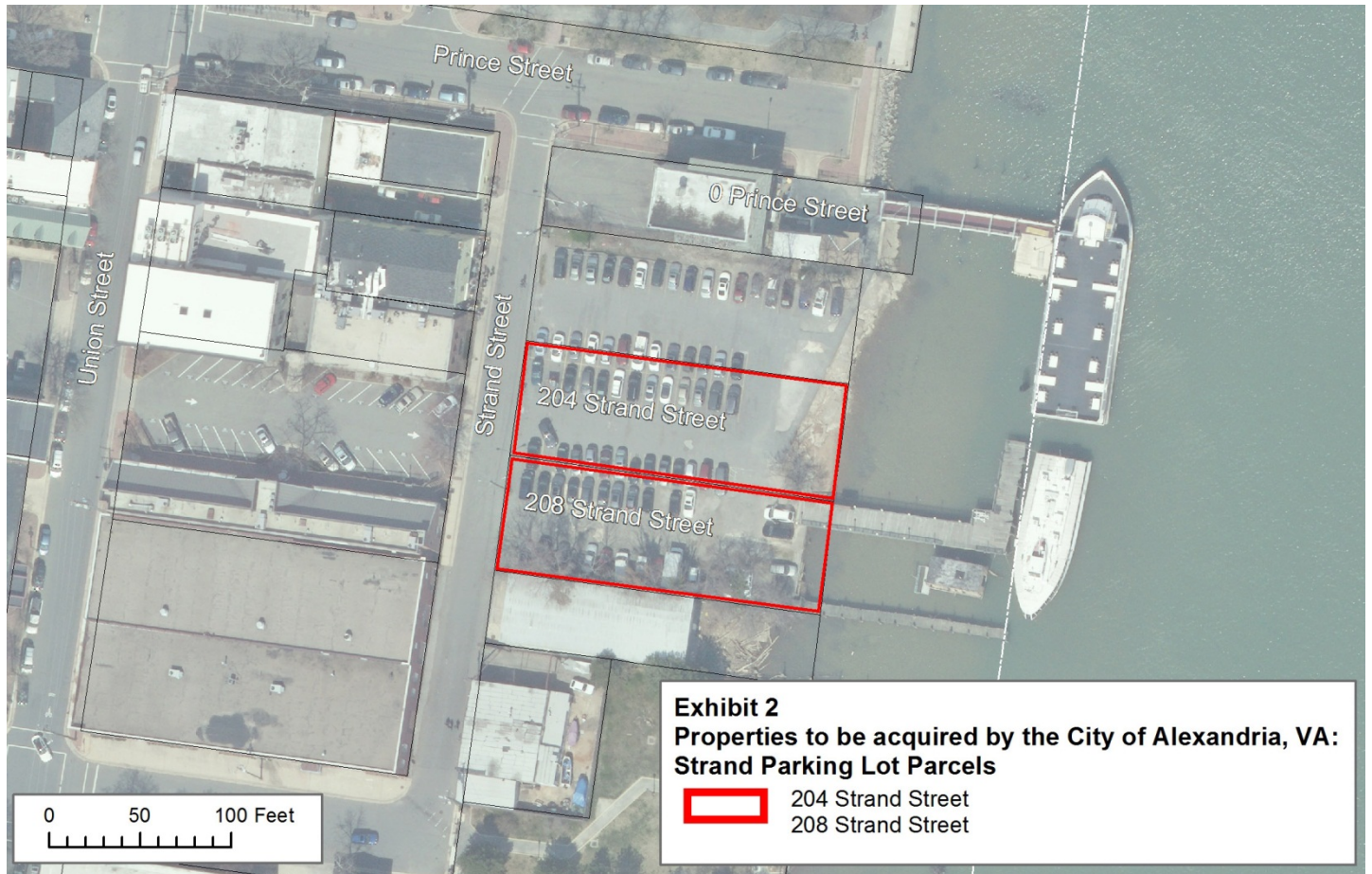


Exhibit #2A – Address #3: Properties to be transferred from the City of Alexandria, Virginia to the ODBC (portions of 0 Prince Street, 200 Strand Street and a portion of 204 Strand Street)



Exhibit #3 – Address #4: Gilpin Alley and adjacent properties (200 block of Strand Street)



I. DISCUSSION

This request is for a review, for consistency with the City's Master Plan, of the proposed exchange of properties between the City of Alexandria, Virginia (the City) and the Old Dominion Boat Club (the ODBC) and acquisition of property by the City to facilitate Waterfront Plan (Plan) implementation and to carry out related settlement agreements between the City and the ODBC.

