

Introduction: September 12, 2023
First Reading: September 12, 2023
Public Hearing: September 23, 2023
Second Reading: September 23, 2023
Final Passage: September 23, 2023

INFORMATION ON PROPOSED ORDINANCE

Title

An ordinance amending the Landmark Community Development Authority

Summary

This ordinance will be a non-codified ordinance amending the Landmark Community Development Authority. This ordinance will not be a part of the City Code but instead will act as its own ordinance amending the authority similar to the ordinances creating the Alexandria Sanitation Authority (AlexRenew) and the Alexandria Redevelopment and Housing Authority (ARHA)

Sponsor

James F. Parajon, City Manager

Staff

Julian Gonsalves, Assistant City Manager
Kendel Taylor, Interim Deputy City Manager
Joanna C. Anderson, City Attorney
Kevin Greenlief, Assistant Director – Revenue Division, Department of Finance

Authority

§15.2-5155, Code of Virginia (1950), as amended

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

1 (subject to the limitations set forth in the Original Development Agreement as previously amended
2 and as may be further amended) and the Developer has agreed to implement certain amendments
3 to the Original Petition and other documents relating to the creation of the CDA and the CDA’s
4 assistance in the financing of the Infrastructure (collectively, the “CDA Documents”), including
5 but not limited to a First Amendment to Memorandum of Understanding to be executed by the
6 City, the CDA and the IDA and the Developer, being all of the fee simple owners of the Property
7 (the “Amendment to Memorandum of Understanding”), to increase the amount of the special
8 assessments on the taxable property within the CDA District (as defined in the Original Petition)
9 by the amount necessary to support the City Bonds to be issued to generate such additional net
10 proceeds;

11 **WHEREAS**, in accordance with, and to give effect to the agreed upon amendments to the
12 CDA Documents contemplated in, the Fifth Amendment, the Successor Petitioners, as the current
13 fee simple owners of all of the Property, have submitted an Addendum to the Original Petition on
14 June 30, 2023 (the “Addendum” and, together with the Original Petition, the “Amended Petition”),
15 amending certain provisions of the Original Petition to update the plan of finance as described in
16 the Fifth Amendment;

17 **WHEREAS**, consistent with the Addendum and the Fifth Amendment, the Council
18 proposes to amend certain provisions of the Original CDA Ordinance and the Original
19 Memorandum of Understanding to update the plan of finance and to increase the amount of the
20 special assessments as described in the Fifth Amendment;

21 **WHEREAS**, the amendments to the plan of finance and the increase in the amount of the
22 special assessments (a) will benefit the citizens of the City by promoting increased employment
23 opportunities, a strengthened economic base, increased tax revenues and additional business, retail
24 and recreational opportunities and (b) will be necessary or desirable for development or
25 redevelopment within or affecting the CDA District or to meet the increased demands placed upon
26 the City as a result of development or redevelopment within or affecting the CDA District;

27 **WHEREAS**, a public hearing has been held on September 23, 2023, by the Council on the
28 adoption of this Ordinance and notice has been duly provided as set forth in § 15.2-5156 of the
29 Act;

30 **WHEREAS**, the Board of Directors of the CDA is expected to meet on September 26,
31 2023, to request that the Council increase the amount of the special assessments as described
32 above; and

33 **WHEREAS**, the Successor Petitioners have waived in writing their right to withdraw their
34 signatures from the Addendum to the extent § 15.2-5156(B) of the Act applies thereto;

35 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
36 **OF ALEXANDRIA, VIRGINIA:**

37 **1. Updated Capital Cost Estimates.** Section 5 of the Original CDA Ordinance is
38 hereby amended and restated to read as follows:

1 The Council hereby finds, in accordance with § 15.2-5103(B) of the Act, that it is
2 impracticable to include capital cost estimates, project proposals and project service rates,
3 except as preliminarily summarized in the Original Petition and as updated in the
4 Addendum.

5 **2. Amendment of Plan of Finance.** Section 7(a) of the Original CDA Ordinance is
6 hereby amended and restated to read as follows:

7 (a) The aggregate principal amount of the CDA Payment Obligations shall not
8 exceed the principal amount of the City Bonds, which shall be issued in a maximum
9 aggregate principal amount sufficient to (i) generate up to \$123,600,000 in net proceeds
10 and (ii) pay capitalized interest on the City Bonds.

