

**City of Alexandria
Meeting Minutes
Saturday, March 16, 2024, 9:30 AM
City Council Public Hearing Meeting**

Present: Mayor Justin M. Wilson, Vice Mayor Amy B. Jackson, Members of Council Canek Aguirre, Sarah R. Bagley, John Taylor Chapman, Alyia Gaskins, and R. Kirk McPike.

Absent: None.

Also Present: Mr. Parajon, City Manager; Mr. Cordell Ivery, City Attorney; Ms. Zechman Brown, Deputy City Attorney; Mr. Conkey, Planning and Zoning (P&Z); Mr. Moritz, Director, P&Z; Mr. Lambert, Deputy City Manager; Mr. Routt, Director, Office of Management and Budget (OMB); Mr. LaColla, Division Chief, P&Z; Ms. Stansfield, Planning and Zoning; Ms. Horowitz, P&Z; Mr. Dofflemeyer, Transportation and Environmental Services (T&ES); Mr. Knight, T&ES; Mr. Lucarelli, T&ES; Ms. Carraway, P&Z; Mr. Smith, Information Technology Services (ITS); Ms. Demeke, ITS; and Police Lt. Lion.

Recorded by: Gloria Sitton, City Clerk and Clerk of Council.

I. OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present, with Councilman Aguirre and Councilman Chapman arriving following roll-call.

2. Approval of the Electronic Participation Resolution by City Council (if needed)

Not needed.

3. Public Discussion Period

The following persons participated in the public discussion period:

1. Alison O'Connell, Alexandria, requested a ceasefire resolution from Council.

2. Jarrod Backous, Alexandria, spoke in support of the proposed arena/entertainment district.

3. Tom Kopko, Alexandria, spoke in support of the proposed arena/entertainment district.

4. Rachel Horn, Alexandria, spoke in support of the proposed arena/entertainment district.
5. Bill Blackburn, Alexandria, spoke in support of the proposed arena/entertainment district.
6. Nikki Enfield, Alexandria, requested a ceasefire resolution from Council.
7. Katie Akbar, Alexandria, requested a ceasefire resolution from Council.
8. Rose Esber, Alexandria, requested a ceasefire resolution from Council.
9. Melissa Elbirt, Alexandria, requested a ceasefire resolution from Council.
10. Katlyn Cotton, Alexandria, requested a ceasefire resolution from Council.
11. Amy Horowitz, Alexandria, requested a ceasefire resolution from Council.
12. Glen Pine, Alexandria, requested a ceasefire resolution from Council.
13. Mariam Creedon, Alexandria, requested a ceasefire resolution from Council.
14. Rasha Abdel Latif, Alexandria, requested a ceasefire resolution from Council.
15. Janice Grenadier, Alexandria, spoke about issues with the court system and law enforcement.
16. Nat Curtin, Alexandria, requested a ceasefire resolution from Council.
17. John Dwyer, Alexandria, requested a ceasefire resolution from Council.
18. Rana Latif, Alexandria, requested a ceasefire resolution from Council.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilman Chapman and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed none.

II. ACTION ITEMS

Planning Commission

Consent Calendar (4-6)

4. Special Use Permit #2023-00107
1508 Mount Vernon Avenue
Public Hearing and consideration of a Special Use Permit to increase the Floor Area

Ratio up to .75 for the addition of a roof over existing outdoor dining; zoned CL/Commercial low Applicant: Noe Landini
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 03/16/24, and is incorporated as part of this record by reference.)

