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From: Leanna Saler <leannamorris@yahoo.com>
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To: PlanComm
Subject: [EXTERNAL]4/8/2026 Planning Commission Public Hearing

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Dear Planning Commission:

I write in opposition to Docket Item #9, Zoning Text Amendment 2026-00001, Commercial Uses Zoning Regulations. Specifically, I oppose amending the zoning text to allow indoor live entertainment under the newly proposed use limitations for the following reasons:

1). Tight quarters - While the city and city staff cite that a purpose of these is amendments is to, among other things, protect neighborhoods from “impacts (noise),” these proposals actually create an avenue for greater noise impacts by removing the protections afforded to the residents under an SUP. There is no discussion of the fact that a by-right grant of live music until 2 a.m., using amplified systems in highly congested areas, is putting an unfair burden on residents who live nearby. The only staff comment about the hours is that they “reflect typical residential sensitivity patterns.” In what residential neighborhood, which restaurants are now by-right permitted in, are families not sensitive to noise until after 2 a.m.? The statement about sensitivity patterns reflects the knowledge that while a business could be in compliance with the noise ordinance by not exceeding certain decibel levels (but one standard of the noise ordinance that would remain under the new use limitations), it does not mean there is NO audible noise until 2 a.m. preventing the use and enjoyment of ones home.

In Old Town and Del Ray, for example, many of the restaurants are buttressed by residences with nothing more than a fence line or driveway between them, but the greater protections are only afforded to mixed-use buildings. The current noise ordinance passed in 2022 accounts for these tight quarters by restricting all noise to a more “plainly audible” standard from 11pm. to 7a.m. to offer “more protection in residential areas.” The affect of these proposed zoning changes contradicts the intent of the noise ordinance.

2). Livability - The staff report states that “nearly all Virginia jurisdictions require conditional or special use permit approval for any form of live entertainment offered as a primary or accessory use.” They propose, however, following Charlottesville’s “lead” and permit indoor live entertainment by-right, subject to use limitations. We are nothing like Charlottesville, making this a horrible lead-follow situation.

- Charlottesville’s population is approximately 44,000 with a density of 4,288 sq. mi.
- Alexandria’s population is approximately 159,000 with a density of 10,561 sq. mi.

Alexandria is the most densely populated city in the State of Virginia. This density necessitates the city's greater attention to balancing the common interests of businesses and residents, not tipping the scales in favor of commercial businesses greatly outweighing livability— often characterized by affordability, health, safety, attractiveness, and quality of life. While the city's stated desire to "support local economic vitality" is appreciated and necessary, the residents of this city already bear the brunt of taxes, traffic, limited parking, over-priced housing, and yes, noise from our very active and dense region. These use limitation allowances go too far.

3). Ease - The staff report states that another purpose of these amendments is to "reduce regulatory barriers for businesses... seeking to offer occasional or regular entertainment..." The SUP process for entertainment is not burdensome by any stretch of the imagination. It is the same process for allowing outdoor music, which the staff is not (yet) proposing be changed. The advantage to residences by the SUP process is there is notice (predictability), there is a listed contact (communication), and there is a complaint process by which repeated violations can lead to the denial of future SUPs (enforcement). There are little to no protections to the residents under the use limitation structure, which is likely one of the reasons most jurisdictions in the State of Virginia have not followed it.

While I recognize the SUP process means city staff must review the applications, thanks to the efficiency of the Apex system the city uses, the application is standardized, quick, and easy— making this the same, easy process for all businesses.

4). Enforcement - Under the use limitations versus SUP, the city should expect a greater volume of noise complaints. While staff note that the businesses must abide by the noise ordinance, it is reasonable to expect that residences abutting businesses using amplification will hear the sounds after 11 p.m., which is the "quiet time" by the noise ordinance. Without the hiring of additional noise inspectors to work hours in which the businesses are now permitted to tempt the flexibility of the noise ordinance- or in which the neighboring resident does not know if it exceeds the allowed decibel, only that it is disturbing them- it means a greater likelihood of more calls to non-emergency in which a police officer would be the responding official. The staff report does not address the enforcement aspect or impact that the deregulation of live entertainment will have, other than to state that the businesses must comply with the noise ordinance.

I respectfully request that the Planning Commission reject the proposed amendments.

Sincerely,
Leanna Saler

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