Under this proposal, the City would acquire the ODBC owned parcels on King Street, along with ODBC expressed claimed rights in adjacent parcels. These particular properties are all located at or near the foot of King Street (**See Exhibit #1 - Address #1:** 1 and 2 King Street and adjacent claimed rights). The City would transfer to the ODBC a newly subdivided lot that encompasses portions of the City-owned parcels at 0 Prince Street and 200 Strand Street. In addition, the City is currently under contract to purchase two adjacent parcels, 204 and 208 Strand Street ("Strand Properties"). Once these properties close in October 2014 a portion of 204 Strand Street will also be transferred to the ODBC. These City-owned, and soon to be City-owned, properties are located along the Potomac River, on the block east of Strand Street between Prince Street and Duke Street (**See Exhibit #2: Address #2 - 204 and 208 Strand Street and Exhibit #2A: Address #3 - 0 Prince Street and 200 Strand Street**). The exchange between the ODBC and the City also includes riparian rights for the various parcels as described further herein.

In addition to the designated properties above, this proposal includes an exchange of undefined Alley Access Way Rights between the City and multiple property owners in the 200 block of Strand Street, between S. Union Street and the Potomac River (River). (**See Exhibit #3: Address #4 – Gilpin Alley, 200 block of Strand Street**).

II. BACKGROUND

Parcel Descriptions - Planning Area, Ownership, Use, Zoning and Related Actions

The City-ODBC Exchange and the Gilpin Alley Access Way Rights parcels, identified under this proposal, are located within the Plan area and, more specifically, in the Core Area which extends from Duke Street to Queen Street, between S. Union Street and the River.

City-ODBC Exchange and Strand Properties - Exhibits 1, 2 and 3 on the previous pages graphically describe the location of the parcels that are associated with the City and the ODBC Exchange; those properties include:

- Exhibit 1 - Address #1: 1 and 2 King Street and adjacent claimed rights
- Exhibit 2 - Address #2: 204 and 208 Strand Street
- Exhibit 2A - Address #3: A portion of 0 Prince Street and 200 Strand Street

The properties identified under Exhibits 2 and 2A above are the subject of the subdivision application that is on the September 4, 2014 Planning Commission docket as Item #11 to consolidate, re-subdivide and provide additional right-of-way on Strand Street.

Additionally, these particular parcels are further described in terms of ownership, use, and zoning in Table 1 on the following page (**See Table 1**).

City Charter Section 9.06 Case #2014-0002
1 & 2 King Street; 0 Prince Street;
200, 204, & 208 Strand Street

**TABLE 1 – PARCELS ASSOCIATED WITH THE CITY AND THE ODBC EXCHANGE
AND STRAND PROPERTIES, WATERFRONT PLAN IMPLEMENTATION
SECTION 9.06 CASE #2014-0002**

Parcel	Section 9.06 Exhibit # & Address #	Current Ownership Or Claimed Rights	Current Zoning	Lot Size (sf)	Bldg Size (sf)	Current Parcel Use	To Be Conveyed From	To Be Conveyed To	Future Use	Future Zoning
1 King Street	Exhibit #1 & Address #1	ODBC	WPR	20,096	8,364	Club House	ODBC	City	Fitzgerald Square	N/A
2 King Street	Exhibit #1 & Address #1	ODBC	WPR	18,678	N/A	Parking Lot	ODBC	City	Fitzgerald Square	N/A
Parcels – ODBC Claimed Rights: • Wales Alley Easement • Wales Alley Extended • King St. Park • Portion of Strand St.	Exhibit #1 & Address #1	ODBC	WPR						Fitzgerald Square & Strand Street	N/A
0 Prince Street	Exhibit #2A & Address #3	COA	W-1	7,765	3,630	Vacant Building	COA	ODBC	Portion for the ODBC new Boat Club	Yes*
200 Strand Street	Exhibit #2A & Address #3	COA	W-1	11,562	N/A	Parking Lot	COA	ODBC	Portion for the ODBC new Parking Lot	Yes*
204 Strand Street	Exhibit #2 & Address #2	Private	W-1	11,562	N/A	Parking Lot	Private	COA with a portion to the ODBC	Portion for the ODBC new Parking Lot and Expanded Point Lumley Park	Yes*
208 Strand Street	Exhibit #2 & Address #2	Private	W-1	11,563	N/A	Parking Lot	Private	COA	Part of the Expanded Point Lumley Park	N/A

*W-1 zone does not permit boat clubs; therefore, a zoning change is required to accommodate the ODBC's new boat club.

