


**Proffered Conditions
Canal Center LL LLC
Rezoning #2017-0003
1, 11, 44, 66, 99 Canal Center**

Pursuant to Section 11-804 of the City of Alexandria Zoning Ordinance, Canal Center LL LLC ("Applicant") hereby proffers, as the owner of the land identified by the City of Alexandria with Real Estate Tax Assessment Numbers: 055.01-04-13; 055.01-04-15; 055.03-04-16; 055.03-03-62 and 055.01-04-14 (the "Property"), for itself, and its successors and assigns, that development of the Property shall be in accordance with the following conditions (the "Proffers") if, and only if, Rezoning #2017-0003 as proposed by the Applicant is approved by the Alexandria City Council.

1. Settlement Agreement: The development of the Property is limited by the Settlement Agreement with the United States of America, dated April 18, 1983 recorded at Deed Book 1111, Page 1351, as applied and as amended by the United States of America.
2. Permitted Uses: Notwithstanding any other provision of the CRMU-H zone, the Applicant is permitted to convert a maximum of 162,000 square feet of floor area to residential uses.
3. Development Approval: Notwithstanding any other provision of the City of Alexandria Zoning Ordinance, any development above 507,500 square feet requires the approval of a Development Special Use Permit.

APPLICANT

CANAL CENTER LL, LLC, a Delaware limited liability company

By: 
Name: H. Herbert Myers
Title: Vice President



Kenneth W. Wire
kwire@wiregill.com
703-677-3129

#

October 4, 2018

VIA EMAIL TO karl.mortiz@alexandriava.gov

Mary Lyman, Chair and Members of the Planning Commission
301 King Street, Suite 2100
Alexandria, VA 22314

RE: Docket Item #10,
Canal Center Rezoning

Dear Madam Chair and Members of the Planning Commission:

My client Canal Center LL LLC, ("AREP") is the owner of the Canal Center properties. Last night we met with members of the Rivergate Homeowners Association ("Rivergate") to discuss the proposed rezoning and the illustrative retail plan that was included in the staff report. While many Rivergate members expressed support for the rezoning and AREP's continued investment in Canal Center, the same members also have following concerns with any eventual redevelopment of retail space on the 66 Canal Center lot:

1. Any standalone retail on the 66 Canal Center lot would block views of the water.
2. Preference for consolidating new retail in the internal plaza and north of Tide Lock Park.
3. Montgomery Street is currently busy with tour bus drop offs, trash pick-up, and restaurant delivers.
4. Concern with fire and emergency access to 66 Canal Center.
5. Cut through traffic from Montgomery Street to Madison Street on privately owned and maintained Rivergate streets.
6. Late night noise from future restaurants.
7. Security concerns with theft from resident's vehicles.
8. Rodents associated with new construction.
9. Maintaining Parcel A as open space.

AREP respectfully requests that the Rivergate members concerns be reflected in the record and that the Planning Commission approve the rezoning as requested. AREP will be able to address the resident's concerns during the Site Plan approval process for any new development at Canal Center.

October 4, 2018

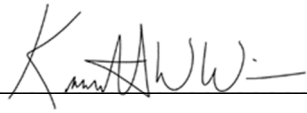
Page 2 of 2

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We look forward to discussing the rezoning with you at tonight's Planning Commission hearing.

Sincerely,

Wire Gill LLP

By: 

Rezoning of Montgomery Street, Canal Plaza, Docket Item #10 for October 4, 2018

Brenda J. Bearden <bbearden@beardensolutions.com>

Thu 10/4/2018 12:23 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Rivergate HOA <secretary.rivergate.hoa@gmail.com>;

Dear Planning Commission,

I am the owner of 827 Rivergate Place, Alexandria. My house faces the river but the front door faces Montgomery Street. I have met with the developer (Mr. Strup) and the representing attorney (Mr. Wire) concerning the development of Canal Plaza for the past 2 evenings. Other members of my community have also been present.

