

**DEPARTMENT OF PLANNING AND ZONING**

301 King Street

Room 2100

Alexandria, Virginia 22314

Phone 703-746-4666

Fax 703-838-6393

[www.alexandriava.gov](http://www.alexandriava.gov)

July 12, 2011

Messrs. John and Matthew Whitestone  
1110 Alden Road  
Alexandria, VA 22308

Dear Messrs. Whitestone:

Thank you for your communications to the Mayor and City Council regarding the Waterfront Small Area Plan (the "Plan") and, more specifically, how the Plan addresses the Cummings/Turner redevelopment site. I have been asked to respond.

You may already be aware that the City Council has postponed deliberations on the Plan until sometime in the fall. On June 28, the Council decided to create a work group to address outstanding issues over the summer. The work group was appointed on July 11, and will begin its work later this month.

Your letter addressed three topic areas. First, you requested that the FAR associated with the private alley north of 203 The Strand be reflected in the development chart; this will be done.

Second, you also expressed concern about the language in the Design Goals and Guidelines that states that boutique hotels are "preferred" on the Robinson Terminal sites but "required" for the Cummings/Turner block. The Plan's goal in this regard is to promote a use that will be compatible with public spaces, such as the water or active parkland. The Cummings/Turner block is distinct in that it is closest to the commercial activity of King Street and there is active retail (including restaurants) on both the Strand and Union Street faces of the block. Residential development would create potential conflicts between residents and the commercial uses, not only with the levels of activity expected in the new Point Lumley Park but also with the existing commercial uses in the block (which are expected to remain). Residential development in the Cummings/Turner block would also set up a potential conflict for non-residential development at Robinson Terminal South, which would likely happen later. For these reasons, the Plan places greater emphasis on the hotel option in the Cummings/Turner block.

Third, is your concern about the Planning Commission's proposed definition of boutique hotels: up to 150 rooms and meeting space to accommodate up to 50 people. This recommendation reduces the size of hotels to a level which some community members believe is a better fit with the scale and character of Old Town. The meeting space limit will be revisited to recalibrate it to

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that needed by a 150-room hotel. In terms of whether this change encourages one or two hotels on the Cummings/Turner property, the Plan on page 100 encourages the Cummings and the Turner properties to develop jointly. However, each property is of a size where the owners can develop separately and the Plan does not preclude that possibility. It is very useful to have your perspective – which highlights the fact that limiting hotel size does have its tradeoffs – included in the debate on the Waterfront Plan.

Thank you again for your communications. As the process moves forward, it is anticipated that there will be more discussion around these general topic areas so please continue to monitor the website at [www.alexandriava.gov/Waterfront](http://www.alexandriava.gov/Waterfront) for events and updates over the months ahead.

Sincerely yours,



Faroll Hamer, Director  
Department of Planning and Zoning

cc: The Honorable Mayor and Members of City Council  
Bruce Johnson, Acting City Manager  
Mark Jinks, Deputy City Manager  
Rose Boyd, Special Assistant to the City Manager  
Karl Moritz, Deputy Director  
Nancy Williams, Principal Planner

To: Bruce Johnson  
Mark Jinks

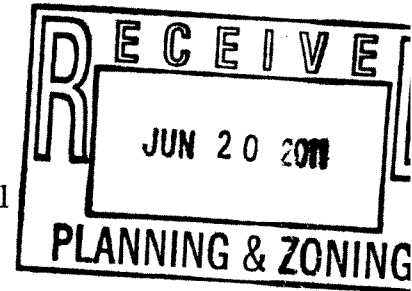
Facoll Hamer  
Jim Banks

Whitestone June 1, 2011 Page 1 of 7

John and Matthew Whitestone  
1110 Alden Road  
Alexandria, VA 22308

June 1, 2011

The Honorable Mayor William D. Euille and Members of City Council  
City of Alexandria  
301 King Street  
City Hall, Room 2300  
Alexandria, VA 22314



RE: Waterfront Small Area Plan and Zoning Text Amendment: Master Plan  
Amendment # 2011-0001, Text Amendment # 2011-0005

Dear Mayor Euille and Members of City Council:

This letter follows up our May 12, 2011 e-mail, which is appended, it being uncertain whether it was received. We are owners of 203, 205, and 211 The Strand, which is the Turner half of the Cummings/Turner block.

On page 9 of its memorandum dated May 6, 2011, city staff proposes incorporating the height and density chart at page 101 of the plan into the zoning. At our request staff corrected two errors in the original chart at plan page 101 (a multiplication error that resulted in the wrong FAR sq. ft. for 203, 205, and 211 The Strand, and the wrong land area for 220 South Union Street), but did not add the private alley north of 203 The Strand. Whether or not anything is ever built on that alley it could still, in consolidation, contribute FAR sq. ft. elsewhere in the block, and should be included in the chart.

