

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

REGULAR MEETING

Saturday, September 17, 2011 – 9:30 a.m.

Present: Mayor William D. Euille, Vice Mayor Kerry J. Donley, Members of Council Frank H. Fannon, Alicia R. Hughes, K. Rob Krupicka, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Johnson, Acting City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Police Captain Ogden; Fire Chief Thiel; Ms. Ehrhart, Office of Emergency Management, Fire Department; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Mr. Maslanka, Transportation and Environmental Services; Mr. Melkerson, Transportation and Environmental Services; Ms. Hamer, Director, Planning and Zoning; Ms. Ross, Deputy Director, Planning and Zoning; Ms. Wright, Planning and Zoning; Mr. Cox, Planning and Zoning; Mr. Randall, Planning and Zoning; Mr. Wagner, Planning and Zoning; Ms. Escher, Planning and Zoning; Ms. Willger, Planning and Zoning; Mr. Catlett, Director, Office of Code Administration; Ms. Davis, Director, Office of Housing; Mr. Frederick, Office of Housing; Ms. McLean, ITS; and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

2. Public Discussion Period.

(a) Marguret Wohler, 103 E. Nelson Avenue, suggested the establishment of a safe bike lane to connect four of the five Alexandria high schools along King Street and Braddock Road - T.C. Williams, Minnie Howard, Episcopal and St. Stephens. She said they have 59 signatures on a petition supporting the creation of more bike lanes in the City. She challenged Council to go car-free on September 22 and get to know the City from the seat of a bike.

(b) Alex Wolz, 1021 Allison Street, a junior at T.C. Williams High School, said that he bikes to school everyday and has done it for the past two years. He asked why it was so out of the ordinary for someone to bike to school, work or the grocery store. The answer is in the many paved roads throughout the City, where traffic is dominated by cars and two lane streets and where cyclists are pushed to the shoulder or sidewalk. He said the main routes to schools need bike lanes.

(c) David Cavanaugh, 4008 Fort Worth Avenue, spoke regarding the Beauregard Small Area Plan process. He said the Council and Planning Commission scheduled a joint work session for September 19, and Donna Fossum and Don Buch have been asked to discuss the current process and recommendations. He said the stakeholder group has made progress, however, they have not discussed or approved any recommendations and no discussion has been initiated by the group to discuss any of the proposed recommendations, as it is too soon. City staff is in the process of preparing a report on existing conditions: demographics, traffic, transit, schools and recreation as part of the plan. Mr. Cavanaugh said the only vote that has occurred is a straw vote to maintain zoning at the current level. Mr. Cavanaugh requested the agenda be revised to show that the chair and vice chair will be discussing draft recommendations. He asked that the agenda also be revised to include an opportunity for members of the public to speak on ways to make the small area plan process less confrontational and more constructive.

(d) Nancy Jennings, 2115 Marlboro Drive, said she has participated in the development of the Beauregard Corridor Small Area Plan since 2009 and reenforced what Dave Cavanaugh said that they were no where near to making any sort of recommendations. She said the stakeholders group has not yet made a recommendation nor have they decided if there should be a bucket list of amenities that the developers should proffer, much less what should be on the list and how to rank the items. She said Mr. Baier's meeting with homeowners on Seminary Road west of Beauregard has brought more citizens to the stakeholders group and at the meeting last Monday they wanted to discuss additional issues.

(e) Jack Sullivan, 4300 Ivanhoe Place, said they have heard from two other civic leaders about the idea that there would be recommendations provided to Council at the meeting on Monday is not realistic. The only recommendations that have come to a vote in the entire set of meetings is the one that was adopted overwhelmingly on Monday. He requested the Mayor to direct the staff to amend the agenda to allow representatives of area civic associations - Seminary Hill, Brookville-Seminary Valley, and Alexandria West - to put forth their concerns about the process and the substance of the stakeholder group plan.