I wish to I adamantly object to the building of any new structures facing Montgomery Street at the Tidal Lock location. Our community (Rivergate) is responsible for our own roads (within our community) and putting another business in that area will not only cause disruption to our normally quiet and serene environment, but it will also cause potential new patrons to resort to using our Rivergate Place as a side road for getting in and out of the area; it will cause unnecessary noise and congestion in an area that does not have easy ingress and egress; and it will violate the premises upon which we relied when we purchased our Rivergate homes. That is, we purchased these homes to be in a quiet neighborhood, with no obstruction of our view of the river and supported by a covenant that would protect our views, our tranquility and the essence of our Old Town Alexandria community (peaceful, residential, living in a quiet neighborhood).

We've met with the Messrs. Wire and Strip and have indicated that we support the development of Canal Plaza area as long as no new traffic comes into our community area and as long as our registered complaints are addressed. Thus, I can truthfully say that Rivergate Community unanimously objects to further construction or new development along Montgomery Street down by the Tidal Lock.

Respectfully submitted,

Brenda J. Bearden
827 Rivergate Place
Alexandria, VA 22314
703 926 3665 (cell)

Rezoning of Montgomery Street - Canal Plaza 66 from W-1 to CRMU-H

David Lee <davidllee@outlook.com>

Thu 10/4/2018 3:16 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Dear Planning Commission,

My wife and I reside in the Rivergate community and are the owners of 117 Montgomery Place, which is located directly across the street from 66 Canal Plaza. This letter is to voice our opposition to the proposed rezoning of Montgomery Street, Canal Plaza 66 from W-1 to CRMU-H.

Rivergate is a friendly, quiet, cohesive, save place to live and enjoys all the advantages Alexandria has to offer. This is why we choose to purchase and invest in our homes. Our neighbors and we do not want to see this lifestyle and investment jeopardized by any additional retail space on Montgomery Street. Currently, the dead end at the park and entrance to Rivergate is already a traffic issue. Expansion of any retail space would only exasperate the traffic problems but would also create additional problems including:

- Additional cut through traffic on a private street
- More traffic means less safety for residents
- Additional costs to the Rivergate residents for more frequent street maintenance
- Additional deliveries with no access resulting in more double parking and blocking entrance to Rivergate
- Added traffic, pedestrian and vehicle heightens security concerns which may required residents to have increased security costs
- Restaurants will increase noise particularly late at night
- Retail and restaurants will add lighting which will be disruptive for residents with homes backing to Montgomery Street
- Reduced green space and park accessibility
- Loss of river views

We are confident the Rivergate community also opposes the zoning change as demonstrated by 20 residents showing up to meet with representatives of Canal Plaza on less than one days notice.

We do, however, support the other suggested improvements presented at the meeting. We also believe it is in the best interest of Canal Plaza to work with the Rivergate community as we can greatly contribute to their long-term success.

Respectfully yours,

David Lee

Please do not re-zone Canal Center along Montgomery Street and Tide Lock Park.

KJ Iribe <kj.iriibe@gmail.com>

Thu 10/4/2018 3:00 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Hi Alexandria Planning Committee,

My name is KJ Iribe and I am a resident of Alexandria in the Rivergate neighborhood at 118 Montgomery Place. I can't attend the meeting tonight but wanted to let you all know that I am absolutely against any **Canal Center Re-Zoning that would impact Montgomery Street and Tide Lock Park** adjacent to Rivergate Park. I specifically moved to the Rivergate neighborhood because of the quiet streets leading into it with little vehicle traffic, and the proximity to park space. I'm currently pregnant with my first child and have a lot of concerns about further noise on Montgomery Street, increased rodent populations and trash, and especially the potential for increased through vehicle traffic while I have a baby in tow. I walk everywhere in Alexandria, and redeveloping this street would create more congestion, and place more pressure on already over filling parking spaces, which would majorly impact our ability to simply walk around the neighborhood. I'm not against all revitalization efforts to Canal Center, in fact I have been trying to support their new restaurant at Cafe 44, but the Montgomery Street/Tide Lock Park area is already at its commercial capacity with the existing restaurant, shuttle traffic, and delivery and trash removal. I live on the inside of our development and I can still hear when work is being done on the loading docks across Montgomery Street earlier than it should be.