On page 5 of its memorandum dated May 6, 2011, city staff proposes making hotel a "required" use in the Guidelines for the Cummings/Turner block, while leaving it a "preferred" use for the two Robinson Terminal redevelopment sites. The effect of this is to link increase in density to hotels for the Cummings/Turner block only, and not for the two Robinson Terminal sites. The reasons cited by staff for hotels — anti-privatization, revenue, etc. — apply equally to all three redevelopment sites. They do not just apply to the Cummings/Turner block. Hotels should be a "preferred" not a "required" use in the Guidelines for all three redevelopment sites. Not "required" only for the Cummings/Turner block as currently proposed by staff. Linkage, or lack thereof, should be uniform over the three redevelopment sites. If hotel use and increased density

remain unlinked on the two Robinson Terminal redevelopment sites, they should be de-linked on the Cummings/Turner block by changing the word "required" to "preferred" in the sentence staff recommends adding to page 99 of the plan as follows: "On this block, the required use facing the Strand above the first floor is boutique hotel." should be changed to "On this block, the preferred use facing the Strand above the first floor is boutique hotel." (In talking to members of staff, they seemed to say they might change their recommendation from "required" to "preferred" for hotel use in the Cummings/Turner block. But we will only know for sure days before you consider this matter again in regular session, so bring it up now given its magnitude.)

On page 5 of city staff's memorandum dated May 6, 2011, Planning Commission recommends limiting the number of rooms per hotel to 150 (plan page 85). Unlike the two Robinson Terminal redevelopment sites there are multiple owners in the Cummings/Turner block. Limiting the number of rooms per hotel to 150 has a different effect on the Cummings/Turner block than on the two Robinson Terminal redevelopment sites. On the two Robinson Terminal sites less hotel means more other uses, with no effect on the total density that can be built. This is not the case for the Cummings/Turner block. Because of the multiple ownership, and the size of the parcels involved, limiting the number of hotel rooms to 150 necessarily lowers the total density than can be built in a unified joint development of the block. In fact it lowers the density so much that the resulting density is only marginally greater than the density currently allowed, and not enough to in any way incentivize hotel use. So for a unified redevelopment of the Cummings/Turner block limiting the number of rooms per hotel to 150 lowers the total density that can be built to nearly the existing density. But for a separate, parcel by parcel, redevelopment of the block the increased density can still be accessed, at least for one property owner. That's why limiting the number of rooms per hotel to 150 in the Cummings/Turner block prevents a unified redevelopment of the block.

In a separate, parcel by parcel, redevelopment of the block whether one or both property owners can access the increased density will depend on two factors — whether hotels remain a "required" use in the Guidelines, and whether the city tries to use the Policy for Restaurant/Hotel/Commercial Uses to prevent two hotels in the block. The plan in its narrative parts and in the Guidelines anticipates two hotels in the Cummings/Turner block. This is often overlooked. The plan actually anticipates at least four hotels not three, one on each of the Robinson Terminal redevelopment sites and two in the Cummings/Turner block. The implementation section of the plan at page 127 and 128 anticipates one hotel in the Cummings/Turner block in years 0-3 and a second hotel in years 3-5, and the Guidelines make provision for a joint underground garage to

be shared by two separate hotels. ("The phasing concept assumes that in the first 3 years of the life of the plan, the Cummings property will redevelop as a hotel ... In years 3-5, the phasing concept assumes ... that the Turner property will redevelop as a hotel ..." Plan pages 127, 128.) The zoning already prevents a joint redevelopment of the block, and since a second hotel may not ultimately be allowed in the Cummings/Turner block, in effect dangles the lure of increased density on a first-come only-served basis to whichever property owner can redevelop separately first. This is poorly written zoning. Contrary to the self-stated aim of the zoning a unified redevelopment with one hotel is prevented in favor of two hotels, or one hotel with other parts of the block not being redeveloped, or one hotel and residential, which according to staff will privatize the proposed park east of The Strand. The zoning shouldn't prevent a unified redevelopment of the block in favor of multiple small fussy uncoordinated redevelopments at war with each other, or result in parts of the block remaining as they are indefinitely. In a block with multiple owners offering increased density on a potentially first-come only-served basis, while simultaneously preventing a unified redevelopment, is lousy zoning which will result in a lousy outcome for the city.