(f) Van Van Fleet, 26 Wolfe Street, said he is a member of the Old Dominion Boat Club, but he never had or has a leadership position. Mr. Van Fleet asked why is it that the latest land grab by the City is to take two-thirds of the Old Dominion Boat Club's parking lot and if the club won't agree, then intend to take it by eminent domain. He said the Boat Club won its lawsuit and was awarded ownership rights to the club's

building and parking lot. He asked who on Council voted to give the City Attorney authority to use eminent domain as a tool to take the property. The Boat Club has tried to work with the City to create a continuous path along the waterfront, to no avail. He said the negotiation tactics used by the City Attorney are not negotiations. He said that each time he threatens to take away more land than the last time, and he asked how much money the City would expend to acquire two-thirds of the Boat Club's parking lot. He asked what is the status of Judge McGrath's contempt charges against everyone for failing to enforce his ruling regarding the Boat Club's easement in Whales Alley.

(g) Owen P. Curtis, 5465 Fillmore Avenue, said he co-chairs the Institute of Transportation Era Committee, which just published the proposed recommended practice for planning urban roadway systems. Mr. Curtis said roadway planning is in the broadest sense in this document and it considers the entire public right-of-way for the use of all transportation modes. He said he wished to advocate for better community-based planning in the City, which is planning that reflects the values the citizens, voters and business interests of the impacted neighborhoods. He stated that the BRAC Advisory Group, the Beauregard Corridor Study Working Group, and the High Capacity Corridor Working Group are three inter-related efforts over the past several years which have taken up too much citizens time, too many tax dollars and have generated significant concern about the impacts they are beginning to feel in the West End. He said the Beauregard Corridor Study Area is not an historic small area plan, as they have several that cover that area, but the City staff gerrymandering the area to cut out all of the single family homes around the Mark Center development interests, with the exception of the Westridge townhouses and the Foster Fairbanks single-family homes, and that is not community based planning. He urged staff and leadership to revisit what needs to be planned, stop the charade of doing the developers bidding and work toward reflecting the preservation of the assets it has, fix the multi-modal transportation issues and consider the implications of capping the development of the current by-right levels.

(h) Ada Aston, 39 Babbling Brook Lane, Martinsburg, West Virginia, said she is a farmer at the Farmers Market and is speaking on behalf of her customers who would like to have the market extended another hour to 12:00 noon, as a lot of them have trouble getting to the market before 11:00, and to have it changed on the website as well.

(i) Jesse Dunhamtt, 639 Norman Silver Place, Glengary, West Virginia, said he is a farmer at the Farmers Market, said his customers would love to see another hour of the market until 12:00.

(j) Poul Hertel, 1217 Michigan Court, said he and his wife care deeply about his neighborhood, and their actions speak for themselves in which they have continuously strived to make it a better place for themselves and everyone else. He said that practically every meeting he goes to is now political, and the scientific endeavor that brings them forward and allows them to come up with creative solutions is being diminished vastly. Mr. Hertel said staff cannot treat citizens like cart cattle. He said Council is ultimately responsible, and the processes they now have in place and

the way they are being conducted is conducive to filling the Chamber and people screaming.

(k) Carol James, 1000 N. Vail Street, said the Army Corps of Engineers turned over the keys to the BRAC facility last month to DOD's Washington Headquarters Service, with assurances that the building meets all metrics, and the move in for 6,400 works began August 9. Ms. James said the WHS, the Army Corps and the City have all admitted they have no first responders strategy for protecting the workers at the site, Alexandrians who live nearby and commuters. She said the City has no fire station on the west side of I-395. Council will hear a progress report on Monday night on the Beauregard Stakeholders Group and will likely hear that the developers adjacent to the Ft. Belvoir Annex are being asked to pay and are agreeing to pay for a new fire station as part of a bucket list exchange of proffers to purchase community approval in return for more than tripling population density in the neighborhood. She said those who attended the stakeholders meetings did not agree to such a quid pro quo. She said they must build the new first responders structure, build it now and pay for it themselves.