5. Zoning Text Amendment #2024-00002

(A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to: (1) amend Sections of Article II to define electric vehicle charging; amend the hotel definition; delete apartment hotel, bed and breakfast accommodation, guest room, and tourist home definitions; and delete private academic school from the personal service definition; (2) amend Sections of Articles III, IV, V, and VI to remove apartment hotel, bed and breakfast accommodation, guest room, and tourist home as special uses; add outdoor dining located on private property within a commercial complex as a permitted use in the CRMU-X zone; add indoor recreation and entertainment use as a permitted use in the I/Industrial zone; (3) amend Sections 6-603 and 6-704 relating to auxiliary dwellings; (4) delete Section 6-800 related to King Street Outdoor Dining; (5) amend Section 7-101 to allow electric vehicle charging as an accessory use; (6) correct technical errors in Sections 7-202 and 7-2501; (7) delete Section 7-400 relating to bed and breakfast accommodation; (8) delete Section 8-200(A)(4) relating to off-street parking requirements for tourist homes; and (9) amend Sections 11-511 and 11-513 to clarify language related to reviews of and administrative amendments to Special Use Permits and to increase the number of seats allowed with an Administrative Special Use Permit for outdoor dining. Staff: City of Alexandria Department of Planning & Zoning
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 03/16/24, and is incorporated as part of this record by reference.)

6. Zoning Text Amendment: #2024-00003

(A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend various Sections of Article XIII to: revise existing Sections 13-102 through 13-126 to reflect updated language due to the Commonwealth's consolidation efforts that combine the Erosion and Sedimentation Control and Stormwater Management Program regulations. The amendments will merge existing Code of Virginia regulations related to stormwater and erosion and sediment control into a single regulatory chapter. Staff: City of Alexandria - Department of Transportation & Environmental Services
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 03/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilman

Chapman and carried unanimously, City Council approved the consent calendar. The approvals were as follows:

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

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

Roll-Call Consent Calendar (7-9)

7. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2023-00008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2023-00008 associated with 1201 East Abingdon Drive approved by City Council on February 24, 2024). [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 Item No. 7; 03/16/24, 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 Item No. 7; 03/16/24, and is incorporated as part of this record by reference.)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 044.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 1201 East Abingdon Drive from OCM(50)/Office Commercial Medium (50) to CRMU-X / Commercial Residential Mixed Use (Old Town North) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2023-00006 (Implementation Ordinance for Rezoning No. 2023-00006 associated with 1201 East Abingdon Drive approved by City Council on February 24, 2024). [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 Item No. 8; 03/16/24, 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 Item No. 8; 03/16/24, and is incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 5-6-23 (Constructed so as to Require Separate and Direct Service for Each House, Building or Parcel of Property), 5-6-25.1 (Sewer Connection Permits and Service Fees; Construction Costs; Constructing Sewers by Owners Rather Than City; Additional Connections), and 5-6-28 (Unlawful to Connect Without Permit and Payment) of Division 1 (General Provision) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (Water and Sewer) of Title 5 (Transportation And Environmental Services). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 03/16/24, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 03/16/24, 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 Item No. 9; 03/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Gaskins and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar. The approvals were as follows:

7. City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2023-00008 and no other amendments, and to repeal all provisions of said master plan as may be inconsistent with such amendment.

The ordinance reads as follows:

ORDINANCE NO. 5526

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2023-00008 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. 2023-00008, 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 February 6, 2024 of an amendment to the Old Town North Chapter of the Master Plan of the City of Alexandria to amend Figure 2.14: Recommended Height District Limits, to change the height limit for the property from 50 feet to 65 feet, which recommendation was approved by the City Council at public hearing on February 24, 2024;

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 the Old Town North Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Figure 2.14: Recommended Height District Limits, to change the height limit for the property from 50 feet to 65 feet, 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 amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan 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 Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan 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.

8. City Council adopted an ordinance to amend and reordain Sheet No.0444.04 of the "Official Zoning Map, Alexandria, Virginia.", adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 1201 East Abingdon Drive from OCM (50)/Office Commercial Medium (50) to CRMU-X/Commercial Residential Mixed Use (Old Town North) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No.2023-00006.