Thank you,

KJ Iribe

118 Montgomery Place, Alexandria, VA 22314

Canal Center re-zoning

lawrence baer <larryb29@hotmail.com>

Thu 10/4/2018 2:44 PM

To: PlanComm <PlanComm@alexandriava.gov>;

I live in the Rivergate neighborhood immediately adjacent to the Canal Center. While I have no objection to the overall redevelopment of the Canal Center I have very strong objections to any rezoning of Parcel 502 which would allow new retail development in Tide Lock Park and along Montgomery St. The impact of additional development along this narrow, one way, dead end street will be entirely negative for the residents - a loss of green space in an already small park, much greater congestion in an area already challenged by traffic related to the Canal Center, more trash, more rats, more difficulty in getting emergency vehicles into our neighborhood. The rest of the proposal seems fine. Not allowing a mere 3500 square feet of retail in Parcel 502 does not seem like an unreasonable restriction given the overall amount of retail space the developers will gain and the likely very unhappy results new retail will have on the residents who live nearby.

Many thanks, Larry Baer

Rezoning of Montgomery Street, Canal Plaza, Docket Item #10 for October 4, 2018

Brenda J. Bearden <bbearden@beardensolutions.com>

Thu 10/4/2018 12:23 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Rivergate HOA <secretary.rivergate.hoa@gmail.com>;

Dear Planning Commission,

I am the owner of 827 Rivergate Place, Alexandria. My house faces the river but the front door faces Montgomery Street. I have met with the developer (Mr. Strup) and the representing attorney (Mr. Wire) concerning the development of Canal Plaza for the past 2 evenings. Other members of my community have also been present.

I wish to I adamantly object to the building of any new structures facing Montgomery Street at the Tidal Lock location. Our community (Rivergate) is responsible for our own roads (within our community) and putting another business in that area will not only cause disruption to our normally quiet and serene environment, but it will also cause potential new patrons to resort to using our Rivergate Place as a side road for getting in and out of the area; it will cause unnecessary noise and congestion in an area that does not have easy ingress and egress; and it will violate the premises upon which we relied when we purchased our Rivergate homes. That is, we purchased these homes to be in a quiet neighborhood, with no obstruction of our view of the river and supported by a covenant that would protect our views, our tranquility and the essence of our Old Town Alexandria community (peaceful, residential, living in a quiet neighborhood).

We've met with the Messrs. Wire and Strip and have indicated that we support the development of Canal Plaza area as long as no new traffic comes into our community area and as long as our registered complaints are addressed. Thus, I can truthfully say that Rivergate Community unanimously objects to further construction or new development along Montgomery Street down by the Tidal Lock.

Respectfully submitted,

Brenda J. Bearden
827 Rivergate Place
Alexandria, VA 22314
703 926 3665 (cell)

Opposition to Proposed Rezoning of Canal Center

ROBERT ETHERIDGE <etheridger@comcast.net>

Thu 10/4/2018 2:10 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Hello. I am writing as a concerned resident of the Rivergate community regarding the requested rezoning of Canal Center. The proposal would allow for buildout of retail/restaurant space along Montgomery St. and into Tide Lock Park, which would have a detrimental effect on our community. We are already sandwiched between two busy roads (Madison and Montgomery) with highly oversubscribed parking, and a situation which encourages passage through our neighborhood and its privately maintained roads -- both an annoyance and a safety hazard for the residents. We are concerned about traffic, parking, congestion, adverse impact to the public park area, and many other factors. We would be happy to see revitalization of Canal Center, but not along Montgomery Street or Tide Lock Park.