(l) Kathleen Burns, 1036-N Pelham, said she wished to plead for mercy to whoever schedules meetings in the City, as there were some nights when there are three meetings at once. She said that at a meeting on September 12, things got so out of hand that it became dangerous, where someone hit her with a book. The City should think about some sort of code of conduct, both for people in the audience and the people representing the City. She asked Council to re-think the Waterfront, as most people cannot take a vacation day to attend the meetings during the daytime, and the same happens with Parks and Recreation, where they only meet at 7:00 a.m. during the week. She said that with the announcement at the Mirant Power Plant, they should no longer be having a waterfront plan that deals with the tiny chip - it should go from the northern border to the southern border. Ms. Burns said she wished to second the comments of others with regard to the firehouse, as it is a municipal responsibility and should not be used as a bargaining chip. She said staff have been placed in very difficult positions, and it needs to recommend that they be allowed to remain neutral.

(m) Adam Froehlig, 5990 Richmond Highway, member of the Alexandria Bicycle Pedestrian Advisory Committee, spoke in support of the first two speakers about bicycling in the City, and he requested that the City improve bicycle and pedestrian transportation and improve existing facilities and get a better bicycle and pedestrian network across the City. Mr. Froehlig said that in response to Mr. Hertel's comments, he was at one of the meetings he referred to - the high capacity transit corridor A - and there was a lot on both sides. Some may have been citizen frustration or they are dead set on a certain outcome regardless of the available options.

(n) Lynn Bostain, 5695 Rayburn Avenue, said she wished to echo what others said. The neighborhood they live in is already a walkable, friendly, welcoming neighborhood, and it is about to change. She said she appreciates the work of the review of the Beauregard Corridor recommendations, but clearly it is not enough. She

said on Mr. Sullivan's straw poll of the Beauregard Stakeholders that indicates there is considerable objection to the way things have been presented and conducted, and that is something they need to pay attention to. She said with respect to Mr. Curtis' comments, community planning has been seriously lacking in the Beauregard Corridor, and obviously citizens don't feel they are being included. She said citizens aren't used to having to defend themselves against City officials and decisions that are made that people think are inappropriate. She said it makes it difficult for citizens to respond to something that has not been given due process.

OTHER

2.1 Consideration of a Resolution Affirming City Manager Declaration of Local Emergency on Thursday, September 8, 2011, in Response to Extensive Flash Flooding Resulting from Tropical Storm Lee. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated September 12, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2.1; 9/17/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Donley and carried unanimously by roll-call vote, City Council adopted the resolution affirming the declaration of local emergency for flooding from Tropical Storm Lee. The voting was as follows:

Krupicka	"aye"	Fannon	"aye"
Donley	"aye"	Hughes	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2472

WHEREAS, on September 8, 2011, the City Manager, as the Director of Emergency Management of the City of Alexandria, as a result of extensive flash flooding cause by the remnants of Tropical Storm Lee, found that the City of Alexandria faced emergency conditions of peril to life and property which threatened and constituted a disaster, and made a Declaration of Local Emergency; and

WHEREAS, state law and the city code require that such Declaration of Local Emergency be approved and confirmed by City Council, as the governing body of the City of Alexandria, Virginia.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Alexandria, Virginia, that the Declaration of Local Emergency, dated September 8,

2011, at 7:00 p.m., and expired on September 9, 2011, at noon, is approved and confirmed.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-7)

Planning Commission

3. SPECIAL USE PERMIT #2011-0024
420 HUME AVENUE
LEGENDS MOTORWORKS
Public Hearing and Consideration of a request to expand a noncomplying general automobile repair facility; zoned CSL/Commercial Service Low. Applicant: Gregory Ramsey

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 9/17/2011, and is incorporated as part of this record by reference.)

4. SPECIAL USE PERMIT #2011-0040
311 NORTH HENRY STREET
PRIME AUTO CARE
Public Hearing and Consideration of a request to continue operation of a noncomplying general auto repair facility; zoned CL/Commercial Low. Applicant: Prime Auto Car, Inc., represented by Robert Byrnes

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 9/17/2011, and is incorporated as part of this record by reference.)

