

**City of Alexandria
City Council Public Hearing Meeting
January 22, 2022 9:30 AM
Council Chamber
Meeting Minutes**

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; Ms. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Triggs, Deputy City Manager; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Ms. Jovovic, Office of Housing; Mr. Coleman, Deputy Director, General Services; Ms. Powell, Planner, P&Z; Mr. Geratz, Principal Planner, P&Z; Ms. Harwell, Planner, P&Z; Ms. Horowitz, Principal Planner, P&Z; Mr. Browand, Deputy Director, Recreation, Parks, and Cultural Activities; Mr. Kerns, Division Chief, P&Z; Ms. Mason, Transportation and Environmental Services (T&ES); Ms. Oleynik, T&ES; Mr. Imm, Principal Planner, P&Z; Mr. Lucarelli, Planner, P&Z; Mr. Knight, T&ES; Mr. Gonsalves, Assistant City Manager; Ms. Landrum, CEO, Alexandria Economic Development Partnership (AEDP); Ms. McIlvaine, Director, Office of Housing; Ms. Orr, Deputy Director, T&ES; Mr. Swidrak, Planner, P&Z; Ms. Miliaras, Principal Planner, P&Z; Ms. Demeke, Information Technology Services (ITS); Mr. Moss, ITS; Mr. Colevas, ITS, and Police Captain Ballentine.

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

OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present with Vice Mayor Jackson attending the meeting from her home in Alexandria and Councilman Aguirre attending the meeting from his home in Alexandria virtually via Zoom.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Jason Muller, Alexandria, spoke about Council considering a climate conscious reform to the vehicle personal property taxes in the City allowing a new assessment structure for electric vehicles.
2. Damon Minnix, speaking on behalf of the Alexandria SSPBA, endorsing acting Police Chief Hayes be appointed as the permanent Chief of Police.
3. Myles Garrett, spoke about the exclusion of the captains from the collective bargaining ordinance and requested that the ordinance be reviewed and amended to include captains in the bargaining units.
4. Earl Cook, Alexandria, former police chief, spoke in favor of hiring acting Police Chief Hayes as the permanent police chief and about Chief Hayes' commitment to the City of Alexandria.
5. Janice Grenadier, Alexandria, spoke about issues with the judicial system and the courts.
6. Natalia Dalton, Alexandria, spoke about issues with family court.

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson 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.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (3)

Planning Commission

3. Special Use Permit #2021-00095
220 East Monroe Avenue
Public Hearing and consideration of a request for a Special Use Permit with lot modifications for the redevelopment of a substandard lot with a single-family dwelling; zoned: R-2-5/Single-and two-family. Applicant: Capitol Hill Iron Gate JV, LLC, represented by Timothy Sullivan, agent
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 1/22/22, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar. The approval was as follows:

3. 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 (4-7)

4. 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 Arlandria-Chirilagua Small Area Plan chapter and amending the Potomac West Small Area Plan chapter to remove the area that will become the Arlandria-Chirilagua Small Area Plan area heretofore approved by city council Master Plan Amendment No. 2021-00012 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. 2021-00012 associated with the Arlandria-Chirilagua Small Area Plan approved by City Council on December 18, 2021). [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. 4; 2/8/22, 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. 4; 2/8/22, and is incorporated as part of this record by reference.)

5. 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 Seminary Hill/Strawberry Hill Small Area Plan chapter of such master plan as Master Plan Amendment No. 2021-00007 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. 2021-00007 associated with the AHDC Seminary Road approved by City Council on December 18, 2021). [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. 5; 2/8/22, 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. 5; 2/8/22, and is incorporated as part of this record by reference.)

6. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 030.02 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 properties at 4575, 4555, and 4547 Seminary Road from, R-8/Single-family zone to RA/Multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00006 (Implementation Ordinance for Rezoning No. 2021-00006 associated with AHDC Seminary Road approved by City Council on December 18, 2021). [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. 6; 2/8/22, 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. 6; 2/8/22, and is incorporated as part of this record by reference.)

7. Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing the Disposition and Sale of City Vacant Land Located at 4575 Seminary Road to the Alexandria Housing Development Corporation. [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; 2/8/22, 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; 2/8/22, and is incorporated as part of this record by reference.)

END OF ROLL-CALL CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar. The vote was as follows:

4. City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the Arlandria-Chirilagua Small Area Plan chapter and amending the Potomac West Small

Area Plan chapter to remove the area that will become the Arlandria-Chirilagua Small Area Plan heretofore approved by city council Master Plan Amendment No. 2021-00012 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. 2021-00012 associated with the Arlandria-Chirilagua Small Area Plan approved by City Council on December 18, 2021)

The ordinance reads as follows:

ORDINANCE NO. 5396

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the Arlandria-Chirilagua Small Area Plan chapter and amending the Potomac West Small Area Plan chapter to remove the area that will become the Arlandria-Chirilagua Small Area Plan area heretofore approved by city council Master Plan Amendment No. 2021-00012 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. 2021-00012, 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 December 8, 2021 of the creation of the Arlandria-Chirilagua Small Area Plan Chapter and amending the Potomac West Small Area Plan Chapter to remove the area that will become the Arlandria-Chirilagua Small Area Plan of the Master Plan of the City of Alexandria to create the Arlandria-Chirilagua Small Area Plan Chapter, which recommendation was approved by the City Council at public hearing on December 18, 2021;
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 Arlandria-Chirilagua Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, created by establishing the Arlandria-Chirilagua Small Area Plan and amending the Potomac West Small Area Plan Chapter to remove the area that will become the Arlandria-Chirilagua Small Area Plan of the Master Plan of the City of Alexandria to create the Arlandria-Chirilagua Small Area Plan Chapter (by amending

Map 10: Potomac West Land Use and Map 13: Potomac West Height Limits), attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

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 1 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.