The ordinance reads as follows:

ORDINANCE NO. 5527

AN ORDINANCE to amend and reordain Sheet No. 044.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 1201 East Abingdon Drive from OCM(50)/Office Commercial Medium (50) to CRMU-X / Commercial Residential Mixed Use (Old Town North) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2023-00006.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2023-00006, 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 February 6, 2024 of a rezoning of the property at 1201 East Abingdon Drive from OCM(50)/Office Commercial Medium (50) to CRMU-X / Commercial Residential Mixed Use (Old Town North), which recommendation was approved by the City Council at public hearing on February 24, 2024;
2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;
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 Sheet No. 044.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 1201 East Abingdon Drive, Alexandria, Virginia
22314, 044.04-05-01

From: OCM(50)/Office Commercial Medium (50)
To: CRMU-X / Commercial Residential Mixed Use (Old Town North)

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 3. That Sheet No. 044.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

9. City Council adopted an ordinance to amend Section 5-6-23 (Constructed so as to Require Separate and Direct Services for Each House, Building or Parcel of Property), 5-6-25.1 (Sewer Connection Permits and Service Fees; Construction Costs; Constructing

Sewers by Owners Rather Than City; Additional Connections), and 5-6-28 (Unlawful to Connect Without Permit and Payment) of Division I (General Provision) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (Water and Sewer) of Title 5 (Transportation And Environmental Services).

The ordinance reads as follows:

ORDINANCE NO. 5528

AN ORDINANCE to amend and reordain sections 5-6-23 (CONSTRUCTED SO AS TO REQUIRE SEPARATE AND DIRECT SERVICE FOR EACH HOUSE, BUILDING OR PARCEL OF PROPERTY), 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS), and 5-6-28 (UNLAWFUL TO CONNECT WITHOUT PERMIT AND PAYMENT) of Division 1 (GENERAL PROVISION) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY AMENDS AND REORDAINS:

Section 1. That Section 5-6-23 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-23 - Constructed so as to require separate and direct service for each house, building or parcel of property.

Any extension of the sewer system from sewers now built or hereafter built shall be constructed so that each house, building or separate parcel of property that connects with or is served by or through any part of the city sewer system shall be connected separately and directly with the city system, ~~when and after the full amount required by section 5-6-25 has been paid into the city treasury,~~ in accordance with provisions of sections 5-6-25.1 and 5-6-31.

Section 2. That Section 5-6-25.1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-25.1 Sewer connection ~~permits~~ approvals and service fees; construction costs; constructing sewers by owners rather than city; additional connections.

- (a) Any person who is required, or who desires, to provide a connection for sewer service from ~~his~~ their property, through any sewer constructed by or belonging to the city or any sewer serving the area annexed to the city in 1952, but belonging to a county, by direct connection at a city sewer main, trunk or lateral, shall, before starting to make such connection, apply to the director ~~for a permit to make the connection by~~ presenting plans for such a connection as part of a grading plan or final site plan, and the director shall approve the plan, as appropriate, to issue a permit ~~authorize~~ for the

sewer connection. For purposes of this subsection, a final site plan includes both a development site plan and a development special use permit. For sewer connections presented as a part of a final site plan, the fee for connection must be calculated at the time of release of the final site plan, and must be paid before the first certificate of occupancy is issued by the Department of Code Administration. For sewer connections presented as a part of a grading plan, this fee must be calculated and paid prior to the release of the grading plan ~~when and after the person shall have paid to the department of finance the sum hereinafter provided.—~~

- (1) For each single-family dwelling, townhouse dwelling, or townhouse type dwelling irrespective of classification for other purposes, or for each dwelling unit in a two-family dwelling, the amount of \$8,404.00.
- (2) For each multi-family dwelling, an amount equal to the product of the number of dwelling units in the multi-family dwelling, multiplied by \$4,201.00. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 90 percent of the single-family dwelling amount.
- (3) For each hotel room, an amount equal to the product of the number of dwelling units in the hotel multiplied by \$4,201.00. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 70 percent of the single-family dwelling amount, and for all final site plans submitted on or after July 1, 2014, the amount shall be increased to 90 percent of the single-family dwelling amount.
- (4) For each senior living dwelling, an amount equal to the product of the number of dwelling units in the senior living facility multiplied by 75 percent of the single-family dwelling amount.
- (5) For each nonresidential property, the fee shall be an amount equal to the number of equivalent residential units (ERUs) as shown in the table below multiplied by the single-family dwelling amount.

