

MINUTES – DRAFT

ALEXANDRIA WATERFRONT COMMISSION

Tuesday, June 18, 2019

Monthly Meeting

Sister Cities Conference Room

City Hall

7:30 a.m.

Commission Members

Present:

Charles Ablard, Historic Alexandria Foundation
Cheryl Ahearn, Citizen, Park Planning District I
Eldon Boes, Alexandria Environmental Policy Commission (EPC)
John Bordner, Citizen, west of Washington St
Rich Brune, Citizen, Park Planning District III
Susan Cohen, Alexandria Commission for the Arts
Robert Cvejnovich, Old Town Civic Association (OTCA)
Doug Gosnell, Representative, Alexandria Marina Pleasure Boat Leaseholders
Beth Gross, Founders Park Community Association (FPCA)
Charlotte Hall, Representative, VisitAlexandria
Mark Ludlow, Alexandria Archaeological Commission (AAC)
Nate Macek, Alexandria Planning Commission
Kleber (Skid) Masterson, Citizen, east of Washington St. and south of King St
Danielle Romanetti, Alexandria Chamber of Commerce, representative
Mohamed E. "Mo" Seifeldin, Member, Alexandria City Council
Kathy Seifert, Alexandria Seaport Foundation
Stephen Thayer, Citizen, east of Washington St. and north of King St. and Chair
Christa Watters, Citizen, east of Washington St. and north of Pendleton St.

Excused:

Gina Baum, Alexandria Park and Recreation Commission
Trae Lamond, Representative, Old Town Business and Professional Association
(OTBPA)

Vacant positions:

Citizen, Park Planning District II

City Staff

Capt. Jamie M. Bridgeman, Alexandria Police Department (APD)
Jack Browand, Commission Staff Liaison, and Division Chief, Park Planning, Design &
Capital Development, Recreation, Parks, and Cultural Activities (RPCA)
Jim Hixon, Dockmaster, RPCA
Catherine Miliaris, Planning and Zoning (P&Z)
Iris Portny, Commission Recording Secretary, RPCA
Michael Swidrak, P&Z

Guests

Richard Benchoff, ODBC, Board of Governors
Brian Buzzell, Harborside
Bruce Catts ODBC, President
Tom Church, Tall Ship Providence Foundation Board
Jack Conner, ODBC
Bert Ely, Friends of the Alexandria Waterfront: Old Town Civic Association
Bill Gard – ODBC Board of Directors
Skip Graffam, The Olin Group
Hal Hardaway, resident
Greg Hoffman, Rooney Properties LLC
Kathleen Rooney, Rooney Properties LLC
Kenneth Wire, Wire Gill LLP

Call to Order - Welcome and Introductions – Steve Thayer, Chair

Thayer called the meeting to order at 7:30 a.m. and welcomed new Commissioners Danielle Romanetti, representing the Alexandria Chamber of Commerce, and Doug Gosnell, representing the Marina pleasure boat leaseholders.

Action Item: Approval of May 21, 2019 Minutes

On a motion introduced by Hall and seconded by Macek Commissioners approved the May 21, 2019 minutes by unanimous voice vote, with one abstention. Bordner abstained due to his absence at the May meeting.

Presentations & Information

ROBINSON TERMINAL NORTH (RTN) UPDATE – Ken Wire, Wire Gill LLC

- **Revised concept** - Wire reported that Rooney Properties, the RTN site owners, have significantly revised and scaled down their original design concept for 500/501 Union Street (RTN site). The revised plan proposes 53 townhomes, open space and the developer either building a new pier or making a donation to the City for affordable housing.
- **Timing** - Their concept plan, the first step in the DSUP process, will be submitted for staff review shortly. Wire said staff comments are typically provided within 21-30 days of a plan's being submitted. The project team hopes a DSUP decision from the City could be reached by fall 2019.
- **Outreach** – Wire's briefing was the first step in the extensive public outreach being planned for the revised concept. Rooney Properties' goal is to learn as quickly as possible whether the new development design will have community and City support.