5. 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 Seminary Hill/Strawberry Hill Small Area Plan chapter of such master plan as Master Plan Amendment No. 2021-00007 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 2021-00007 associated with the AHDC Seminary Road approved by City Council on December 18, 2021)

The ordinance reads as follows:

ORDINANCE NO. 5397

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 Seminary Hill/Strawberry Hill Small Area Plan chapter of such master plan as Master Plan Amendment No. 2021-00007 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. 2021-00007, 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 December 7, 2021 of an amendment to the Seminary Hill/Strawberry Hill Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the land use designation from RL/residential low to RM/residential medium for 4575, 4555, and 4557 Seminary Road, which recommendation was approved by the City Council at public hearing on December 18, 2021;

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 Seminary Hill/Strawberry Hill Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Map 13 Seminary Hill/Strawberry Hill Land Use to change the land use designation from RL/residential low to RM/residential medium for 4575, 4555, and 4557 Seminary Road, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

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.

6. City Council adopted an ordinance to amend and reordain Sheet No. 030.02 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 properties at 4575, 4555, and 4547 Seminary Road from, R-8/Single-family zone to RA/Multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00006 (Implementation Ordinance for Rezoning No. 2021-00006 associated with AHDC Seminary Road approved by City Council on December 18, 2021)

The ordinance reads as follows:

ORDINANCE NO. 5398

AN ORDINANCE to amend and reordain Sheet No. 030.02 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 properties at 4575, 4555, and 4547 Seminary Road from, R-8/Single-family zone to RA/Multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00006.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2021-00006, 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 December 7, 2021 of a rezoning of the property at 4575, 4555, and 4547 Seminary Road from, R-8/Single-family zone to RA/Multifamily zone, which recommendation was approved by the City Council at public hearing on December 18, 2021;

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. 030.02 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: 4575 Seminary Road, Alexandria, Virginia
22304, 030.02-02-05

From: R-8/Single-family zone
To: RA/Multifamily zone

LAND DESCRIPTION: 4555 Seminary Road, Alexandria, Virginia
22304, 030.02-02-06

From: R-8/Single-family zone
To: RA/Multifamily zone

LAND DESCRIPTION: 4547 Seminary Road, Alexandria, Virginia
22304, 030.02-02-07

From: R-8/Single-family zone
To: RA/Multifamily zone

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. 030.02 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.

7. City Council adopted an ordinance authorizing the disposition and sale of City vacant land located at 4575 Seminary Road to the Alexandria Housing Development Corporation.

The ordinance reads as follows:

ORDINANCE NO. 5399

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 4575 Seminary Road in the City of Alexandria, Virginia 22304, to the Alexandria Housing Development Corporation.

WHEREAS, the City of Alexandria owns the real property at 4575 Seminary Road, in Alexandria, Virginia 22304 (the "Property"); and

WHEREAS, on September 8, 2020, the City Council approved a predevelopment loan to the Alexandria Development Housing Corporation (AHDC) in order to support the potential development of an affordable housing project at 4547, 4555, and 4575 Seminary Road, that included the potential sale of the Property; and

WHEREAS, the City Manager has determined that the Property is no longer required for municipal or public purposes and recommends that the Property be disposed of by sale to a non-profit City related entity, specifically Alexandria Housing Development Corporation as set out in the staff report from December 28, 2021; and

WHEREAS, the City may forgo the competitive sale process for the disposition of City property and negotiate the sale of City property with public entities or non-profit City-related entities, including the Alexandria Housing Development Corporation, at the direction of the City Council; and

WHEREAS, the City Manager has recommended the sale of this Property to the Alexandria Housing Development Corporation for the sum of \$10.00, and contingent upon approval of land use approvals by the Planning Commission and City Council; and

WHEREAS, the City Council is of the opinion that the sale of this property is in the public interest and will otherwise advance the City's land use goals; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. The Property is no longer required for a municipal or public purpose and the City Manager recommends that the Property be sold to the Alexandria Housing Development Corporation. City Council directs that the City forgo a competitive sale process for the disposition of the Property and negotiate the sale with the aforementioned entity; and

Section 2. That the sale of real property described below to the Alexandria Housing Development Corporation for the sum of \$10.00, and contingent upon approval of land use approvals by the Planning Commission and City Council, be, and the same hereby is, approved and authorized:

4575 Seminary Road, Tax Map Reference No. 030.02-02-05

Section 3. That the City Manager be, and hereby is, authorized on behalf of the City of Alexandria to do all things necessary and desirable to carry out the sale of the real property described in Section 1, including, but not limited to, the execution and delivery of a purchase agreement, deed, and other appropriate documents.

