

Docket Item #25-C
MASTER PLAN AMENDMENT #99-0009
REZONING #99-0009
COCA-COLA

Planning Commission Meeting
October 5, 1999

ISSUE: Consideration of a request for amendment to the Alexandria West Small Area Plan Chapter of the 1992 Master Plan to change the land use designation and for an amendment to the zoning of the subject property to I/Industrial, with proffer limiting use to parking.

APPLICANT: Coca-Cola Enterprises Inc.
by Sarah E. Hall, attorney

LOCATION: 5188 Dawes Avenue

CITY COUNCIL ACTION, NOVEMBER 23, 1999: This is not a public hearing item. City Council closed the public hearing at its October 16, 1999 Public Hearing Meeting.

City Council approved the items as modified with the attachment 1 (Euille-Pepper compromise) received this evening for docket item nos. 16, 17, and 18, which includes the discussion regarding the fence.

Vice Mayor Euille spoke to the Euille-Pepper proposal.

Mayor Donley raised the issue with respect to a fence around the property. He indicated at this point there is not going to be a fence around the property as proposed in the compromised. Is this correct?

Planning and Zoning Director Lynn stated that this is not his understanding. He indicated that the Euille-Pepper proposal calls for the plan which is attachment 1 and shows a fence in front of the plantings in front of the parking lot.

Vice Mayor Euille stated that it was concluded that the fence is not necessarily needed, thus, it is recommended that the fence be deleted and that appropriate plantings of shrubbery or some minor landscaping occur in the place of the fence.

Mayor Donley stated that the representatives from Coca-Cola are agreeable not to construct a fence. Is that correct ?

Coca-Cola representatives responded in the affirmative.

Mayor Donley noted that Coca-Cola did express some concern to him regarding security of the lot with potential vandalism to property or stolen cars. He stated that they would like to reserve the right to come in and potentially request a fence should conditions warrant the placement of the fence and that would be relative to the security of vehicles that are parked on the lot. Any request for such a fence would be accompanied by some evidence that security is needed.

Coca-Cola representatives indicated that they were agreeable to this.

Vice Mayor Euille stated that he is hearing that for the first time and indicated that it is not an unfair or unreasonable request on the part of Coke; however, if that were indeed a substantiated case in fact, that the fence would then go in the alignment that was previously worked out under their compromise plan.

Councilwoman Pepper stated with a gate, perhaps.

Mayor Donley stated that we need to be specific about this and noted should the need for a fence at some point in the future be evidence because of property damage or security needs, the fence then would go along the alignment of the surface parking lot as opposed to up against Seminary Road.

The Coca-Cola representative stated they do not know when in the future that would be or if it would be, and would be hopeful that it could be worked out what would make best sense at the time for the use of the surface parking area rather than stating it is going to be in a specific place.

William McCulla stated if that is the way it would be handled that he would like it to be at a public hearing so that the neighborhood would have a chance to talk to what they would want to do.

Mayor Donley stated that there will be no fence. If a fence is needed for security on the lot that Coke agrees to make application for that fence and Coke also agrees to discuss the location of the fence with the affected civic groups.

The Coca-Cola representative responded absolutely.

City Attorney Sunderland stated that this would not come in as an amendment to the special use permit, but you should agree simply to have an amendment to the site plan. It will process as a site plan. It will come to staff, it will go to the Planning Commission, have a public hearing, and go to the civic groups. If someone wants to appeal it to Council, it can be appealed to Council.

The parties agreed to this.

William McCulla asked where is the rezoning line.

Councilwoman Pepper stated that the understanding was always that the whole parcel of property was being rezoned industrial.

Planning and Zoning Director Lynn emphasized that we are rezoning with a proffer which means the terms of the proffer are what govern.

CITY COUNCIL ACTION, OCTOBER 16, 1999: City Council closed the public hearing, deferred this item and requested that the parties get back together, both Coke and the Dowden Terrace Civic Association, with assistance from city staff, Vice Mayor Euille, and Councilwoman Pepper, so that we can come to some process ironing out potential resolutions and have this matter come back to Council for further consideration as soon as possible.

It was suggested that they could look at the parking and how it is used in the back lot to see if you can get more parking there, and the possibility of some additional parking on the street for ten or twelve.