Meter Size (inches)	Equivalent Residential Units (ERUs)
¾ or smaller	1.4
1	3
1.5	6
2	15

For water meter sizes greater than 2 inches, the number of ERUs shall be determined on an individual basis by calculating the total daily sewer flow using established city standard flow factors but shall not be less than 15 ERUs.

- (6) For each mixed use property, where such property includes both residential and nonresidential uses, an amount equal to the sum of the fee determined for the residential portion of such property, in accordance with this section, plus the fee determined for the nonresidential portion of such property, in accordance with this section; provided, however, if the residential portion and nonresidential portion of such property are served

by a single water meter, the fee shall be an amount determined by the director in his reasonable discretion.

- (7) For connections that involve the removal of an existing structure with an existing tap, a credit for the existing tap shall be applied towards the total connection fee otherwise due in accordance with this section for final site plans submitted on or after September 1, 2013. The amount of the credit shall be estimated by the director and shall be based on the previous use. The credit shall only apply to properties removed or demolished not longer than three years prior to the submission of the final site plan for the new structure. The credit shall be equal to 100 percent of the current fee that would be applied to the structure or structures being removed. For mixed use properties, the credit will be based on the sum of the residential credit and nonresidential credit, in accordance with this section. If the previous use was served by a single water meter, the credit shall be an amount determined by the director in his reasonable discretion.
- (8) For an existing property that changes its use, such as from non-residential to residential (or vice versa), increases the number of residential units or hotel rooms, or adds or increases the water meter size to account for the change in use, the amount of shall be calculated as follows:
 - a. If the same sewer connection (tap) is utilized, then the fee shall be based on the net increase in units (or usage) between the existing and proposed uses.
 - b. If a new sewer tap is required, then the fee shall be set in accordance with the fees for new construction set forth in this section, net of any credits due pursuant to section (7) above.
 - c. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted between May 18, 2013 and June 30, 2018, the connection fee shall be 60 percent of the amount calculated pursuant to section (a)(8)a. or (a)(8)b. above.
 - d. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2018 through June 30, 2019, the connection fee shall be 80 percent of the amount calculated pursuant to section (a)(8)a. or (a)(8)b. above.
 - e. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2019 and later, the connection fee shall be full amount calculated pursuant to section (a)(8)a. or (a)(8)b. above, without any adjustment.
- (9) In cases where a DSP/DSUP extension is filed after the connection fees have been established for a development project (following final plan submission), the connection fee rate shall be revised to reflect the current fee structure in effect at the time the extension is approved. For all final site plans submitted prior to April 1, 2013, one DSP/DSUP extension may be granted without revising the connection fee rate previously established at the time of the final site plan submission.
- (10) Sections (1) through (3) and section (5) reflect the fees for final site plans submitted before July 1, 2013. Beginning in fiscal year 2014 and going forward, the foregoing fees shall increase each year at the rate of inflation as determined by the annual CPI-U for the Washington-Baltimore-Northern Virginia, DC-MD-VA-WVA Combined Statistical Area and

shall apply to all final plans filed submitted between July 1 of that year and June 30 of the subsequent year.