- **Minimizing contamination risks** - To avoid digging up and disturbing the site's contaminated soil, consideration is being given to the viability of building the townhomes on top of the slabs on which the RTN warehouse was built.
- **AlexRENEW** - The eastern part of the property (east of Union Street) would be used for the RiverRENEW sewer mitigation project until 2024 and then some long-term easements would be offered.
- **Density** – The design's proposed density is slightly greater than that permitted as by-right development so a DSUP is required. The revised design is half that of the site's previously approved design.
- **Open space** - The revised design has the same amount of open space as the original plan.
- **Pier** - Rather than building a new pier, since contaminated soil has accumulated under the pier over the years due to the sewer outfall, the developers are considering the option of removing the old pier, cleaning up the shoreline, removing the debris built up over years, and then giving this piece of Waterfront land to the City.
- **Community benefit** - The project budget being developed will include funds that the City would decide how to use, e.g. for building a new pier or for an affordable housing donation.

Commission Discussion (RTN)

The following concerns were highlighted:

- **Adequate parking** - Wire said two parking spaces per townhouse are planned.
- **Contamination risks** - Minimizing risks from disturbing the site's contaminated soil
- **Timing** - A desire for the project to move forward quickly.
- **Community benefits** – Wire emphasized the scaled down development's community benefits would be fewer than those included in the original DSUP approved for the larger development. The developer is only considering public open space, and either building a new pier or making a sizable donation to the City for affordable housing.

Public comments

- **Bert Ely** (Friends of the Alexandria Waterfront) said the townhome plan is likely to be well-received by the community and noted residents' continuing concerns about the risks of site construction disturbing contaminated soil.
- **Hal Hardaway** offered to the Rooney team a 1988 document signed by a Washington Post Vice President that acknowledged the Washington Post's responsibility for any mitigation needed on the site. He noted that the RTN site had been a Superfund site.

OLD DOMINION BOAT CLUB SUP APPLICATION (Pier Expansion)

Duncan Blair, Esquire, Land Carroll & Blair

<file:///C:/Users/Hp->

Owner/Documents/ALX%20WFC/2019_06%20WFC%20MTG/ODBC%20SUP%202019-0039%20Application%20Materials%20Planning%20Commission.pdf

NOTE: Commissioner Hall chaired the discussion. Chair Thayer recused himself. Because he is an ODBC member and was part of the ODBC negotiating team that developed the 2015 City-ODBC settlement agreement that lead to ODBC's move to Prince Street.

Duncan Blair, representing ODBC, reviewed ODBC's pending request for a Special Use Permit (SUP) for proposed waterfront improvements adjacent to the ODBC clubhouse at 0 Prince Street. The existing L-shaped fixed pier would be replaced by two fixed piers extending east and a floating dock extending south.

Overview:

- The SUP is on the Planning Commission's June 25 agenda and on City Council's July 7 agenda.
- ODBC's proposal has been approved by the Virginia Marine Resources Commission, the National Park Service, and US Army Corps of Engineers.
- ODBC said the improvements are consistent with their rights under the 2015 City-ODBC agreement and are consistent with the Waterfront Plan's goal to activate the Waterfront.
- ODBC came to the Commission to explain the improvements planned and ask for the Commission's support.
- **Waterfront Plan consistency** - ODBC said the improvements would further activate the Waterfront by encouraging water-related recreational use. A floating kayak dock would support small boats, kayaks and crew shells. A limited number of community events such as regattas, boating and fishing programs, and crew team races, are envisioned. **Note:** ODBC said it does not agree with staff's concern that a private floating dock at this location would discourage public use of the nearby public Waterfront promenade.
- **Location/riparian rights** - Blair said the piers and floating dock would be located within the river area where ODBC owns the riparian rights. (Riparian rights are the water rights of a landowner who owns land that fronts on the water.) **Note:** ODBC does not agree with staff concerns that boats docking at the northern pier may not rest fully within ODBC's riparian rights for the site.
- **SUP is unrelated to ODBC's right to build a new boat ramp with slips.** The current SUP request is unrelated to the provision in the 2015 settlement agreement that gives ODBC until 2025 the right to build a new boat ramp and slips to serve its members. That construction would require a separate SUP.

- **ODBC concerns re: City's proposed conditions:** ODBC appreciates staff support for the piers but disagrees with some of staff's proposed conditions and caveats for approving the SUP. They hope to be able to negotiate a compromise with the City. Among ODBC's concerns are staff recommendations to prohibit power boat arrivals and departures after midnight, to move the northern pier 20 feet south, and that ODBC's plan to host occasional public events on the pier would be a zoning violation.