Robert Etheridge

812 Rivergate Place

Rezoning of Canal Center; Item #10, October 2/4 Docket

Barbara Moore <bspmoore@gmail.com>

Thu 10/4/2018 4:33 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Dear Planning Commission,

I write to endorse the many letters you have already received regarding the proposed rezoning of the Canal Center property. My home, 113 Montgomery Place, is directly opposite the portion of parcel A on Montgomery Street proposed for retail development and I will be negatively impacted by any retail development facing that street. I also especially oppose the loss of green space in Tide Lock Park which is now a little gem enjoyed regularly by many visitors who come to the waterfront to enjoy its open space. My neighbors have provided many good reasons for opposing this development, all of which I agree with and will not repeat here. Suffice it to say, I fully support opposition to any retail development along Montgomery Street, including Tide Lock Park.

Having made my position clear on the Montgomery Street development, please know that I have no objection to development of the internal portions of the property, providing no additional parking pressure is added to Montgomery Street.

Thank you for the opportunity to comment.

Respectfully,

Barbara Moore
113 Montgomery Place
Alexandria, VA 22314

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Canal Center Re-Zoning Meeting Tonight

Kathy Doddridge <kathydoddridge@gmail.com>

Thu 10/4/2018 3:36 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Rivergate HOA <secretary.rivergate.hoa@gmail.com>;

Good afternoon:

My husband and I are residents of the Rivergate Community and we have just recently become aware of your plan to redevelop Canal Center. Amongst the numerous issues that the residents have already raised--encroaching on green space and views, building out Montgomery Street, we would like to raise another concern. That relates to the lack of infrastructure- dealing with improper draining and sewage and lack of capacity to deal with the current population. I believe we are all paying additional taxes/assessment to remediate the problem that already exists. It does not make sense that the Planning Commission would approve even more development and exacerbate the current problem. There should be a moratorium on any new building or expansion of Canal Center until the infrastructure problems we have in North Old Town/Alexandria have been resolved.

Regards,
Kathy Doddridge
John Bosco

10/4, Docket 10, Canal Center Rezoning 2017-0003

Teresa Lee <teresalee333@gmail.com>

Thu 10/4/2018 6:10 PM

To: PlanComm <PlanComm@alexandriava.gov>;

To Mary Lyman and the Planning Commission members,

I am on the Rivergate HOA Board and a homeowner, just learning about the Canal Center rezoning after receiving a certified letter on Thursday for a Planning Commission meeting on Tuesday. After a meeting last night where Canal Center presented their plan, our community strongly objects to the present terms of the proposed rezoning of the Canal Center for Parcel 502 and the redevelopment of retail space along Montgomery St.

My townhouse is on Montgomery Street directly across from the Japanese Steak House, and we have front row view of the congestion, double parked trucks, deliveries, metro shuttle, trash pickup and buses and folks after a little too much to drink. Any retail is 50 ft from our home and this street cannot absorb additional retail/restaurants without further blocking the Rivergate entrance, endangering the ability of emergency vehicles getting into the community or park.

We invested in our home with the current w-1 zoning which had a purpose of protecting the residential community and that's the spirit of our ask. The green space should be retained as it has been protected by the park service. Providing the zoning that could later lead to a restaurant at Tide Lock Park, 100 ft from our neighbor's front door must be restricted now or it will impact the home value and cause reservation to any potential buyer, among a list of other objections.

Our residents have attended meetings the past two evening and may not be able to sit through another long planning meeting tonight- that's hardly fair, but they are overwhelmingly against Montgomery Street impacts. That said, We do supports the Canal Center plans and development away from the Street and the other buildout and plans presented.

We therefore urge that the Planning Commission to condition its approval of this rezoning application on a binding commitment by the applicant to restrict/forego any retail development on Montgomery Street.