5. SPECIAL USE PERMIT #2011-0041
417 and 419 CLIFFORD AVENUE
WHOLESALE BUSINESS
Public Hearing and Consideration of a request to operate a wholesale business; zoned CSL/Commercial Service Low. Applicant: Plaza Izalco, Inc., a Virginia Corporation represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 9/17/2011, and is incorporated as part of this record by reference.)

6. SPECIAL USE PERMIT #2011-0045
212 WEST GLEBE ROAD (Parcel Address: 206 W. Glebe Road & 3699 Russell Road)
THE BLEND
Public Hearing and Consideration of a request to operate a restaurant; zoned NR/Neighborhood Retail. Applicant: Marcus Williams, represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 9/17/2011, and is incorporated as part of this record by reference.)

7. ENCROACHMENT #2011-0003
608 MONTGOMERY STREET
TJ STONE'S OUTDOOR DINING
Public Hearing and Consideration of a request for approval of an encroachment into the public right-of-way for outdoor dining, zoned CD-X/Commercial Downtown Zone. Applicant: TJ Stone's represented by Stephen Mann

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/17/2011, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council approved the action consent calendar, with the exception of docket item number 3, which was considered under separate motion.

4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.

The voting was as follows:

Hughes	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

3. SPECIAL USE PERMIT #2011-0024
420 HUME AVENUE
LEGENDS MOTORWORKS

Public Hearing and Consideration of a request to expand a noncomplying general automobile repair facility; zoned CSL/Commercial Service Low. Applicant: Gregory Ramsey

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 9/17/2011, and is incorporated as part of this record by reference.)

Ms. Ross, Deputy Director of Planning and Zoning, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Smedberg	"aye"	Fannon	"aye"
Donley	"aye"	Hughes	absent
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

8. Public Hearing and Consideration of the Recommendation from the City Council Naming Committee on the Proposal to Name the Alley Behind 804 Duke Street in Honor of the Late Douglas Thurman. (#6, 9/13/2011)

(A copy of the City Manager's memorandum dated September 6, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/17/11, and is incorporated as part of this record by reference.)

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

(a) John Gosling, 208 S. Fayette Street, representing the Old Town Civic Association Board of Directors, spoke in support of the recommendation of the Naming Committee.

(b) Claire Gregory, 305 Prince Street, #2, spoke in support of the recommendation of the Naming Committee.

(c) Michael Hobbs, 419 Cameron Street, spoke in support of the recommendation of the Naming Committee.

(d) Pat Troy, 310 Wolfe Street, spoke in support of the recommendation of the Naming Committee.

(e) Kay Cannady, 20 E. Oak Street, the Alexandria Historical Society representative to the Archaeology Commission, spoke in support of the recommendation of the Naming Committee.

(f) Van Van Fleet, 26 Wolfe Street, spoke in support of the recommendation of the Naming Committee.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council closed the public hearing and approved the alley naming as recommended by the City Council Naming Committee. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

9. SPECIAL USE PERMIT #2011-0016
605 LITTLE STREET
SINGLE FAMILY DWELLING
Public Hearing and Consideration of a request to construct a single family dwelling on a substandard lot; zoned R-2-5/Single and Two Family. Applicant: Brian Thomas

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 9/17/2011, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the report and he, along with Ms. Ross, Deputy Director, Planning and Zoning, responded to questions of City Council.

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

- (a) Peter Watkins, 604 Little Street, spoke in opposition to the request.
- (b) Donald Nicholson, 702 Little Street, spoke in opposition to the request.
- (c) Stephen Kulinski, 104 N. West Street, architect for the project, representing Mr. Thomas, spoke in support of the request.

WHEREUPON, upon motion by Councilman Fannon, seconded by Councilman Smedberg and carried 6-1, City Council closed the public hearing and approved the Planning Commission recommendation.