- (b) Extension of service; credits for such extension.
 - (1) A person required or desiring to provide extension of sewer service to his property shall construct or have constructed such extension at his own expense. The person shall execute a satisfactory agreement with the city, as prescribed by the city manager, agreeing to construct such sewer or sewers in accordance with plans and specifications approved by the director and the person shall in addition furnish such guarantee of performance and maintenance to the city as the city manager may require. Such sewers shall become the property of the city upon completion and acceptance of the work.
 - (2) If, pursuant to a written requirement of the director, the person constructs such extension in a manner that exceeds the requirements to provide service to the property of such person, a credit shall be available to be applied to the fees otherwise due under this section, in an amount equal to the difference between the cost of such extension, constructed in accordance with the written requirement of the director, and the cost of such extension, constructed as originally proposed by the person, such amount to be determined by the director. The amount of the credit shall be estimated by the director prior to commencement of construction, and an interim fee shall be paid by the person in an amount equal to the fees otherwise due under this section minus the estimated credit; provided, the minimum interim fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater.
 - (3) Upon satisfactory completion of the work, the actual amount of the credit shall be determined by the director based on certified bills submitted to and approved by him. The final fee to the person shall be an amount equal to the fees otherwise due under this section minus the amount of the actual credit; provided, the minimum final fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater. Any difference between the interim fee and the final fee shall immediately be paid to or refunded by the department of finance.
 - (4) If the amount of the credit estimated under subsection (b)(2) above exceeds the amount of the fees otherwise due under this section without regard to the minimum fee calculated under subsection (b)(2) of this section, prior to the commencement of construction, the city shall agree to pay the person an amount equal to such excess or shall withdraw the written requirement of the director for construction of such extension in a manner that exceeds the requirements to provide service to the property of such person.
- (c) Exclusions and exemptions.
 - (1) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves exclusively a fire sprinkler system, installed pursuant to section 906.0 of the Virginia Uniform Statewide Building Code, as amended, a fire standpipe system, installed pursuant to section 915.0 of the Virginia Uniform Statewide Building Code, as amended, or a yard hydrant, installed pursuant to section 917.0 of the Virginia Uniform Statewide Building Code, as amended.

- (2) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves property owned by the Alexandria City Public Schools, the Alexandria Redevelopment and Housing Authority, or an entity in which the Alexandria Redevelopment and Housing Authority holds an ownership interest and the purpose of such entity is to develop property using federal low income tax housing credits.
- (3) The fees established and imposed by this section shall not apply to a connection where (i) such connection is within the limits of a coordinated development district approved by city council, (ii) the main or trunk line to which such connection will be made extends from such coordinated development district directly to the publicly owned treatment works of the Alexandria Sanitation Authority, without connection at the time of its construction to any city sewer, unless such a connection is made pursuant to a written requirement of the director and exceeds the requirements to provide service to the coordinated development district, (iii) such main or trunk line was constructed totally at private expense, and (iv) the application for such connection is submitted within 22 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district. Upon satisfaction of the foregoing criteria, a permit for the sewer connection shall be issued upon payment of a fee for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, of \$100.00, for each dwelling unit in a multifamily dwelling, of \$100.00, and for each floor of a nonresidential property, of \$100.00 or \$0.08 per square foot of floor space, whichever is greater; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced within 23 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed generally by this section shall apply.
- (d) If the city manager finds that construction of an extension by a person would constitute a hardship on such person, by reason of his inability to secure a satisfactory contract, or otherwise, the city manager may direct that the construction be done by or for the city; provided, however, that the cost to the city shall not exceed the fees paid by such person less for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater. Costs in excess of such fees shall be paid by the person prior to making any connection to such sewer.
- (e) The total sum to be paid to the department of finance for sewer service at the city sewer main, trunk or lateral for any property in the city, the sewage of which will be transported from such property through sewers constructed previously by private parties into sewers constructed or belonging to the city, except for such sewers as may have been constructed by private parties under the control or supervision of the city or other public authority, shall be as provided generally in this section for each such property so connected.
- (f) Any person desiring additional sewer service connection to any property shall make application to the director for permission to construct such connection and shall pay to the department of finance the sum as provided generally in this section for each additional connection ~~prior to the issuance of the permit for the sewer connection.~~ The timing of such payment shall made pursuant to section (a) above.

(g) Nothing in this chapter shall be construed to prevent the city sanitation authority from making a service charge for collecting and treating sewage.

Section 3. That Section 5-6-28 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-28 - Unlawful to connect without authorization ~~permit and payment~~.

It shall be unlawful for any person to make any sewer service connection from any property, which abuts a public sewer to the public sewer system, either directly or indirectly, through any other sewer, without first having obtained authorization ~~a permit~~ from the director of transportation and environmental services ~~and paid into the city treasury the amount required by section 5-6-25.1 of this code for public sewer service.~~

Section 4. That Sections 5-6-23, 5-6-25.1, and 5-6-28 as amended pursuant to Sections 1, 2 and 3 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria City Code.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilman Gaskins, and Councilman McPike; Opposed, none.