This will relieve anxiety in the community, avoid future battles, and help us continue a good relationship with American Real Estate Partners and support of their future retail,

Respectfully,

Teresa Lee

117 Montgomery Pl

Alexandria VA 22314

703-402-2414

Sent from my iPhone

Canal Center Re-Zoning

Joy Ann <tescia.yonkers@gmail.com>

Thu 10/4/2018 4:08 PM

To: PlanComm <PlanComm@alexandriava.gov>; Rivergate HOA <secretary.rivergate.hoa@gmail.com>; Tescia Yonkers <tescia.yonkers@gmail.com>;

Members of the City Council

As a homeowner at Rivergate, I am interested in not only Parcel 502, but the entire project. It would affect many already unbearable issues, including but not withstanding, amplifying the noise level, increasing density, additional traffic trespassing on private property, etc.

In addition, nothing should be allowed on Parcel 502....no improvements. The open green space should be maintained, as well as the parking in front of the restaurant presently there.

Everything submitted must be in writing.

Any rezoning, should be conditional. More time is necessary to research the original 1983 Deed, including the restrictive Covenants and Easements.

Your patience and time concerning this issue is much appreciated.

Dr. Tescia Ann Yonkers
801 Rivergate
Alexandria, Va 22314

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Thanks for using my new e-mail address:

tescia.yonkers@gmail.com

Tescia

October 4,2018 Docket #10-Canal Center Rezoning

tterry703@aol.com

Thu 10/4/2018 5:08 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: secretary.rivergate.hoa@gmail.com <secretary.rivergate.hoa@gmail.com>;

To: Mary Lyman, Chair and Members of the Planning Commission :

As a resident of 825 Rivergate Place I am writing to register my strong objection to the present terms of the proposed rezoning of the Canal Center in so far as it facilitates the redevelopment of retail space on the 66 Canal Center lot.

Our townhouse is the second home in from Montgomery Street on the east side of Rivergate Place. The drawings accompanying the developer's rezoning application show possible retail structures within 150 feet of my house.

For many , many reasons which my neighbors will spell out in detail for you at the meeting tonight (and summarized in Ken Wire's letter of today to the Planning Commission) the community of Rivergate will be severely adversely affected by any such retail activity on Montgomery Street. Fundamentally, the increase in traffic and congestion that is certain to occur at the east end of Montgomery Street has the potential to change the entire character of our living conditions. This has already caused considerable anxiety among our residents.

During our recent meeting with the developer and counsel it seemed clear to me that the developer can achieve all its objectives without retail development on Montgomery Street .

I therefore urge that the Planning Commission to condition its approval of this rezoning application on a binding commitment by the applicant to forgo any retail development on Montgomery Street.

This will pave the way to a smooth process going forward for American Real Estate Partners with the support of the Rivergate community.