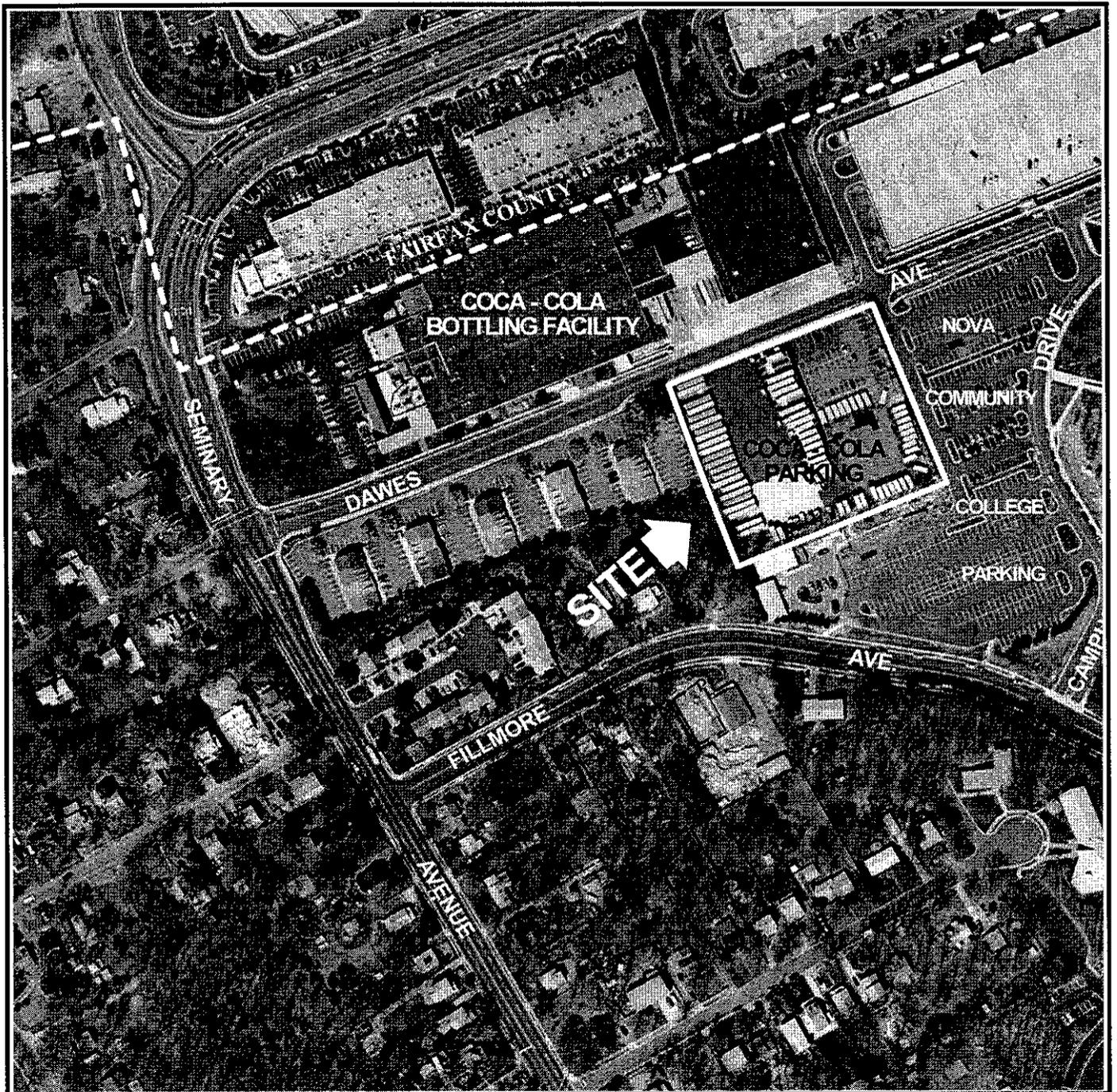
Councilwoman Pepper questioned whether a bigger buffer of land could be allowed on the front from Seminary to where the new additional parking would be.