11 **3. Approval of Amendment to Memorandum of Understanding.** The Amendment
12 to Memorandum of Understanding is approved in substantially the form circulated to the Council
13 in advance of this meeting, with such changes and corrections (including, without limitation,
14 changes in the date thereof) that do not materially adversely affect the City’s interests as may be
15 approved by the City Manager, whose approval shall be evidenced conclusively by the execution
16 and delivery of the Amendment to Memorandum of Understanding. The City Manager is
17 authorized and directed to execute and deliver the Amendment to Memorandum of Understanding.

18 **4. Increase of Special Assessments; Notice of Levy of Increased Special**
19 **Assessments.** By agreement between the Successor Petitioners, the CDA and the City pursuant
20 to the Amended Memorandum of Understanding and subject to the formal request of the CDA, the
21 special assessments previously established pursuant to the Original CDA Ordinance and the
22 Original Memorandum of Understanding shall be increased to a maximum aggregate amount of
23 \$263,263,199 as set forth in the form of the updated Special Assessment Roll attached hereto as
24 Exhibit A (the “Updated Special Assessment Roll”). The special assessments, as increased hereby,
25 shall continue to be apportioned in accordance with the Rate and Method of Apportionment of
26 Special Assessments (the “RMA”) approved by the Council pursuant to the Original CDA
27 Ordinance and attached as Exhibit C to the Original Memorandum of Understanding. The CDA
28 Board is authorized to approve or to provide for the approval of the Updated Special Assessment
29 Roll allocating the increased special assessments among the tax parcels within the CDA District
30 in accordance with the RMA as such tax parcels exist as of the date of recordation of the Updated
31 Special Assessment Roll in the land records of the City. The CDA shall cause notice of the
32 increased special assessments to be reported to the City’s Director of Finance. The special
33 assessments, as increased hereby, shall be liens on the taxable real property in the CDA District in
34 accordance with the provisions of §§15.2-2404 et seq. of the Code of Virginia of 1950, as amended
35 (the “Virginia Code”). The CDA shall cause notice of the adoption of this Ordinance and the levy
36 of the increased amount of the special assessments to be recorded in the deed book and land records
37 of the City in accordance with the requirements of Virginia Code §§15.2-2412 and 15.2-5157.
38 Based upon the Amended Memorandum of Understanding, the RMA and the special assessment
39 report circulated to the Council in advance of this meeting, the Council finds and determines that
40 the increased special assessments will meet the requirements of Virginia Code §§15.2-2404 et seq.
41 and 15.2-5158(5).