Sincerely,

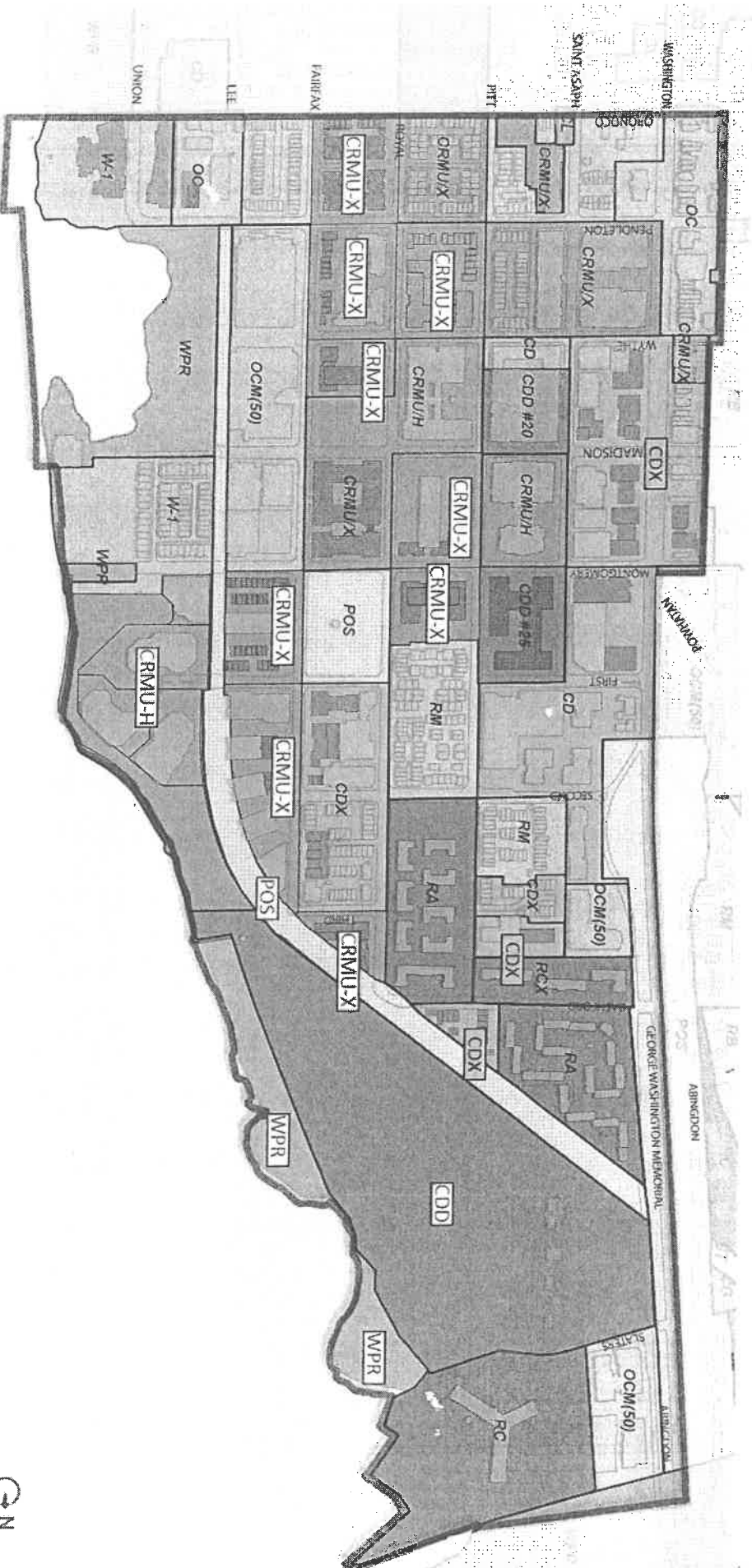
Tom Terry

825 Rivergate Place




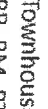











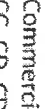



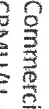
Alexandria , VA 22314.

Figure 2.12: Recommended Zoning

This map will not be updated on an ongoing basis. For current zoning, please refer to the citywide zoning map on the GIS standard maps page, alexandriava.gov/gis.



LEGEND

- | | | | | | |
|---|----------------------------------|---|----------------------------------|---|---|
|  | Townhouse Residential |  | Office Commercial |  | Waterfront Mixed Use |
|  | RB, RM, RT |  | OC, OCH, OCM(50), OCM(100) |  | W-1 |
|  | Multi-Family Residential |  | Coordinated Development District |  | XXX Existing Zoning |
|  | RA, RC, RCX, RD |  | CD |  | XXX Recommended New Zone |
|  | Commercial |  | Waterfront Mixed Use |  | CDX Recommended CDX with Text Amendment |
|  | CC, CD, CDX, CG, CL, CR, CSL, NR |  | W-1 | | |
|  | Commercial/Residential Mixed Use |  | Public Open Space | | |
|  | CRMU/H, M, L, X | | | | |