Gilpin Alley – Exhibit 3 on a previous page graphically describes the location of the parcels which are associated with the Gilpin Alley Access Way Rights matter. Table 2 below further describes these parcels (**See Table 2 – Parcels with Access to Gilpin Alley**):

Table 2 – Parcels with Access to Gilpin Alley WATERFRONT PLAN IMPLEMENTATION SECTION 9.06 CASE #2014-0002			
Parcel – West Side Of The 200 Block Of Strand Street	Section 9.06 Exhibit	Ownership	Current Use
10 Prince Street (s/e corner of Prince/S. Union Street)	Exhibit #3 - Gilpin Alley	Private	Commercial/Office
6 Prince Street	Exhibit #3 – Gilpin Alley	Private	Commercial/Retail
2 Prince Street	Exhibit #3 – Gilpin Alley	Private	Commercial/Retail
204-206 S. Union Street	Exhibit #3 – Gilpin Alley	Private	Commercial/Office
203 Strand Street	Exhibit #3 – Gilpin Alley	Private	Commercial/Restaurant
Parcel – East Side Of The 200 Block Of Strand Street	Section 9.06 Exhibit	Ownership	Current Use
200 Strand Street	Exhibit #3 – Gilpin Alley	COA	Parking Lot Parcel
0 Prince Street	Exhibit #3 – Gilpin Alley	COA	Vacant Building – Beachcombers Restaurant Building

Waterfront Plan Implementation and City/ODBC Negotiations

In January 2012, the City Council approved the Plan after a three year Plan development process which included extensive community input. Initial implementation of the Plan includes a Phase I Waterfront Landscape and Flood Mitigation Schematic Design based on the approved illustrative concept. The City contracted with The Olin Studio and URS Corporation to complete this work in collaboration with the community. The Phase I Waterfront Schematic Design, which was approved in June 2014 by the City Council, represents a 30% design level for landscape and a 15% design level for flood mitigation for the Core of the Waterfront (the Core extends from Duke Street to Queen Street within the planning area) and a 15% design level for parks and public spaces outside the Core.

In November 2013, the City Council directed the City Manager to negotiate with the ODBC for 90 days to resolve the long standing dispute between the two parties over several parcels at or near the foot of King Street. In March 2014, the negotiations met with a positive outcome and, a Settlement Agreement and Property Exchange Agreement were approved and executed this summer. The agreement includes the exchange of the aforementioned property by the two parties as well as monetary compensation from the City to the ODBC.

City of Alexandria and the ODBC Property Exchange and Strand Property Acquisition *Strand Property Acquisition*

The City currently has a contract to purchase 204 Strand Street and 208 Strand Street from the private property owners currently using the property as a commercial parking lot. The City plans to use these properties to expand the Point Lumley Park and to accommodate the continuous Waterfront walkway and expansion of the pedestrian walkway area on Strand Street.

A portion of 204 Strand Street will be transferred to the ODBC with the City ODBC exchange described below. Exhibit #2 shows the parcels the City is acquiring and Exhibit #2A shows the portions of 204 Strand that will be transferred to the ODBC.

City-ODBC Property Exchange:

As noted earlier, Exhibits 1 and 2 and Table 1 describe the parcels involved in the City and the ODBC Exchange. The block on the east side of Strand Street to the River, between Prince Street and Duke Street is the subject of the subdivision application that is on the September 4, 2014 Planning Commission docket as Item #11 to consolidate, re-subdivide and provide additional right-of-way on Strand Street. The Beachcombers Restaurant site (0 Prince Street), land directly south of the Beachcombers Restaurant site (200 Strand Street and part of 204 Strand Street) will make up the new lot #600 consisting of 18,251 square feet that will be transferred to the ODBC.

This property will be utilized by the ODBC to build a new boat club on the Beachcombers Restaurant parcel and a surface parking facility directly south. The City will retain a 20- to 25-foot wide space along the water to accommodate the continuous promenade anticipated to connect the Waterfront from one end to the other. In addition, there will be a 12 -15-foot space along Strand Street to accommodate a public sidewalk there. This will ensure continuity of the public space around the ODBC's new boat club.