The voting on the motion was as follows:

Fannon	"aye"	Donley	"aye"
Smedberg	"aye"	Hughes	"no"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

10. SPECIAL USE PERMIT #2011-0042
834 NORTH WASHINGTON STREET
GOURMET MARKET
Public Hearing and Consideration of a request to expand a noncomplying automobile service station use by adding a gourmet/ethnic market; zoned CDX/Commercial Downtown. Applicant: AL & TY, Inc., represented by Mary Catherine Gibbs, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/17/2011, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the report and responded to questions of City Council.

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

- (a) Mary Catharine Gibbs, attorney representing the applicant, 307 N. Washington Street, spoke in favor of the request.

WHEREUPON, upon motion by Councilwoman Hughes, and seconded by Councilwoman Pepper, City Council closed the public hearing and approved the Planning Commission recommendation.

Councilman Smedberg asked for a friendly amendment to condition #16 to review looking at the potential for reducing the size of the free-standing sign, checking with State Law compatibility.

The amendment was acceptable to the maker and seconder of the motion and becomes part of the motion.

The voting on the motion, as amended, was as follows:

Hughes	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

11. SPECIAL USE PERMIT #2011-0043
682 NORTH SAINT ASAPH STREET (Parcel Address: 615 N. Washington St.)
TEAISM
Public Hearing and Consideration of a request to operate a restaurant and a request for a parking reduction; zoned CRMU/X/Commercial Residential Mixed Use (Old Town North). Applicant: Vitalitea, LLC represented by Linda Neumann

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/17/2011, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the staff report.

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

- (a) Nancy Kincaid, 100 Madison Street, #1408, spoke in favor of the request but was not in favor of the parking reduction.

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

Mr. Randall, along with Ms. Ross, Deputy Director, Planning and Zoning, responded to questions of City Council.

In response to a question from Council regarding parking for her employees, Ms. Linda Neumann, one of the owners of Teatism, said that of the 50 employees they have at their Washington, D.C. locations, only five drive. The rest of the employees take public transportation.

The motion carried unanimously and was as follows:

Smedberg	"aye"	Donley	"aye"
Krupicka	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Pepper	"aye"	

The following two items were heard out of turn:

13. CDD CONCEPT PLAN #2011-0002
SPECIAL USE PERMIT TMP #2011-0039
CDD CONCEPT PLAN #2011-0003
DEVELOPMENT SPECIAL USE PERMIT #2011-0002
1050,1100, 1200 & 1200-A NORTH FAYETTE STREET, 1219 FIRST STREET
BRADDOCK GATEWAY - PHASE I
Public Hearing and Consideration of a request: to revise the phasing and implementation plan, conditions related to affordable housing contributions, parking ratios and requirements, as well as other various CDD conditions; to amend the special use permit for a transportation management plan; a development special use permit, with site plan, to construct a residential development with ground-level retail; zoned CDD#15/Coordinated Development District-15. Applicant: Jaguar Development, LLC represented by Mary Catherine Gibbs, attorney

PLANNING COMMISSION ACTION:

CDD#2011-0002 Recommend Approval w/amendments 7-0
SUP TMP#2011-0039 Recommend Approval 7-0
CDD #2011-0003 Recommend Approval 7-0
DSUP #2011-0002 Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 9/17/2011, and is incorporated as part of this record by reference.)

Ms. Escher, Planning and Zoning, along with Mr. Melkerson, Transportation and Environmental Services, and Mr. Frederick, Office of Housing, made a presentation of the report and they, along with Ms. Wright, Planning and Zoning, and Ms. Hamer, Director, Planning and Zoning, responded to questions of City Council.

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

(a) Mary Catharine Gibbs, attorney representing the applicant, 307 N. Washington Street, spoke in support of the application. She asked for an amendment to condition #41 to make the CPI increase waiver be for ten years instead of five years.

(b) Poul Hertel, 1217 Michigan Court, said he was concerned about the change to taking away the roofline of the building and he asked the final site plan be conditional on City staff taking a closer look at the rendering of it.