III. OTHER BUSINESS

Reports and Recommendations from the City Manager

10. Public Hearing on the City Manager's Proposed Annual Operating Budget for FY 2025 (including Schools) and the Proposed Capital Improvement Programs (CIP) for FY 2025 -2034 (including the Schools CIP). Adoption is Scheduled for Wednesday, May 1, 2024. A public hearing on the ordinance establishing the Real Property Tax Rate will be held Wednesday, April 24, 2024 at 5:30 p.m.

The following persons participated in the public hearing on the proposed Annual Budget:

1. Michael Schuster, Alexandria, representing the Commission on Aging, spoke about changes to the property tax relief program, support for DASH's budget and bus lines, and other programs that would serve the City's senior population.

2. Ada Meza, Alexandria, requested support for a housing voucher program in the proposed budget.

3. Nathaly Zelaya, Alexandria, representing Tenants and Workers United, requested an affordable and inclusive budget, including additional support for affordable housing.

4. David Kaplan, Alexandria, representing the Alexandria Transit Company Board of

Directors, spoke about additional support for DASH's operating budget and bus lines throughout the City.

5. Sindy Carballo Garcia, Alexandria, representing Tenants and Workers United, requested that Council support deeply affordable housing in the upcoming budget.

6. Sharon Yandian, Alexandria, spoke in support of additional funding for ACPS.

7. Sossheh Prom, Alexandria, representing African Communities Together, requested additional funding for affordable housing and a housing voucher program.

8. Dana Robert Colarulli, Alexandria, representing the Parks and Recreation Commission, spoke in support of additional funding for the various sports and recreation programs and acquisition of more open space.

9. Phoebe Coy, Alexandria, requested that Council not increase the tax rate, but if there is a tax rate increase it should in funding for affordable housing.

10. Missy Santoro Estabrook , Alexandria, spoke in support of additional funding for ACPS.

11. Libby Bawcombe, Alexandria, spoke in support of funding for library services and for their employees.

12. Monica Pendergrast, Alexandria, spoke in support of funding for ACPS.

13. Alexander Crider Scioscia, Alexandria, spoke in support fully funding the ACPS budget.

14. Catherine Clinger, Alexandria, representing the Children, Youth and Families Collaborative Commission, spoke in support of fully funding the ACPS budget.

15. Meta Viers, Alexandria, spoke in support of fully funding the ACPS budget.

16. Kristen Creighton, Alexandria, spoke in support of fully funding the ACPS budget.

17. Trinady Maddock, Alexandria, spoke in support of funding programs that will impact youth and the ACPS budget.

19. J-Lynn Van Pelt, Alexandria, spoke in support of fully funding the ACPS budget.

20. James Libresco, Alexandria, spoke in support of fully funding the ACPS budget, including a medical trainer for the high school.

21. Trip Hook, Alexandria, spoke in support of additional funding for affordable housing.

22. Trish Menberu, Alexandria, spoke in support of additional funding for affordable housing and a voucher program.

23. Gina Baum, Alexandria, spoke in support of additional funding for ACPS.
24. David Paladin-Fernandez, Alexandria, spoke in support of additional funding for ACPS.
25. David Gunter, Alexandria, spoke in support of funding for DASH services.
26. Rob Krupicka, Alexandria, spoke about the challenges of creating a balanced budget to address the entire community needs.
27. Dawn Lucas, Alexandria, spoke in support of funding the ACPS.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing on the City Manager's proposed Annual Operating Budget for FY2025 (including Schools) and the proposed Capital Improvement Programs (CIP) for FY 2025 -2034 (including Schools CIP). The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Aguirre, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

****Please note: City Council considered items 11 and 12 together as a block.****

11. Public Hearing and Consideration of a Renewed Five-Year License Agreement with Cox Virginia Telecom, LLC. To Permit Cox Virginia Telecom's Existing Conduits and Fiber Optic Cables to Remain in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 03/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the five-year license agreement with Cox, and authorized the City Manager to execute the license agreement and to take any other actions that are necessary to implement the agreement. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