Section 4. That the City Clerk be, and hereby is, authorized to attest to the execution by the City Manager of the deed and other documents executed by the City Manager, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be 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, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

8. Zoning Text Amendment #2021-00004

Co-living Dwelling Proposal

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Article II to define co-living dwelling and amend apartment hotel and tourist home definitions; amend Article III to allow co-living dwellings with a Special Use Permit in RM, RB, RS, RT, RMF zones; amend Article III to allow co-living dwellings with an administrative Special Use Permit in RCX, RA, RC, RD zones; amend Article IV to allow co-living dwellings with an administrative Special Use Permit in CC, CSL, CG, CD, CD-X, CL, OC, OCH, OCM(50), OCM(100), NR; amend Article V to allow co-living dwellings with an administrative Special Use Permit in CRMU-L, CRMU-M, CRMU-H, CRMU-X, W-1, zones; amend Article VI to allow co-living dwellings with an administrative Special Use Permit in KR zone; amend each zone listed above to classify the use as non-residential for the purpose of applying area and bulk regulations for up to two co-living dwellings; amend Article VIII to establish parking requirements for co-living dwellings; and amend Article XI to establish administrative review criteria including number of units, maximum occupancy, sign requirements, and the minimum term for lease agreements as well as identify conditions which require a Special Use Permit in the aforementioned zones. Staff: City of Alexandria, Department of Planning & Zoning
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 1/22/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilman McPike and carried unanimously, City Council closed the public hearing and 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.

9. Master Plan Amendment #2021-00009
Rezoning #2021-00008
Development Special Use Permit #2021-10026
3701 West Braddock Road - Alexandria City High School Project, Minnie Howard Campus
Public Hearing and consideration of requests for: (A) an amendment to the Seminary Hill/Strawberry Hill Small Area Plan chapter of the Alexandria Master Plan to amend the Height Limit Map from 35 feet to 77 feet for the subject property and to amend the City Land Use Map to switch the Institutional and Parks & Open Space land uses for the subject property; (B) an amendment to the official zoning map to change the zone from POS/Public Open Space and Community Recreation zone and R-12/Single-Family zone to OCM(50)/Office Commercial Medium (50) zone and POS/Public Open Space and Community Recreation zone; (C) a Development Special Use Permit with Site Plan for the

construction of a new high school building, community services and athletic fields and courts, including Special Use Permits to allow in the POS zone a public park, congregate recreational facilities, and lighting facilities for nighttime use, congregate recreational facility lighting up to 80 feet in height, and an increase in height for recreational area up to 30 feet in height; to allow in the OCM(50) zone building height to exceed 50 feet up to 77 feet and to exceed the parking maximum; and modifications to the landscape islands requirements and street tree spacing requirements in the Landscape Guidelines; zoned: R-12/Single-Family Residential and POS/Public Open Space and Community Recreation. Applicant: City of Alexandria and Alexandria City Public Schools, represented by Erika L. Gulick, ACPS

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 1/22/22, and is incorporated as part of this record by reference.)

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

1. Meagan Alderton, Alexandria School Board Chair, spoke in support of the project.
2. Peter Balas, principal, Alexandria City High School, spoke in support of the project.
3. Dr. Gregory Hutchings, Superintendent, Alexandria City Public Schools, spoke in support of the project.
4. Jonathan Krall, Alexandria, spoke in opposition of the project.

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson 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 Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, 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.

City Council took a lunch break at 11:38 a.m. and reconvened the meeting at 12:05 p.m.

10. Translation services from English to Spanish will be provided

Zoning Text Amendment #2021-00009

A Text Amendment to the CDD #12 Zoning Table

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 5-602(A), CDD #12, development guidelines, to increase the Maximum Height limit and allowable uses within the CDD to conform to the Arlandria/Chirilagua Plan. Applicant: City of Alexandria, Department of Planning & Zoning and Office of Housing

Coordinated Development District Conceptual Design Plan #2021-00005

Development Special Use Permit #2021-10024

Transportation Management Plan Special Use Permit #2021-00063

Vacation #2021-00001

221 West Glebe Road and 3606, 3610, and 3612 Mount Vernon Avenue - AHDC
Glebe/Mt. Vernon

Public Hearing and consideration of requests for: (A) a Coordinated Development District (CDD) Conceptual Design Plan; (B) a Development Special Use Permit (DSUP) with site plan including special use permits for additional density through the provision of affordable housing pursuant to Section 7-700 and for a parking reduction; modifications to the height-to-setback ratio, the line at zone transition, and the front yard setback as per Sections 6-403, 7-902(A) and 7-902(B) respectively, to construct a mixed-use affordable housing multifamily development with structured parking; (C) a Tier III Transportation Management Plan Special Use Permit (TMP SUP); and, (D) the Vacation (VAC) of a portion of City-owned alley; zoned: CDD #12/Coordinated Development District #12. Applicant: Alexandria Housing Development Corporation (AHDC), represented by Duncan W. Blair, attorney

Planning Commission Action: Recommended Approval 6-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 1/22/22, and is incorporated as part of this record by reference.)