Updated Special Assessment Roll

**Landmark Community Development Authority
City of Alexandria, Virginia**

**APPENDIX A
SPECIAL ASSESSMENT ROLL**

**As Amended
7.31.2023**

**Landmark Community Development Authority
City of Alexandria, Virginia**

APPENDIX A-1

**ANNUAL INSTALLMENTS &
TOTAL SPECIAL ASSESSMENTS**

Assessment Year Beginning	Principal	Interest	Administrative Expense	Annual Installment
2021	\$0	\$0	\$0	\$0
2022	\$0	\$0	\$0	\$0
2023	\$0	\$1,436,499	\$20,000	\$1,456,499
2024	\$0	\$3,965,595	\$30,400	\$3,995,995
2025	\$0	\$5,913,386	\$41,008	\$5,954,394
2026	\$615,000	\$6,278,595	\$41,828	\$6,935,423
2027	\$2,139,000	\$6,247,845	\$42,665	\$8,429,510
2028	\$2,881,000	\$6,148,365	\$43,518	\$9,072,883
2029	\$3,015,000	\$6,015,320	\$44,388	\$9,074,708
2030	\$3,154,000	\$5,876,070	\$45,276	\$9,075,346
2031	\$3,302,000	\$5,730,390	\$46,182	\$9,078,572
2032	\$3,454,000	\$5,577,850	\$47,105	\$9,078,955
2033	\$3,613,000	\$5,418,270	\$48,047	\$9,079,317
2034	\$3,782,000	\$5,251,335	\$49,008	\$9,082,343
2035	\$3,960,000	\$5,076,570	\$49,989	\$9,086,559
2036	\$4,140,000	\$4,893,545	\$50,988	\$9,084,533
2037	\$4,336,000	\$4,702,195	\$52,008	\$9,090,203
2038	\$4,538,000	\$4,501,750	\$53,048	\$9,092,798
2039	\$4,742,000	\$4,291,940	\$54,109	\$9,088,049
2040	\$4,948,000	\$4,084,400	\$55,191	\$9,087,591
2041	\$5,165,000	\$3,867,815	\$56,295	\$9,089,110
2042	\$5,397,000	\$3,641,715	\$57,421	\$9,096,136
2043	\$5,635,000	\$3,405,450	\$58,570	\$9,099,020
2044	\$5,882,000	\$3,158,750	\$59,741	\$9,100,491
2045	\$6,137,000	\$2,901,210	\$60,936	\$9,099,146
2046	\$6,411,000	\$2,632,470	\$62,154	\$9,105,624
2047	\$6,689,000	\$2,351,725	\$63,398	\$9,104,123
2048	\$6,984,000	\$2,058,770	\$64,665	\$9,107,435
2049	\$7,292,000	\$1,752,865	\$65,959	\$9,110,824
2050	\$7,612,000	\$1,433,450	\$67,278	\$9,112,728
2051	\$7,948,000	\$1,099,985	\$68,624	\$9,116,609
2052	\$8,300,000	\$751,775	\$69,996	\$9,121,771
2053	\$6,615,000	\$388,125	\$35,169	\$7,038,294
2054	\$2,010,000	\$90,450	\$17,758	\$2,118,208
Total	\$140,696,000	\$120,944,475	\$1,622,723	\$263,263,199

**Landmark Community Development Authority
City of Alexandria, Virginia**

APPENDIX A-2

SPECIAL ASSESSMENTS

Tax Parcel Number	Equivalent Units ¹	Special Assessment	Principal Portion of Special Assessment	Annual Installment (20XX-20YY Assessment Year) (To Be Updated Annually)		
				Annual Parcel Installments	Annual Credit	Annual Payment
047.02-03-10	0	\$0	\$0			
047.02-03-11	2,596	\$263,263,199	\$140,696,000			
Total	2,596	\$263,263,199	\$140,696,000			

¹See Appendix A-3.

**Landmark Community Development Authority
City of Alexandria, Virginia**

SPECIAL ASSESSMENT WORKSHEET

Appendix A-3¹

Proposed Development

Tax Parcel Number	Land Use Class						Total
	Class 1 (MF Affordable)	Class 2 (Multi-Family)	Class 3 (Stacked Flats)	Class 4 (Townhomes)	Class 5 (Commercial)	Class 6 (Hotel)	
047.02-03-10	0.0	0.0	0.0	0.0	0.0	0.0	0.0
047.02-03-11	245.0	1,645.0	109.0	109.0	462.6	145.0	2,715.6
Total units	245	1,645	109	109	463	145	2,715.6
Equivalent unit factor	0.38	1.00	1.32	2.07	0.94	0.37	
Equivalent units	93	1,645	144	226	435	54	2,596.1

Equivalent Units

Tax Parcel Number	Land Use Class						Total
	Class 1 (MF Affordable)	Class 2 (Multi-Family)	Class 3 (Stacked Flats)	Class 4 (Townhomes)	Class 5 (Commercial)	Class 6 (Hotel)	
047.02-03-10	0	0	0	0	0	0	0
047.02-03-11	93	1,645	144	226	435	54	2,596
Total equivalent units	93	1,645	144	226	435	54	2,596

Tax Parcel Number	Total Equivalent Units	Percentage of Total	Allocation of Special Assessment	
			Special Assessments	Principal Portion
047.02-03-10	0	0%	\$0	\$0
047.02-03-11	2,596	100%	\$263,263,199	\$140,696,000
Total	2,596	100%	\$263,263,199	\$140,696,000

¹Commercial equivalent units are shown per 1,000 square feet. Hotel equivalent units are shown per room. MF Affordable, Multi-Family, Stacked Flats, and Townhomes are shown per unit.