Staff concerns – Miliaris and Swidrak (P&Z) – Staff is supportive of the proposed piers but have several concerns.

- **Zoning conflict re: special events as a primary use for the wharf** - The zoning ordinance requires a waterfront facility's primary purpose to be for docking and berthing boats or for related water and electrical utilities. The SUP request appears to indicate the wharf's primary purpose will be hosting special events. Miliaris said the zoning ordinance does not offer a mechanism to address special events. **Note:** Blair said hosting special events would not be a primary use, but an accessory use since it is subordinate to the primary use, berthing boats.
- **Moving the proposed northern pier 20 feet south** - Staff wants to ensure boats docking on the north side of the pier would be within ODBC's riparian rights, bounded by 0 Prince Street's north property line eastward to the pier line. **Note:** ODBC is willing to bar transient boat docking on the north side of the proposed north pier, since moving the northern pier to the south would impinge on ODBC's south pier.

Commission discussion – issues raised

- **Timing** - Commissioners were frustrated they'd been given so little time to consider a lengthy and detailed SUP request in terms of both current zoning and the Waterfront Plan's vision.
- **Kayak launch** – ODBC said they had a kayak launch at their old King Street clubhouse location.
- **ODBC's King Street pier use** – The proposed improvements do not affect ODBC's use of the City Marina's A/B pier until 2025, per the terms of the 2015 agreement.
- **Potential archaeological impact** - Ludlow asked how archaeological issues would be addressed in the SUP since dredging and pile driving might disturb archaeological resources. Miliaris (P&Z) said any permanent structure, such as a pier, is considered by the Board of Archaeological Review (BAR) and archaeological issues are considered then. ODBC noted that two archaeological studies of the site have been done, one by the City in 2008 and one by Thunderbird Archaeology as part of ODBC's 2015 SUP.
- **Accessory uses** - Blair said hosting special events at the wharf would be an accessory, not primary, use. The wharf's primary use would be berthing and

docking boats. Perhaps 12 events a year would be hosted on the proposed wharf. Hall suggested ODBC consider limiting the number of events during the first year. Romanetti said many Old Town businesses are often frustrated by the difficulty in getting City approval for an accessory use on their site.

- ***Undermining continuous public access to the Waterfront*** – Swidrak said having an uninterrupted public walkway running the length of the City’s waterfront is a primary feature for activating the waterfront. Staff is concerned that having such a large wharf 10-15 feet away from the planned lower public walkway, with the ODBC clubhouse to the walkway’s west and the private wharf to its east. might discourage public access to the promenade at this point. **Note:** ODBC said staff’s concern is unwarranted.
- **Noise** – It was suggested the SUP include a condition that specifies the City noise ordinance be adhered to rather than preventing motorboats from leaving after midnight.

MOTION: Gosnell/Seifert

- Gosnell proposed and Seifert seconded that the Commission support the staff recommendations on the ODBC SUP request with the exception of those regarding the open pile wharf, the requirement to move the northern pier 20 feet southward, and restricting power boats moving to and from the dock after midnight.

Discussion of the motion:

- Commissioners said more time was needed to explore the staff concerns in detail, but they nonetheless felt the Commission should take a position in advance of the June 25 Planning Commission meeting. Browand said the June 25 Planning Commission review of the SUP resulted in the short notice to Commissioners. The staff report on the SUP was only ready the previous Friday so discussing the issue at the Commission’s May meeting was not possible.
- **SUBSTITUTE MOTION:** Ablard proposed and Boes seconded that the Commission accept the staff recommendations regarding the SUP but recommend the Planning Commission and City Council give serious consideration to staff recommendations 2, 3 and 18 (the provisions referenced in the original motion).
- **ACTION: Ablard/Boes:** The substitute Ablard/Boes motion failed on a 3-11 vote with 2 abstentions (Macek, Siefelden) and one recusal (Thayer).
- **ACTION: Gosnell/Seifert motion** - The motion passed by a 10-3 vote with 2 abstentions (Macek and Seifeldein) and 1 recusal (Thayer).

Commission’s Waterfront Walk - Debrief

Browand reported that no new significant issues had been raised during the June 8 walk. Interest continues in having additional restrooms along the Waterfront.