In exchange for the parcels which the ODBC will receive, the City will receive the ODBC's current boat club (1 King Street) property, parking lot (2 King Street), and claims the ODBC has made to adjacent property including King Street Park, Easement in Wales Alley, Wales Alley Extended, and the Strand Street (between Wales Alley and King Street). The Phase I Waterfront Schematic Design shows expansion of Fitzgerald Square at this central location within the Core Waterfront Plan area. At this time the schematic design shows the building at 1 King Street being removed in order to expand the open space. Preliminary research suggests that a number of changes over time appear to have compromised the historic architectural integrity of the building. Further examination of this building will occur pursuant to a number of regulatory requirements that will be pursued as Plan implementation proceeds.

Riparian Rights/Pier Areas:

The exchange of properties described above also includes the exchange of riparian rights associated with the properties. Riparian rights are water rights that allow the use of existing piers and the construction of new piers with the proper permits, among other things. The ODBC will receive the riparian rights that are currently associated with 0 Prince Street and 200 Strand Street and the portion of 204 Strand Street with the transfer of new lot #600. Additionally, the ODBC will receive the riparian rights associated with the remainder of 204 Strand Street and 208 Strand Street ("Expanded Pier Area") for a period of up to ten (10) years. If the ODBC does not obtain all necessary permits to build new piers within the Expanded Pier Area within the 10 year period, then the ODBC will convey these riparian rights back to the City.

At 1 King Street and 2 King Street, the ODBC currently has two piers known as the South Pier off of 2 King Street and the North Pier off of 1 King Street. The City will receive the riparian rights to 2 King Street and ODBC's South Pier.

During the up to 10 year period described above, the ODBC will maintain title to its North Pier and the use of the South pier, except as noted below.

As soon as the ODBC builds new piers in the Expanded Pier Area, the North and South Piers will be transferred to the City. If the ODBC does not obtain the necessary permits to build new piers in the Expanded Pier Area within up to the 10 year period, the South Pier will be returned to the ODBC indefinitely and the Expanded Pier Area will be transferred to the City. The exception to this arrangement is that the City may choose to remove the South Pier before the 10 year period has expired. If the City removes the South Pier, then the ODBC will use the City's A/B Pier located in the City's Marina next to the Torpedo Factory in place of the South Pier and unless the ODBC has built piers in the Extended Pier Area, the A/B Pier would be transferred to the ODBC at the end of the 10 year period as the South Pier would have.

Interim Uses:

After the transfer of each of the properties the current owner of each of the properties will lease back the properties for the short term in order to give additional time for the transitions to occur. Specifically, the ODBC will continue to use 1 and 2 King Street as their boat club facility and parking lot for up to five years and the Strand properties (0 Prince, 200 Strand, 204 Strand and 208 Strand) will continue to be used by the Dandy and the parking lot operator until July 1, 2015.

Gilpin Alley

Exhibit 3 and Table 2 reflect properties that are adjacent to Gilpin Alley. In 1800 certain property owners in the 200 block of Strand Street granted each other certain access and alley rights to access the River from their property through an Article of Agreement. The River at the time was located generally where Strand Street is now. Subsequently, the River was filled in and 0 Prince Street (The Beachcombers Restaurant) and 200 Strand Street were located between these properties and the River.

As a result, the City as the owner of 0 Prince Street and 200 Strand Street may have rights to the alley west of Strand Street and, vice versa, the owners west of the Strand may have rights across 0 Prince Street and 200 Strand Street to the River. Currently, the City, as the owner of 0 Prince Street and 200 Strand Street on the east side of Strand Street, does not use the alley, and the owners on the west side of Strand Street do not use 0 Prince Street and 200 Strand Street to access the water.

Therefore, the City is now in discussions with the property owners west of Strand Street about exchanging via acquisition or disposition of any potential property rights each has on the opposite side of the street. With that, the rights of the property owners west of Strand Street will terminate at the western most boundary of the street and the City will relinquish any rights it has from this Article of Agreement west of the western most boundary of the Strand.

This transfer would be in keeping with the Master Plan because the Master Plan does not show any access to the River from this alley and it will allow the transfer of the properties to the ODBC for use as a boat club to move forward.