WHEREUPON, upon motion by Councilman Fannon, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendations, with the following amendment: to condition #41 to make the CPI increase for ten years as opposed to the staff recommendation of five years for the affordable housing contribution. The voting was as follows:

Fannon	"aye"	Donley	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

14. DEVELOPMENT SPECIAL USE PERMIT #2008-0022
1000, 1400, 1800, 1801, 2000, 2200, 2400, AND 2500 MAIN LINE BOULEVARD
POTOMAC YARD LANDBAY I & J WEST & L
Public Hearing and Consideration of a request for a development special use permit, with site plan and subdivision, to construct a residential development with more than eight townhouses on a row on a portion of the Potomac Yard Landbays I, J, & L; zoned CDD#10/Coordinated Development District. Applicant: Potomac Yard, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 9/17/2011, and is incorporated as part of this record by reference.)

Ms. Willger, Planning and Zoning, along with Mr. Wagner, Planning and Zoning, made a presentation of the report, and they, along with Ms. Wright, Planning and Zoning, responded to questions of City Council.

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

- (a) Duncan Blair, 524 King Street, attorney for Potomac Yard LLC, spoke in support of the request.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

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City Council took a 20 minute break at 1:25 p.m.

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12. HIGH CAPACITY TRANSIT CORRIDOR -C

Public Hearing and Consideration of the first stage of implementation for High Capacity Transit Corridor - C (Van Dorn/Beauregard). Staff: Departments of Transportation and Environmental Services and Planning and Zoning

PLANNING COMMISSION ACTION: Planning Commission reaffirmed support for transit in Corridor C on an expedited basis and believes that there should be bus rapid transit running in dedicated lanes. The Commission had insufficient information on the non-transportation planning elements to form any further judgment. 7-0

ALEXANDRIA TRANSPORTATION COMMISSION ACTION: Recommend the City Council adopt the recommendation of the CWG for Corridor C, with two caveats: 1) The alignment be optimized to better serve the Northern Virginia Community College (NVCC), and 2) Recommend that the Transportation Commission be tasked to identify decision criteria, evaluate and monitor the transition from Alternative D (Bus Rapid Transit in dedicated lanes) to Alternative G (Streetcar in dedicated lanes), and periodically report the progress to the City Council. 7-0

(A copy of the City Manager's staff report dated September 12, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/17/2011, and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, along with Mr. Lerner, Deputy Director, T&ES, made a presentation of the report and responded to questions of City Council. Mr. Posey, chair, Alexandria Transportation Commission, and Mr. Komoroske, chair, Planning Commission, also made a presentation of their Commission's findings.

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

(a) Jack Sullivan, 4300 Ivanhoe Place, spoke in opposition to the plan, and if Council can't vote it down, to take the same position as the Planning Commission.

(b) Dave Cavanaugh, 4008 Fort Worth Avenue, spoke in opposition to the plan.

(c) Kathy Hart, 4302 Bushie Court, member of the Lincolnia Hills, Haywood Glenn Civic Association, the Beauregard Corridor Stakeholders Group, and the Mason District BRAC-133 Task Force, spoke in support of the plan approved by the workgroup.

(d) Annabelle Fisher, 5001 Seminary Road, spoke of the Planning Commission's confusion in making a motion on the item and spoke of extending Beauregard from Duke to King Street.

(e) Anna Bentley, E. Abingdon Drive, said she serves on the High Capacity Transit Work Group, and she spoke in favor of alternative D.

(f) Brad Putzier, 1000 N. Terrill Street, AGM, Alexandria Transit Company, DASH, spoke in support of the proposal.

(g) Andrea Thurman-Dawood, 5800 Quantrell Avenue, #103, spoke in support of bus rapid transit along corridor C.

(h) Owen Curtis, 5465 Fillmore Avenue, spoke of his concerns with the planning study and in opposition to the plan.

(i) Raymond Mui, 3000 Business Center Drive, representing Alexandria Transit Company, spoke in support of the plan.