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

1. Dominik Niziol, Alexandria, requested adjustments to the plan and discussed safety of the children at the nearby school.
2. Scott Eckel, Alexandria, spoke in opposition of the project.
3. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke about the affordable housing component of the project.

4. Christopher Christensen, Alexandria, priest at St. Rita's Catholic Church, spoke about the safety of the parishoners and students at the school.
5. Martha Picarello, Alexandria, spoke about the safety of the students at the school near the project.
6. Ana Santos, Alexandria, spoke about the need for affordable housing and in support of the project.
7. Sarah McBride, Alexandria, spoke about the safety of the students at the school near the project and their access to open space.
8. Bethany Hamm, Alexandria, principal of the St. Rita's Catholic School, spoke about the effects of the construction of the project on the school and the safety of the students at the school as the project is being built.
9. Larisa Zehr, Falls Church, Virginia, representing Legal Aid Justice Center, spoke in support of the project.
10. Erika Souliere, Alexandria, spoke about the safety of the students at the school near the project.
11. Betsy Faga, Arlington, Virginia, spoke in support of the project.
12. Jonathan Krall, Alexandria, spoke in support of the project.
13. Shira Eller, representing Grassroots Alexandria, spoke in support of the project.
14. Lisa McNichols, Alexandria, spoke about the safety of the students at the school.
15. Roy Shannon, Alexandria, attorney for St. Rita's Catholic Church, spoke about the impacts of construction on the school and the church, the safety of the students at the school, and the parking for the church. Mr. Shannon responded to questions from Council.
16. Duncan Blair, attorney for the applicant, spoke in support of the project and responded to questions from Council.

WHEREUPON, upon motion by Councilmember Bagley, 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 Councilman McPike, seconded by Councilmember Bagley and carried unanimously, City Council approved the Planning Commission recommendation, with amendments to condition #57 with additional language stating, "including consideration of future safety mitigation necessary to prevent cut-through traffic." and amendment to condition #120(e) stating there will be coordination with the adjacent school/church regarding drop-off and pickup times. 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.

Mayor Wilson appointed the following viewers for the vacation on this item: Deb Roepke, Sean McEnerney, and Charles Sumpter.

11. Rezoning #2021-00004
Development Special Use Permit #2021-10017
Transportation Management Plan Special Use Permit #2021-00052
1033, 1055 and 1111 North Fairfax Street – Tidelock
Public Hearing and consideration of a request for (A) an amendment to the official zoning map to change the zone for the site from OCM(50)/Office Commercial Medium (50) zone to CRMU-X/Commercial Residential Mixed Use (Old Town North) zone; (B) a Development Special Use Permit and site plan with modifications to construct two multifamily buildings (Buildings A and B) with 234 units including an arts and cultural anchor and a commercial building (Building C) with an arts and cultural anchor, including special use permits for multifamily dwellings in the CRMU-X zone, to increase the floor area ratio to 2.5 in the CRMU-X zone, for bonus density and height (for Buildings A and B) for the provision of affordable housing, for bonus density and height (for Buildings A and B) for the provision of an arts and cultural anchor in Old Town North, for a live entertainment use and outdoor recreation and entertainment use (Building C), a parking reduction for the multifamily dwellings and the commercial use and a loading reduction for the arts and cultural anchor and/or commercial use; (C) a Special Use Permit for a transportation management plan (tier two); zoned: OCM(50)/Office Commercial Medium (50).Applicant: Tidelock Property Owner, LLC, represented by Kenneth W. Wire, attorney
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 1/22/22, and is incorporated as part of this record by reference.)

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

1. Jeff Tribble, representing Levin School of Music, spoke in support of the

project.

2. Ken Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

WHEREUPON, upon motion by Councilman Aguirre, seconded by Vice Mayor Jackson 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 approved the Planning Commission recommendation with the following amendments from memorandum provided to Council by staff: update to Condition #3 by stating, "The covenant will require the applicant to maintain the provisions in the existing master association easement which provide public access to the common areas of the Transpotomac Plaza property as guests and invitees; and update to Condition #127(c) stating, "The MOU shall establish the terms and details by which the performance space located in Building C shall host performances and/or events open to the public or guests at a minimum average of 12 days a month over the course of a year to the satisfaction of the Directors of P&Z and RP&CA." 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. FOR INFORMATION ONLY

This item is for information only. There is no public hearing for this item.

City Charter Section 9.06 Case #2021-00006

3700 Mount Vernon Avenue - AHDC Glebe/Mt. Vernon

Public Hearing and consideration of a request for Planning Commission to review whether the proposed disposition of property (3700 Mount Vernon Avenue) 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 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 1/22/22, and is incorporated as part of this record by reference.)

City Council received this item as information only.

13. FOR INFORMATION ONLY

This item is for information only. There is no public hearing for this item.

City Charter Section 9.06 Case #2021-00009

3002A Mosby Street

Consideration of a request for Planning Commission to review whether the proposed sale of property 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 6-0

City Council received this item as information only.