12. Public Hearing and Consideration of Renewed Five-Year License Agreement with Summit IG, LLC. to Permit Summit IG, LLC. Existing Conduits and Fiber Optic Cables to Remain in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 03/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the

five-year license agreement with Summit IG, and authorized the City Manager to execute the license agreement and to take any other actions that are necessary to implement the Agreement. The vote was as follows: in favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

IV. Public Hearing Matters Planning Commission (continued)

13. BAR#2024-00112 OHAD
Public Hearing and consideration of an Appeal of the Board of Architectural Review's January 3, 2024, decision to deny a Certificate of Appropriateness at 1021, 1023, 1025 King Street Old and Historic Alexandria District.
Applicant: Donna Giaimo/ Daughters of St Paul
Appellant: Donna Giaimo/ Daughters of St Paul

(A copy of the Board of Architectural Review's report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 03/16/24, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing of the appeal:

1. James Spencer, Alexandria, representing the Board of Architectural Review,
2. Karlen Murray. Alexandria, representing the appellant, requested that Council affirm the appeal and reverse the decision of the BAR.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman McPike and carried unanimously, City Council denied the appeal and affirmed the decision of the Board of Architectural Review. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

14. Special Use Permit #2023-00105
112 North Washington Street
Public Hearing and consideration of a request for a Special Use Permit for a private academic school with over 20 students and for a Parking Reduction; zoned CD/Commercial Downtown. Applicant: Linder Academy - Upper School, represented by Mary Catherine Gibbs, attorney
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 03/16/24, and is incorporated as part of this record by reference.)

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

1. Jennifer Mehler-Rardin, Alexandria, spoke in support of the SUP.
2. Tom Osborne, Alexandria, spoke in support of the SUP and requested clarification on the proposed loading zone and parking for the proposed school.
3. Kristin Carpenter, applicant, spoke in support of the SUP.
4. Mary Catherine Gibbs, attorney for the applicant, spoke in support of the SUP and responded to questions from Council.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman McPike and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Vice Mayor Jackson and carried 6-0-1, City Council approved the Planning Commission recommendation with changes to condition #6, stating “directors of Planning and Zoning and Transportation and Environmental Services may administratively adjust the existing parking signage in the loading zone should issues arise related to the efficiency of the pickup and drop-off plan or to traffic circulation.” The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Abstained, Councilman Chapman.

15. There is no public hearing for this item.
Discussion Item: Eisenhower West/Landmark Van Dorn Developer Contributions Policy Update
Discussion of staff’s proposal to increase the policy’s catalyst ceiling from 3 million to 4 million square feet.

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 03/16/24, and is incorporated as part of this record by reference.)

City Council received the item as information.

16. **FOR INFORMATION ONLY**
This item is for information only. There is no public hearing for this item.
City Charter Section 9.06 Case #2024-00001
129 S. Gordon Street
Public Hearing and consideration of request for the Planning Commission to review whether the proposed acquisition of property (129 S. Gordon Street) by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.
Applicant: City of Alexandria
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file the Office of the City Clerk and Clerk of Council, marked Item No. 16; 03/16/24, and is incorporated as part of this record by reference.)

City Council received the item as information.

17. **Zoning Ordinance Subdivision Cases are heard by the Planning Commission, placed on the City Council Docket for information, and heard by City Council ONLY upon appeal.**

Subdivision #2023-00007

1233 North Pickett Street

Public Hearing and consideration of a request for a Subdivision to re-subdivide an existing lot into two lots; zoned R-20/Residential

Applicant: Classic Cottages LLC

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No.17; 03/16/24, and is incorporated as part of this record by reference.)

City Council received the item as information.

V. Ordinances and Resolutions

None.

VI. Closed Session (if needed)

Not needed.

VII. ADJOURN

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilmember Bagley, seconded by Councilman Chapman and carried unanimously, City Council adjourned the public hearing meeting at 12:43 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

APPROVED BY:

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk

Adopted: April 2, 2024