Consistency with the Master Plan – Waterfront Plan

The site lies within the Old Town Small Area Plan (SAP) and within the Waterfront Plan, which is an overlay Plan to portions of the Old Town SAP. The Waterfront Plan is more recent and provides a greater level of detail for this site and is, therefore, the relevant Plan for review and consideration.

Acquisition by the City of 1 King Street and 2 King Street and several other nearby properties at the foot of King Street enables the City to fully achieve a Fitzgerald Square as envisioned by the Waterfront Plan. It will be a public gathering place for active use along with several small spaces on the perimeter for quiet and more contemplative relaxation and enjoyment. The Square itself is planned to be large enough to accommodate festivities such as concerts, farmers markets and festivals, along with an interactive fountain in the summer, and an ice skating rink in the winter; it is planned to have a overlook that can allow for 360 degree views of the area; the Square will connect to Waterfront Park for possible joint programming; and it will also be bordered to the east by the continuous Waterfront promenade and to a pier that is planned near the foot of King Street for the water taxis and possibly a historic ship.

Consistency with the Master Plan – Open Space Master Plan

In 2006, the City used the Open Space Fund to acquire three parcels along Strand Street in the block between Duke Street and Prince Street for public open space pending the completion of the updated Waterfront Plan. These properties include: (1) The Beachcombers Restaurant (0 Prince Street); (2) 200 Strand Street (part of an existing surface parking lot located in the middle of the block); and (3) 210 Strand Street (a Warehouse). The intent at that time was to acquire the three remaining private parcels on this same block in order to expand nearby Point Lumley Park. Point Lumley Park is located at the south end of this block at the base of Duke Street and, with the acquisition of the remaining private properties, the City intended to expand the park the full length of the block as envisioned under both the Waterfront Plan and the City's Open Space Master Plan.

The proposed exchanges and acquisition of property are consistent with both the Waterfront Plan and the Open Space Master Plan for the following reasons. First, the acquisition of 204 Strand Street and 208 Strand Street will fulfill the goal to expand Point Lumley Park that is in both the Open Space Master Plan and the Waterfront Plan. The third remaining privately owned parcel, 226 Strand Street, on this block is being acquired by the contract purchasers of Robinson Terminal South located immediately south of Duke Street and will be part of discussions for the development approvals of that property.

Additionally, the exchange of property between the City and the ODBC allows the open space on the Waterfront to be centrally located at the core of the Waterfront Plan area and fulfills the Waterfront Plan's stated goal to relocate the ODBC without the use of eminent domain.

The Waterfront Plan anticipated a restaurant use at 0 Prince Street; therefore, the use of that property as a private club, while on a larger lot than previously anticipated, is not inconsistent with the goals and intents of the Master Plan. The exchange also allows for the continuous Waterfront promenade as well as an expanded pedestrian area on Strand Street, both very important goals of the Open Space Plan and the Waterfront Plan.

Lastly, the exchange of the undefined Gilpin Alley access rights will remove any cloud on the title of these properties and will confirm current use of the properties, clearing the way for the proposed exchanges of property and implementation of the Master Plan.

In summary, the increased open space through this acquisition, exchange and transfer of properties along the Waterfront will expand the public realm, converting impervious hardscape into pervious parkland with environmental and recreational benefits in the area of Strand Street. Additionally along Strand Street, more pedestrian access will be provided and, waterside, there will be a new continuous promenade that will connect to points south and north along the Alexandria Waterfront. At the foot of King Street, another surface parking lot and other parcels will be transformed into a central arrival and gathering place for celebrations, activities and unique Alexandria Waterfront experiences. Thus, such expansion of public space for the enjoyment of residents and visitors alike is a shared goal of the Waterfront Plan and the Open Space Plan and therefore is consistent with the City's Master Plan.

III. STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve this request, finding that the elements of this proposal are consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the acquisition of 1 and 2 King Street (and adjacent claimed rights); the acquisition of 204 and 208 Strand Street; the transfer of 0 Prince Street, 200 Strand Street and a portion of 204 Strand Street for use as private property; and the exchange of undefined potential alley access way rights between the City of Alexandria, Virginia and multiple property owners in the 200 block of Strand Street (Gilpin Alley) and that the elements are also consistent with the Master Plan, including specifically the Waterfront Plan and the Open Space Master Plan.

STAFF:

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