ORDINANCES AND RESOLUTIONS

****Docket Item 14 and 15 were considered together.****

14. Public Hearing, Second Reading and Final Passage of an Ordinance to Create the 699 Prince Street Tourism Zone in Order to Incent Hotel Redevelopment. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 4, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 2/8/22, 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. 14; 2/8/22, 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. 14; 2/8/22, and is incorporated as part of this record by reference.)

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

1. Brandon Byrd, Maryland, spoke in opposition to the project.
2. Sami Bourma, Alexandria, spoke about the need for union presence with the project.
3. Berole Bekele, Alexandria, representing African Communities Together, spoke in opposition to the project.
4. Nora Benikhelef, Alexandria, spoke in opposition to the project and the need for union presence.
5. Haydanidia Rodriguez, Alexandria, spoke in opposition to the project and the need for union presence.

6. Rozell Moore, spoke in opposition to the project.
7. Virginia Diamond, Alexandria, spoke in opposition to the project.
8. Donald Slaiman, Manassas, Virginia, requested that the project be postpone for more work on the financing to create jobs.
9. Nelson Aguilar, Alexandria, spoke in opposition to the project.
10. Ismael Ahmed, Alexandria, spoke in opposition to the project.
11. Ben Reynolds, Alexandria, spoke in opposition to the project.
12. Boyd Walker, Alexandria, spoke in opposition to the project and asked for a delay on the project to allow for union presence.

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried 4-3 by roll-call vote, City Council closed the public hearing and adopted an ordinance to create the 699 Prince Street Tourism Zone in order to incent hotel redevelopment. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, and Councilman Chapman; Opposed, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike.

The ordinance reads as follows:

ORDINANCE NO. 5400

AN ORDINANCE to amend and reordain Division 1 (REAL ESTATE), Article M (LEVY AND COLLECTION OF PROPERTY TAXES), Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended, to add a new section 3-2-193 to establish a tourism zone.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Division 1, Article M, Chapter 2 of Title 3 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the addition of a new Section 3-2-193 to read as follows:

Sec. 3-2-193– Tourism Zones

(a) Purpose.

(1) The City of Alexandria finds that becoming a flourishing regional tourism destination requires incentives and determines that an appropriate method of offering incentives is through a Tourism Zone, as authorized by the Code of Virginia §§ 58.1-

3851, 58.1-3851.1, and 58.1 -3851.2. The City of Alexandria intends to strengthen and expand tourism-related businesses and attractions so as to create jobs, increase investment, promote local heritage, attract out-of-town visitors, and strengthen the city's unique sense of place.

(2) This creation of a Tourism Zone does not affect any other existing requirements for businesses, including zoning regulations.

(b) Administration.

(1) The administrator of the Tourism Zone shall be the city manager, or designee. The administrator shall determine and publish the procedures for obtaining the benefits created by this section and for the administration of this section.

(2) The administrator shall be the single point-of-contact for qualified business owners to take advantage of the Tourism Zone incentive described in this section.

(c) Definitions.

For the purpose of this section the following words and phrases shall have the meanings given below, unless clearly indicated to the contrary:

(1) Gap financing means debt financing to compensate for a shortfall in project funding between the expected development costs of an authorized tourism project and the debt and equity capital provided by the developer of the project.

(2) Performance agreement means the agreement entered into by the owner of a qualified tourism business, the economic development authority, and the city, to which is attached a business' proposed plan of development and/or business plan.

(3) Qualified tourism business means a new or existing business whose primary purpose is to establish a destination that attracts tourists and increases travel-related revenue, including lodging, dining, retail, meeting or conference centers, sports facilities, outdoor recreation areas and event venues.

(4) Tourism Zone means a specific geographical area or areas created to foster the development and expansion of tourism businesses in the City of Alexandria.

(d) Boundaries.

(1) Tourism Zones shall be established by the council by ordinance upon findings that the incentives provided therein will enhance the establishment and growth of tourism related business within the area under consideration. As Tourism Zones are established by council they shall be further identified in the ordinance by address and Tax Map Number, and when deemed necessary by the city manager or city attorney, by metes and bounds description, which shall be incorporated into and made a part of this section.

(2) The following Tourism Zone is hereby established by this ordinance:

(i) 699 Prince Street Tourism Zone, addressed as 699 Prince Street and 114 South Washington Street, Map-Block-Lot Number 074.02-09-28.

(e) Incentives.

(1) At such time as the city has by ordinance established a tourism plan and a tourism project to meet a deficiency identified in the adopted tourism plan approved by the Virginia Tourism Authority, and if the tourism project has been certified by the State Comptroller as qualifying for the entitlement to tax revenues authorized by Virginia Code §§ 58.1-3851.1 or 58.1-3851.2, as amended, tax revenues generated by the project may be used for gap financing for the project.

(f) Eligibility requirements.

(1) A business seeking the benefit of Tourism Zone incentives must be a qualified tourism business and either located or to be located within the boundaries outlined in section 3-2 193(d).