(j) Pete Benavage, 5066 Fairbanks Avenue, speaking for himself and several members of the Shirley Gardens Neighborhood Committee, spoke in support of the plan.

(k) Nancy Jennings, 2115 Marlboro Drive, member of the High Capacity Transit Work Group, asked for deferral until the high capacity transit workgroup has finished its consideration of all three corridors.

(l) Katy Cannady, 20 E. Oak Street, spoke in opposition to the plan and strongly opposed the widening of the road.

(m) Scott Littlefield, 6238 N. Morgan Street, former president, Lincolnia Hills/Heywood Glen Civic Association, spoke in support of the plan.

(n) Dana Kauffman, 4520 Zantern Place, director of college government affairs, Northern Virginia Community College, spoke in support of the recommendation of the Transportation Commission, stating that they would like to see alternative G, the streetcar alternative put in place.

- (o) Kathleen Burns, 1036 N. Pelham, spoke in opposition to the plan.
- (p) Shirley Downs, 1007 N. Vail, spoke of the need for buses during non rush-hour times and said the problem with the plan is buses making the turn and how wide it will be.
- (q) Carol James, 1000 N. Vail Street, spoke in opposition to the plan.
- (r) Lynn Bostain, 5695 Rayburn Avenue, spoke in opposition to the plan.
- (s) Catharine Puskar, 2200 Clarendon Blvd., Suite 1300, Arlington, attorney representing JBG, Duke Realty, Hekimian, Southern Towers, and Home Properties, spoke in support of the plan.
- (t) Poul Hertel, 1217 Michigan Court, spoke in opposition to the plan.
- (u) Carolyn Griglione, 1416 N. Ivanhoe Street, spoke in support of the plan.
- (v) Dak Harwick, 5181 Brawner Place, member of the High Capacity Corridor Work Group, spoke in support of the plan.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and moved adoption of the recommendation of the High Capacity Transit Corridor Work Group.

Councilman Smedberg asked for a friendly amendment to the motion that the alignment be optimized to better serve the Northern Virginia Community College. The amendment was acceptable to the maker of the motion and becomes part of the motion.

A SUBSTITUTE MOTION was made by Councilwoman Hughes that Council accept the recommendation of the High Capacity Transit Corridor Work Group, excluding the following language: "until such time as alternative G becomes feasible and can be implemented."

The substitute motion died for lack of a second.

In response to a question from Council about DASH, Mr. Baier said the Council has included a comprehensive operational analysis piece within the DASH budget, so that analysis will need to be updated so they can look at how to better serve the neighborhood on re-sized buses. Council also requested last year in a work session that staff pull together an efficiency and structural piece audit and they are working on that piece as well.

The original motion, as amended, carried unanimously and was as follows:

Krupicka "aye" Donley "aye"

Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Pepper	"aye"	

Board of Architectural Review

15. Public Hearing and Consideration of an Appeal of the Board of Architectural Review's decision approving a request for demolition/encapsulation as amended at 329 N. Saint Asaph Street, Zoned RM Residential, BAR Case 2011-0182; and an Appeal of the Board's decision approving a request for alterations as amended at 329 N. Saint Asaph Street, Zoned RM Residential, BAR Case 2011-0183. Applicant: Janice Cuny and Steve Robinson by Tom Canning. Appellant: Billie Schaeffer and John Williams on behalf of petitioners.

(A copy of the Planning and Zoning Department report dated September 17, 2011 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 9/17/2011, and is incorporated as part of this record by reference.)

Mr. Cox, Planning and Zoning, made a presentation of the staff report and responded to questions of City Council.

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

(a) Hope Canning, 13 E. Howell Avenue, owner, Sethanne Studios, Inc., said she is working with the owners on the restoration of their home, and she spoke in support of the application.

(b) John von Senden, 18 Carriage House Circle, member, Board of Architectural Review - Old and Historic District, spoke against the appeal and noted the BAR's discussion and decision.

(c) Steve Robinson, 329 N. Saint Asaph Street, owner of the property, spoke in opposition to the appeal.