It should be noted that staff is not responsible. It was the Planning Commission that at the last second limited the number of rooms per hotel to 150, without prior consultation with staff, despite having repeatedly said that the professionals in city staff were there for a reason. Planning Commission's recommended limit has unintended and repugnant consequences in the Cummings/Turner block and should be changed for the Cummings/Turner block. The size of the block itself along with FAR and height restrictions should be used to limit hotel size.

The zoning can do one of three things. It can either offer less, the same, or more density for a joint redevelopment than for separate redevelopments. The zoning as currently proposed offers less density for a joint hotel redevelopment, thus forcing the property owners to redevelop separately, leaving the historic warehouses vulnerable. The zoning could be changed to allow a unified redevelopment of the block. Or it could be changed to actively encourage a unified redevelopment of the block. Relying on height and FAR alone to control hotel size (or adjusting the room limit up to 200) would make the same density available for a joint as for a separate redevelopment, allowing a unified redevelopment. Offering more density for a unified redevelopment would actively encourage a unified redevelopment. The zoning could do this by reserving the privilege of hotel with increased density for a unified redevelopment of the entire block only, including the historic warehouses; with or without hotel use at current density for separate redevelopment within the block. This also eliminates the first-come first-served toxicity.

It should also be noted that if preservation of the historic warehouses in the block is considered important, then everything should be done to actively encourage a single unified redevelopment of the block under a single scheme. In a piecemeal, parcel by parcel, redevelopment the first thing to suffer will be restoration of the historic warehouses. Increased density is not enough to support restoration of the historic warehouses, along with their reuse for civic or cultural purposes as required by the Guidelines. Increased density along with a unified redevelopment of the entire block is preferentially needed to adequately support restoration and civic or cultural reuse of the historic structures in the northern one-third of the block, including the historic warehouses at 204 and 206 South Union Street and the historic building at the corner of Prince Street and Union Street (10 Prince). In fact increased density by itself makes separate redevelopments which do not include the historic warehouses more attractive, leaving the historic warehouses vulnerable. At the increased density proposed by the plan, even without the 150 per hotel room limit which rules out a unified redevelopment, other than economy of scale, there is no advantage to a unified redevelopment of the entire block given height and open space (alley) requirements. This is because no more density than that proposed (FAR of 3) can be physically used in the southern two-thirds of the block. Whereas at lower densities, including the current density, a unified redevelopment, including the historic warehouses, with consolidation and shifting of unused density from the northern historic one-third of the block to the southern two-thirds of the block is needed to achieve the same (or the greatest possible) density and value. Increased density is critical to support the cost of restoration and civic or cultural reuse of the historic structures in the northern one-third of the block, but that very increased density makes separate redevelopments within the block, which do not include the historic warehouses, more attractive because consolidation is unnecessary, leaving the historic warehouses vulnerable. Another mechanism such as reserving the privilege of hotel with increased density for a unified redevelopment of the entire block only, has to be used in order to tether that increased density, which is critical to restoration of the historic warehouses, to actual restoration and civic or cultural reuse of the historic warehouses. A unified entire block redevelopment is critical to support restoration and civic or cultural reuse of the historic warehouses. Piecemeal redevelopment of the block may leave them unrestored indefinitely. And limiting the number of rooms per hotel to 150 will force there to be a piecemeal redevelopment.

The Guidelines link all property owners in the block to restoration of the historic warehouses, but in a vague, unclear, amorphous way. The Cummings own the historic warehouses and building at 10 Prince Street. If they want to redevelop elsewhere in the

block within the increased density of the Guidelines, they have to come up with some sort of plan for how those structures might be restored. But the right to redevelop of all the other property owners in the block is also restricted. For the other property owners, if they want to redevelop separately within the Guidelines, their redevelopment still has to be "coordinated" with restoration plans for the historic warehouses. Thus the right to redevelop of all property owners, not just the Cummings, is restricted by the word "coordinated". (Without, by the way, any of the legal protections of a Coordinated Development District.) ("Redevelopment of any portion of the block should be coordinated with restoration and adaptive reuse plans for the historic warehouse buildings in the block." Page 100 of the plan.) Thus redevelopment in the block is restricted by the word "coordinated" but without in any way specifying what exactly coordinated means or how a separate redevelopment by Turner for example would be coordinated with restoration of the historic warehouses if there was still no plan for the restoration of the warehouses. What would it be coordinated with? All of this vagueness, ambiguity, and trying to have a Coordinated Development District without actually having one is in an effort to get the block redeveloped at one time under a single scheme, because that is what is best for the city. The zoning could be written to accomplish this goal cleanly and unambiguously, with the restriction on all property owners' redevelopment rights clear. The privilege of hotel with increased density could be reserved for a joint simultaneous single scenario redevelopment of the entire block, including the historic warehouses; with or without hotel use at current density for separate redevelopments within the block.