(2) The entitlement to any incentive authorized by this section is conditioned upon the applicant paying any tax imposed by the city, including but not limited to business

license taxes, business personal property, meals, transient occupancy, sales, and admissions taxes by the date upon which the tax is due. In the event a business is 30 or more days delinquent on any local tax, such business forfeits any entitlement to any incentive authorized by this section.

Section 2. That Section 3-2-193 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

15. Public Hearing, Second Reading and Final Passage of an ordinance to adopt a Tourism Development Plan developed in conjunction with the Virginia Tourism Development Financing Program (TDFP) to provide gap financing to incent the redevelopment of the 699 Prince Street Hotel Project. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 4, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 2/8/22, 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. 15; 2/8/22, 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. 15; 2/8/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried 4-3 by roll-call vote, City Council adopted an ordinance to adopt a Tourism Development Plan developed in conjunction with the Virginia Tourism Development Financing Program (TDFP) to provide gap financing to incent the redevelopment of the 699 Prince Street Hotel Project. (ORD. NO. 5401) City Council made the following amendment to the performance agreement: with respect to construction monitoring, the construction monitor will review any subcontractor partial lien release documents entered into by the general contractor on a regular basis to ensure that the lien release documents include self-confirmation that they have not committed wage theft.

And under #13 add (f) discuss providing space on-site for potential union organizing effort. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, and Councilman Chapman; Opposed, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike.

The ordinance reads as follows:

ORDINANCE NO. 5401

AN ORDINANCE to adopt the Tourism Development Plan developed in conjunction with the Virginia Tourism Authority's, d/b/a the Virginia Tourism Corporation (VTC), Tourism Development Financing Program (TDFP), endorse a proposed tourism project at 699 Prince Street and 114 South Washington Street which entitles the project to gap financing derived from certain state and local tax revenues, approve a performance agreement related to the proposed tourism project, and authorize other actions consistent with the TDFP as outlined in the Code of Virginia Section 58.1-3851.1

WHEREAS, in 2011, the Virginia General Assembly passed legislation enacting a TDFP under the purview of the VTC, which entitles an authorized tourism project to receive certain state and local tax revenues from the tourism project as outlined in the Code of Virginia Article 10, Chapter 38, Subtitle III, Title 58.1; and

WHEREAS, the City of Alexandria established a Tourism Zone identified as Ordinance No. 5400 on January 22, 2022 in accordance with the Code of Virginia Section 58.13851 as a mechanism to strengthen and expand tourism-related businesses and attractions so as to create jobs, increase investment, promote local heritage, attract out-of-town visitors, and strengthen the city's unique sense of place; and

WHEREAS, the Alexandria Economic Development Partnership (AEDP) has presented for preliminary approval to the VTC a development plan, entitled Tourism Development Plan, as required by the Code of Virginia Section 58.1-3851.1, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, the city currently lacks any hotel entities in the luxury category to accommodate both business and tourism related travelers; and

WHEREAS, J. River 699 Prince Street, LLC (Developer) has proposed spending approximately \$69.6 million to construct a 134-room boutique hotel operated by Aparium Hotel Group, LLC, located at 699 Prince Street and 114 South Washington Street in historic Old Town Alexandria, (Hotel Project); and

WHEREAS, this Hotel Project will be a comprehensive renovation of a former historic hotel, currently existing as an office building; and

WHEREAS, the Developer has identified a plan of finance for the Hotel Project which includes private debt and equity financing along with other funds totaling at least 70% of the cost of the project, leaving a financing gap of no more than 30%; and

WHEREAS, the Developer will submit an application requesting gap financing assistance and proof thereof; and

WHEREAS, the city has reviewed the proposed Hotel Project and finds the project will enhance the city's commercial tax base, historic preservation of once of the city's first hotels, increase employment, and fill the void of luxury hotel lodging to support the growing need for tourism and business related lodging; and

WHEREAS, under the Commonwealth of Virginia's TDFP, eligible projects are entitled to received one percent (1%) each of the State and Local share of Sales Tax Revenues generated from the Hotel Project, together with a five percent (5%) access fee to be paid by the Developer, for the purpose of paying the principal and interest of the gap financing which would complete the plan of finance for the Hotel Project and incent the full Hotel Project implementation; and

WHEREAS, to meet the requirements of Code of Virginia Section 58.1-3851.1, the city, along with the AEDP, will be required to enter into a performance agreement with the Developer; now therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. The Tourism Development Plan submitted to the VTC is adopted pursuant to the Code of Virginia Section 58.1-3851.1

Section 2. The Hotel Project is an eligible project for the purposes of the Code of Virginia Section 59.1-3851.1 and accordingly, the Council finds the Hotel Project fills a void identified in the City's Tourism Development Plan.

Section 3. That subject to the approval and certification of the State Comptroller of the Commonwealth of Virginia, and conditioned upon the execution of a performance agreement between the Developer, AEDP, and the City, the Council hereby designates to the Hotel Project an amount equal to the revenues generated by one percent (1%) of local sales and use tax generated by transactions taking place on the premises of the Hotel Project. Subject to the appropriation of such funds, Council directs those funds to the AEDP to be applied to the payment of principal and interest on the qualified gap financing for the Hotel Project for the duration and purposes set forth in the Code of Virginia Section 58.1-3851.1.