(d) Van Van Fleet, 26 Wolfe Street, spoke in support of the appeal.

(e) Whitney and Jaime Steve, 325 N. Saint Asaph Street, spoke in support of the appeal.

(f) John Kester, 313 N. Saint Asaph Street, spoke in support of the appeal, or asked that it be sent back to the BAR to give it another look.

(g) Jan Cuny, 329 N. Saint Asaph Street, owner of the property, spoke in opposition to the appeal.

(h) Billie Schaeffer, 327 N. Saint Asaph Street, spoke in support of the appeal.

(i) John Williams, 327 N. Saint Asaph Street, spoke in support of the appeal.

(j) Mary Theresa Vasquez, 317 N. Saint Asaph Street, spoke in support of the appeal.

(k) Hazel Rigby, 330 N. Pitt Street, spoke in support of the appeal.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

WHEREUPON, a motion was made by Councilwoman Pepper, seconded by Councilman Fannon, to remand the project to the Board in light of the question as to whether the porch can be seen clearly from Princess Street and St. Asaph and that it would be nice to have the full BAR to consider it.

WHEREUPON, a substitute motion was made by Councilwoman Hughes, seconded by Councilwoman Pepper, to reverse the decision of the Board of Architectural Review.

The substitute motion failed by a vote of 2-5, and was as follows:

Hughes	"aye"	Donley	"no"
Pepper	"aye"	Fannon	"no"
Euille	"no"	Krupicka	"no"
	Smedberg	"aye"	

WHEREUPON, a substitute motion was made by Councilman Smedberg, seconded by Vice Mayor Donley, to uphold the decision of the Board of Architectural Review.

WHEREUPON, a second substitute motion was made by Councilwoman Pepper, seconded by Councilwoman Hughes, to uphold the decision of the BAR except for the enclosure of the rear porch.

The voting on the second substitute motion failed by a vote of 2-5 and is as follows:

Pepper	"aye"	Donley	"no"
Hughes	"aye"	Fannon	"no"
Euille	"no"	Krupicka	"no"
	Smedberg	"no"	

The voting on the substitute motion to uphold the decision of the BAR carried by a vote of 4-2-1 and was as follows:

Smedberg	"aye"	Fannon	abstain
Donley	"aye"	Hughes	"no"
Euille	"aye"	Krupicka	"aye"
	Pepper	"no"	

ORDINANCES AND RESOLUTIONS

16. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved by City Council to the Eisenhower East Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2011-0003 and 2011-0004 and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (#13, 9/13/2011) **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 9/27/11, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 9/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4736

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2011-0003 and 2011-0004 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2011-0003 and 2011-0004 the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 7, 2011 of an amendment to the Eisenhower East Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, by amending Figure 4-10, "Development Controls CDD 11" to transfer certain density in South Carlyle; revising the language describing the Alexandria Sanitation Authority property on page 4-17; and adding design guidelines for Blocks 26A, 26B, 28, 29, and 30 on page 4-27 all as shown with strikethrough and underline in Exhibit A, which recommendation was approved by the City Council at public hearing on June 25, 2011;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That pages 4-14, 4-17 and 4-27 of the Eisenhower East Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, be, and the same hereby are, amended by adding the language shown as underlined and deleting the language shown as strikethrough on Exhibit A, attached hereto and incorporated fully herein by reference.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan map amendments, as part of the Eisenhower East Small Area Plan Chapter of 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 3. That all provisions of the Eisenhower East Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the 1992 Master Plan (1998 ed.) of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

* * * * *

WHEREUPON, a motion was made by Councilwoman Hughes and seconded by Councilman Smedberg to reconsider item #12, the high capacity transit, corridor C, because she wants to change her vote.

After discussion, Mayor Euille ruled that the motion was out of order.

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REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council adjourned the public hearing meeting of September 17, 2011, at 6:19 p.m. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Krupicka	"aye"	Hughes	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

APPROVED BY:

WILLIAM D. EUILLE

MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council