Future actions -

- **Expanded walks** - Commissioners discussed breaking the Commission's single annual walk into two separate walks to provide time for add the Old Town North redevelopment area (e.g. the Crowne Plaza and power plant areas).
- **Adding Waterfront Bikeshare docking station** - Macek suggested the Commission consider whether to recommend an additional Bikeshare station in the vicinity of the Waterfront since the only nearby station is in front of City Hall.
Follow-up: Usage statistics were requested for the September Commission meeting.

City Updates

- **PUBLIC SAFETY** -Bridgeman reported there had been no major crimes in the Waterfront area and reviewed the traffic and parking citations issued. APD officers continue to walk the Waterfront and King Street up to the 600 block from 7 p.m. to 3 a.m. on Friday and Saturday nights. Hall recommended, and Bridgeman agreed, that the patrols should include the G/H pier area while the Tall Ship Providence is docked there.
- **COMMUNITY PROJECT UPDATES** – Browand (RPCA) reported that work on Windmill Hill Park and Waterfront Park will continue through summer.
- **PRIVATE DEVELOPMENT UPDATES** – Shirak (P&Z) **(a) Robinson Landing** – Work continues, including work on the townhomes, multi-family buildings and bulkhead. The bulkhead work is expected to take about three months.; **(b) Watermark Condominiums** – Work continues; **(c) Board of Architectural Review (BAR)** – Its July 10 meeting will consider an SUP for modifications to 10 Duke Street within the Robinson Landing.; **(d) Planning Commission (PC)** – RiverRENEW's DSUP request for the Combined Sewer Remediation Project's sites is on the June 25 PC agenda and City Council's July 9 agenda. The Environmental Assessment should be available for the June 25 meeting.
PC agenda and information at:
http://legistar.granicus.com/alexandria/meetings/2019/6/1998_A_Planning_Commission_19-06-25_Docket.pdf

Liaison Reports

- **AD HOC MONITORING GROUP – John Bordner**
<https://www.alexandriava.gov/special/waterfront/default.aspx?id=86800>
 - Bordner, Monitoring Group chair, reported the next meeting is July 8. There is no August meeting and a September meeting date is not yet set. Ely, a Work Group member, said neighborhood concerns continue to be raised about the impact of the RiverRENEW project, as are complaints about the impact of construction at the Watermark Condominiums and Robinson Landing South.
- **RiverRENEW SUBCOMMITTEE – Christa Watters and Skid Masterson**

<https://riverrenew.com>

Representatives participated in the Waterfront Walk but there has been no other new public activity since May. The project's Environmental Assessment is awaited.

Commissioner and Staff Announcements

- **Hall** – Tall Ship Providence's arrival is expected by early July. Tom Church, a member of the Tall Ship Providence Foundation's Board, said the ship should be in town by July 4.
- **Hall** – Visit Alexandria's Portside events will be held in Waterfront Park this summer, including the Old Town Summer Festival on June 22 and the August 3 Paradiso in the Park sponsored by the Old Town Business Association.
- **Seifert** – Two Alexandria Seaport Foundation (ASF) apprentices have been working in New England on the Providence's repairs and will be sailing with the ship on its voyage from New England to the City.
- **Boes** – The July 9 City Council meeting will receive the Environmental Policy Commission's just-completed revision of the City's Environmental Action Plan.
- **Cohen** – Summer music performances will soon begin near the Mirror Mirror art exhibit in Waterfront Park.
- **Cohen** - The Archaeology and Art commissions are working on thematic walks for the Waterfront.
- **Gross** - Call Click Connect has been very responsive to her reports of scooters being left on her property.
- **Browand** – The Call-Click-Connect (CCC) number will soon be changed to 311.
- **Browand** - Tall Ship Providence is expected to arrive by early July.
- **Browand** – The July 9 Council meeting will consider an ordinance governing the long-term docking of the Tall Ship Providence in the City. He reminded Commissioners of the June 25 Planning Commission and City Council meetings.
- **Browand** – The City's Birthday Celebration is July 17 in Oronoco Bay Park.

Next meeting

Thayer said the next Commission meeting is September 17 unless circumstances require a meeting before then.

Adjournment

Thayer adjourned the meeting adjourned at 9:35 a.m.