The zoning as proposed, by limiting the number of rooms per hotel to 150, not only doesn't favor a unified redevelopment of the entire block, it prevents a unified redevelopment of the entire block by offering less density for a simultaneous unified redevelopment of the entire block than for separate redevelopments within the block. Thus the zoning as proposed uses density to prevent a unified redevelopment of the block. Reserving the privilege of hotel with increased density for a unified redevelopment of the entire block, including the historic warehouses, would use density to actively encourage a single scheme redevelopment of the block, instead of using it to stop it.

By offering more density for a unified redevelopment, the zoning could be changed to favor a unified redevelopment of the entire block, including the historic warehouses. By offering the same density for a unified or separate redevelopment, the zoning could be changed to at least not prevent a unified redevelopment of the entire block. By offering less density for a unified redevelopment of the block the proposed zoning prevents a unified redevelopment of the block. Limiting the number of rooms per hotel to 150 in

the Cummings/Turner block prevents the property owners from getting together to do a simultaneous unified redevelopment of the entire block, including the historic warehouses, which is wrong, bad for the city, and needs to be changed.

In summary:

1. The private alley north of 203 The Strand should be added to the zoning's height and density chart at plan page 101.
2. Hotel should be a "preferred" not a "required" use in the Guidelines for the Cummings/Turner block at plan page 99, as it is for the two Robinson Terminal redevelopment sites.
3. The zoning as currently proposed, by limiting the number of rooms per hotel to 150 at plan page 85, offers more density for separate, parcel by parcel, redevelopments of the block than for a unified redevelopment of the entire block. To allow a unified redevelopment of the entire block including restoration of the historic warehouses, hotel use should be controlled in the Cummings/Turner block by height and FAR not by a numerical limit on the number of rooms per hotel. (Alternatively, if a numerical limit is thought absolutely necessary, it should be raised to 200 so the density available for a unified redevelopment of the entire block at least equals that of parcel by parcel redevelopments.) While not actively favoring a unified redevelopment of the entire block, including the historic warehouses, this option at least doesn't prevent it.
4. Or instead of 3. above. To actively encourage a unified redevelopment of the entire block, including restoration of the historic warehouses, consideration should be given to only allowing the privilege of hotel with increased density to a unified redevelopment of the entire block, including the historic warehouses. This option would use density to actively encourage and favor restoration and civic or cultural reuse of the historic warehouses fully supported by a unified redevelopment of the entire block under a single scheme.

Sincerely,



John and Matthew Whitestone



Appended May 12, 2011 e-mail:

Subject: Waterfront Small Area Plan: Cummings/Turner Redevelopment Site

RE: City Council Public Hearing, May 14, 2011, Docket Item #6, staff memorandum dated May 6, 2011, page 5

The Guidelines for the Cummings/Turner redevelopment site state that a joint development of the block is encouraged. But limiting the number of rooms per hotel to 150 actually encourages a separate development of the block. And encourages two hotels in the block rather than one. Within the constraints of the zoning, in a separate development two 100 room hotels could be built (with meeting space for 100 people allowed). Whereas in a joint development with a single hotel, if you adopt the 150 room limit for the Cummings/Turner block, only 150 rooms could be built (with meeting space for 50 people allowed). Separate development has a higher value, therefore restricting the number of rooms to 150 encourages separate development and a block with two 100 room hotels (and meeting space for 100 people allowed).

Staff proposes adding the following to the Guidelines for the Cummings/Turner block: "On this block, the required use facing the Strand above the first floor is boutique hotel." "Preferred" should be substituted for "required". In the Guidelines hotel use should be a preferred not a required use in the Cummings/Turner block, as it is in the two Robinson Terminal redevelopment sites. Even before limiting the number of rooms per hotel to 150 and requiring rather than preferring hotels in the Guidelines, the proposed zoning for the Cummings/Turner block was already so narrow, relentless, and micromanaged as to allow no room for the zoning to breathe. (Not to mention the swarm of errors and inconsistencies, for e.g., requiring two rather than one alley on 211 The Strand and 220 South Union in a joint redevelopment, "Wolfe Street" when "Duke Street" is meant, the schizophrenic use of the phrase "new buildings" which for instance has to include 206 South Union qua alleys and not include it qua below-grade parking.) Suddenly adding the word "required" to the Guidelines pushes the zoning off a cliff.

In the Cummings/Turner block adding language to the Guidelines requiring hotels further throttles and suffocates the already overdone zoning and will hamper rather than guide any redevelopment. And limiting the number of rooms per hotel to 150 will result in two hotels in the block rather than one (with meeting space for 100 people rather than 50 allowed), in order to maximize the value of any hotel redevelopment.