Section 4. The Tax Commissioner shall certify the amount of the entitled sales tax revenues to the Comptroller, who shall remit such revenues to the City. Upon collection of a quarterly remittance of revenues by the Commonwealth and of the access fee, as that term is defined by the Code of Virginia Section 58.1-3851.1, by the Developer, the city will remit such amounts to the AEDP as required by the Code of Virginia Section 58.1- 3851.1 No payments herein shall be made until a performance agreement exists between the Developer and AEDP.

Section 5. In the event that the total amount of sales tax entitlement and the access fee exceeds any annual debt service on the qualified gap financing , such

excess shall be paid to the principal of the loan until the qualified gap financing is paid in full.

Section 6. A tourism project that is entitle to and receives revenues pursuant to the Code of Virginia Section 58.1-3851.1 shall not be eligible to receive revenues pursuant to the Code of Virginia Sections 58.1-608.3 and 58.1-3851.2.

Section 7. The City Manager is authorized and directed to take actions consistent with the intent of this ordinance, without limitation, as required by the Code of Virginia Section 58.1-3851.1.

Section 8. That this ordinance shall become effective upon the date and at the time of its final passage.

****Docket Items #16 and #17 were considered together.****

16. Public Hearing, Second Reading and Final Passage of an Ordinance to Sell City-owned Property at 3002A Mosby Street. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 4, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 2/8/22, 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. 16; 2/8/22, 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. 16; 2/8/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Gaskins, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to sell City-owned property at 3002A Mosby Street. 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.

The ordinance reads as follows:

ORDINANCE NO. 5402

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 3002 A Mosby Street in the City of Alexandria, Virginia 22305, to Jeremy and Jessie Kamens.

WHEREAS, the City of Alexandria owns the real property at 3002 A Mosby Street, in Alexandria, Virginia 22305 (the “Property”); and

WHEREAS, on May 11, 2021, the City Council declared the Property surplus and authorized the City Manager to issue an Invitation to Bid (ITB) for the disposition and sale of the Property for no less than thirty (30) days, following the process detailed in the City Real Estate Disposition Policy; and

WHEREAS, pursuant to the City Real Estate Disposition Policy, the City Manager issued an Invitation to Bid to the owners of three parcels abutting the Property for a period of thirty (30) days on October 4, 2021 which closed on November 4, 2021; and

WHEREAS, the City Manager has recommended the sale of this Property to the highest responsive and responsible bidders, Jeremy and Jessie Kamens, for the sum of \$11,200, contingent upon review by the City’s Planning Commission pursuant to Section 9.06 of the City Charter and passage of an ordinance to sell the property with three-fourths majority vote of City Council; and

WHEREAS, the Planning Commission considered whether the sale of the property would be substantially in accord with the master plan under Section 9.06 of the City Charter and approved it at its meeting on January 4, 2022; and

WHEREAS, the City Council is of the opinion that the sale of this property is in the public interest and will otherwise advance the City’s land use goals; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. The Property is no longer required for a municipal or public purpose and the City Manager recommends that the Property be sold to the highest responsive and responsible bidder under the ITB pursuant to the City Real Estate Disposition Policy; and

Section 2. That the sale of real property described below to Jeremy and Jessie Kamens for the sum of \$11,200 is approved and authorized:

3002 A Mosby Street, Tax Map Reference No. 024.01-02-02

Section 3. That the City Manager be, and hereby is, authorized on behalf of the City of Alexandria to do all things necessary and desirable to carry out the sale of the real property described in Section 2, including, but not limited to, the execution and delivery of a purchase agreement, deed, and other appropriate documents.

Section 4. That the City Clerk be, and hereby is, authorized to attest to the execution by the City Manager of the deed and other documents executed by the City Manager, and to affix thereon the official seal of the City of Alexandria, Virginia.

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

17. Public Hearing, Second Reading and Final Passage of an Ordinance Amending the Sewer Connection Fee Ordinance (Section 5-6-25.1) and Sanitary Sewer System Capital Investment and Maintenance Fee (Section 5-6-26). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 4, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 2/8/22, 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. 17; 2/8/22, 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. 17; 2/8/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilman McPike and carried unanimously, City Council closed the public hearing and adopted an ordinance amending the Sewer Connection Fee Ordinance (Section 5-6-25.1) and Sanitary Sewer System Capital Investment and Maintenance Fee (Section 5-6-26). 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.

The ordinance reads as follows:

ORDINANCE NO. 5403

AN ORDINANCE to amend and reordain Sections 5-6-25.1 and 5-6-26 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 ORDAINS:

Section 1. 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 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 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, and the director shall issue a permit for the sewer connection 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.

(2) For each multifamily dwelling, an amount equal to the product of the number of dwelling units in the multifamily dwelling, multiplied by \$4,201. 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. 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.