PLANNING COMMISSION ACTION, OCTOBER 5, 1999: On a motion by Mr. Leibach, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request subject to all applicable codes and ordinances and staff recommendations and with revised language proposed for incorporation into the Master Plan. The motion carried on a vote of 5 to 0. Mr. Dunn and Mr. Wagner were absent.

Reason: The Planning Commission agreed with the staff analysis, noting that the master plan specifically allowed for the Coca-Cola use and that the proposed changes should have positive impacts on the surrounding community.

Speakers:

Lynn Bostain, Seminary West Civic Association, spoke against.
Bill McCulla, Dowden Terrace, spoke against.
Ed Schwab spoke against.
Steve Dujack, Dowden Terrace, spoke against.
Jamie Hill spoke against.
Mike Wendt, Fillmore Avenue, spoke against.
Sarah Hall, representing Coca-Cola.



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10/5/99



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STAFF RECOMMENDATION:

Staff recommends **approval** of the master plan amendment changing the land use designation from RL/Residential Low to I/Industrial, with the incorporation of the following language into the Alexandria West Small Area Plan:

The change in land use designation from Residential Low to Industrial, accompanied by a rezoning to I/Industrial, with a proffer limiting use to parking, is being made for the sole purpose of allowing the existing (1999) Coca Cola Enterprises, Inc., facility to remain at its present location with reduced impacts on the surrounding neighborhoods. If another industrial use were to replace the Coca Cola facility, it would also be allowed to use this site for accessory parking, subject to the proffer. It is, however, the intent of this change in land use designation that no industrial use other than accessory parking shall be permitted on the site. (Planning Commission)

Staff also recommends **approval** of the zoning amendment changing the zoning designation of the subject site from R-12/Residential to I/Industrial, with the following proffer:

Proffer Provided by the Applicant

1. The Subject Property shall be used only for a surface parking lot for trucks and passenger vehicles. No more than 90 trucks shall be parked on the lot.
2. The Applicant shall remove the existing chain link fence along the western boundary of the Subject Property and replace it with a ten-foot (10') high board on board fence.
3. The applicant shall provide five street trees on the south side of Dawes Avenue in front of the parking lot and shall maintain the landscaping appropriately, including without limitation replacing any trees which may die or become diseased.
4. The Applicant shall provide shrubs and/or trees to the satisfaction of the Director of Planning & Zoning at the Subject Property's eastern property line and at the eastern half of the southern property line and/or on the adjoining Northern Virginia Community College property, if

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acceptable to Northern Virginia Community College.

BACKGROUND :

The applicant, Coca-Cola Enterprises, Inc., proposes to amend the Alexandria West Small Area Plan Chapter of the Master Plan to change the land use designation for the property located at 5188 Dawes Avenue from RL/Residential Low to I/Industrial and to change the zoning designation from R-12 to I/Industrial with proffers limiting the use of the lot to parking. The change is requested in order to allow Coca-Cola to park trucks in the existing surface parking lot, providing a total of 130 parking spaces, including a maximum of 90 for trucks. The subject site is surrounded by the Alexandria Campus of the Northern Virginia Community College parking lot to the south and east, the Coca-Cola Bottling Facility to the north, and the Seminary Village medical townhouses to the west. A small portion of the site does abut a vacant residential parcel to the west, also zoned R-12.

The 1992 Master Plan left the subject site (5188 Dawes) and a portion of the adjacent Coca-Cola property (5401 Seminary) zoned residential.

However, staff believes that it is extremely unlikely that these properties will be developed as residential as long as the Coca-Cola Bottling Facility continues operations at this location.

During the review of the applicant's original request for a master plan amendment and rezoning related to the construction of a new parking lot at the corner of Seminary and Dawes, it was brought to staff's attention that Coca-Cola is in violation of a special use permit approved in 1968 (SUP #724) for the existing parking lot 5188 Dawes. The parking lot was originally constructed in order to provide the required parking for Coca-Cola in conjunction with a physical expansion of the Coca-Cola building. The special use permit for the lot limited parking to 270 passenger vehicles, and specifically excluded the parking of trucks; and, in fact, the 1968 zoning could not have permitted trucks to be parked on this lot.