~~(4) (5) For each nonresidential property, an amount determined in accordance with the following fee schedule based on the size of each water meter which serves such nonresidential property:-~~

Meter Size (inches)	Max. Capacity (GPM)	¾" Meter Equiv.	Fee
¾ or smaller	30	<u>1.00</u>	\$8,404
1	50	1.67	\$14,034
1½	100	3.33	\$27,985
2	160	5.33	\$44,793

3	320	10.76	\$90,425
4	500	16.67	\$140,092
6	1000	33.33	\$280,101
8	1600	53.33	\$448,178
10	2300	76.67	\$644,323

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.

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

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.

~~(5)~~ (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.

~~(6)~~ (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 ~~50~~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.

~~(7)~~ (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:

- (i) 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.
- (ii) 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)~~(6) above.
- (iii) 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)(7)~~(a)(8)(i) or ~~(a)(8)(7)~~(a)(8)(ii) above.
- (iv) 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)(7)~~(a)(8)(i) or ~~(a)(8)(7)~~(a)(8)(ii) above.
- (v) 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)(7)~~(a)(8)(i) or ~~(a)(8)(7)~~(a)(8)(ii) above, without any adjustment.

~~(8)~~ (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.

~~(9)~~ (10) Sections (1) through (3) and Section ~~(5)~~(4) reflects 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.

Section 2. That Section 5-6-26 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. 5-6-26 - Sanitary sewer system capital investment and maintenance fee imposed; provisions for collection; liens and cessation of water service for delinquent fees.

(a) There is hereby imposed, upon all residential parcels of real estate from which sewerage is discharged into lines maintained by the city, a monthly sanitary sewer system capital investment and maintenance fee of \$0.40 ~~per month~~ 1.20 per quarter or \$2.28 ~~for every 1,000 gallons of water per individually metered residential service supplied to such parcel by the Virginia American Water Company, whichever is the greater sum. Individually metered residential customers shall be billed utilizing a monthly sewer billing cap that shall be determined annually. The sewer billing cap per customer shall be based on the greater of (a) 4,000 gallons per month or (b) the customer's average monthly metered water consumption (gallons) recognized on bills rendered during the winter period which is defined as the months of December, January and February. Until the average is established, the billing cap shall be set at 4,000 gallons per month. The sanitary sewer system capital investment and maintenance fee is based on the lesser of (a) the residential customer's actual monthly metered water use or (b) the monthly sewer billing cap. for every 1,000 gallons of water supplied per quarter to such parcel by the Virginia American Water Company, whichever is the greater sum; provided, that if the fee for water supplied to any parcel is billed on a monthly basis, the sanitary sewer system capital investment and maintenance fee imposed on the parcel shall be \$0.40 per month or \$2.28 for every 1,000 gallons of water supplied per month to such parcel, whichever is greater; and provided, further, that for any parcel of real estate having more than one meter for the measurement of water consumption attributable to that parcel, one or more of which meters measures only water which will not be discharged into the sanitary sewer lines of the city, that parcel shall be charged as provided herein on the total water consumption attributable to that parcel after subtracting the amount of water not discharged into the sanitary sewer lines of the city.~~

(b) There is hereby imposed, upon all commercial parcels of real estate from which sewerage is discharged into lines maintained by the city, a monthly sanitary sewer system capital investment and maintenance fee of \$0.40 or \$2.28 for every 1,000 gallons of water per individually metered commercial service supplied to such parcel by the Virginia American Water Company, whichever is the greater sum.

(c) For any parcel of real estate having more than one meter for the measurement of water consumption attributable to that parcel, one or more of which meters measures only water which will not be discharged into the sanitary sewer lines of the city, that parcel shall be charged as provided herein on the total water consumption attributable to that parcel after subtracting the amount of water not discharged into the sanitary sewer lines of the city.

(bd) For the purpose of this article, bills shall be considered monthly bills if submitted 12 times per year for periods of approximately one month each and quarterly bills if submitted four times per year for periods of approximately three months each.

(ee) The sanitary sewer system capital investment and maintenance fee shall in every case be collected by the Alexandria sanitation authority or its designee from the owner, lessee or tenant of each parcel, or some or all of them, and remitted by the Alexandria sanitation authority or its designee to the city in such manner and on such terms as shall be agreed upon by the water company and the city council, consistent with the provisions of this section. In the event any such fees are unpaid 30 days after the date they are billed by the Alexandria sanitation authority or its designee as hereinabove provided, interest shall at that time begin to accrue thereon at the rate of one percent per month, and the owner, lessee or tenant, as the case may be, of the parcel of real estate on which the fee was imposed shall, until such fees shall be paid with interest to the date of payment, cease to dispose of sewage or industrial waste originating from or on such real estate by discharge thereof directly or indirectly into the sewer line maintained by the city, and if such owner, lessee or tenant shall not cease disposal within two months thereafter, the water company shall cease supplying water thereto unless the Director of the Alexandria Health Department shall certify that the shutting off of the water will endanger the health of the occupants of the premises or the health of others. Such fees and interest thereon shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

Section 3. That Sections 5-6-25.1 and 5-6-26 as amended pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 4. That this ordinance shall become effective on July 1, 2022.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)
DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Chapman, seconded by Councilwoman Gaskins and carried unanimously, City Council adjourned the public hearing meeting of January 22, 2022 at 5:42 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

Approved: March 8, 2022