However, Coca-Cola has been parking trucks on this lot since approximately 1980. The applicant has indicated that the special use permit was unknowingly violated. They now seek to legitimize the current parking arrangement, where a maximum of up to 130 trucks and cars are parked on the original 270 space lot.

Staff's initial review of the violation indicated that an amendment to the special use permit would resolve the violation, and the applicant promptly filed for an amendment. However, further review

of the issue revealed that neither the original zoning under which the parking lot SUP was approved nor the current zoning allow the truck parking for the industrial use to occur on residential land.

After this determination was made by staff, the applicant promptly filed this application for the rezoning and master plan amendment.

No citations have been issued to Coca-Cola by this department for the special use permit violation, because of the applicant's immediate response to remedy the violation by filing this application.

STAFF ANALYSIS:

Staff has no objection to the proposed master plan and rezoning, intended to legitimize the current use of the lot for truck parking.

The applicant proposes a proffer which will limit the use of this site to a maximum of 90 truck parking spaces and at least 40 regular sized spaces, similar to the mix of vehicles being parked on the lot today.

Although the current master plan designates the site residential, it also provided for the continuation of the existing Coca-Cola facility on the main site. While this parcel was not mentioned specifically in the Small Area Plan, at the time the 1992 plan was adopted, this parcel was already being utilized as a parking lot for the bottling facility. Therefore, staff does not believe that allowing the continued use of the lot for parking--albeit truck parking--is a substantial departure from the Plan's original intent.

Staff believes utilizing the parking lot for trucks rather than cars will have little land use impact. The site has already been used to park trucks for almost twenty years, and staff has received no complaints (even though this use was in violation of a special use permit).

Staff does have two concerns about the proposed rezoning and use of the site for truck parking. The first is that appropriate screening be provided, particularly along the western property line, which abuts a vacant R-12 property. The existing chain link fence on the west side of the site will be replaced with a solid board-on-board fence to ensure adequate screening of the trucks. The remainder of the site will continue to have a chain-link fence with additional trees and/or shrubs to screen the lot from the adjacent Northern Virginia Community College.

Staff's second concern relates to the parking on the site overall.

The shift to using the lot for parking trucks has displaced employee

parking, creating something of a parking problem for the facility. The overall parking issues are discussed in more detail in the report on SUP#99-0088, being considered concurrent with this application. But in summary, staff believes the parking can be adequately addressed, without negatively affecting the community, by allowing the construction of the new proposed parking lot in front of the Coca-Cola facility and by allowing Coca-Cola to continue to use the adjoining NVCC parking lot.

Staff, therefore, recommends approval of the master plan change and the rezoning with proffers.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development;
Andrea Martin, Urban Planner.

RESOLUTION NO. MPA-99-0009

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City of Alexandria and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the Alexandria West Small Area Plan section of the 1992 Master Plan was filed with the Department of Planning and Zoning on July 7, 1999 for changes in the land use designations to the parcels at 5188 Dawes Avenue; and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on October 5, 1999 with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the Alexandria West Small Area Plan section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the Alexandria West Small Area Plan section of the 1992 Master Plan; and
3. The proposed amendment shows the Planning Commission's long-range recommendations for the general development of the Alexandria West Small Area Plan; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the Alexandria West Small Area Plan section of the 1992 Master Plan will, in accordance with present

and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

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NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the Alexandria West Small Area Plan section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

- A) Change the designation of parcels at 5188 Dawes Avenue from RL/Residential Low to I/Industrial.
- B) Add the following language at an appropriate location with the plan:

The change in land use designation from Residential Low to Industrial, accompanied by a rezoning to I/Industrial, with a proffer limiting use to parking, is being made for the sole purpose of allowing the existing (1999) Coca Cola Enterprises, Inc., facility to remain at its present location with reduced impacts on the surrounding neighborhoods. If another industrial use were to replace the Coca Cola facility, it would also be allowed to use this site for accessory parking, subject to the proffer. It is, however, the intent of this change in land use designation that no industrial use other than accessory parking shall be permitted on the site.

2. This resolution shall be signed by the Chairman of the Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED the 5TH day of October, 1999

W. B. Hurd, Chairman

ATTEST: _____
Sheldon Lynn, Secretary