

City of Alexandria
Saturday, February 12, 2022 9:30 AM
City Council Public Hearing Meeting
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. Horowitz, Principal Planner, P&Z; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Skrabak, Deputy Director, T&ES; Ms. Jovovic, Office of Housing; Mr. Alves, Urban Planner, P&Z; Ms. Demeke, Information Technology Services; Ms. Adelshin, ITS; Ms. Orr, Deputy Director, T&ES; Ms. Mason, T&ES; Ms. Tokumaru, T&ES; Mr. Copper, Code Administration; Ms. Garbacz, T&ES; Mr. Dofflemeyer, T&ES; Mr. Kerns, Division Chief, P&Z; Mr. LaColla, Division Chief, P&Z; Ms. Contreras, Principal Planner, P&Z; Police Captain Ballentine; Mr. Sharma, Deputy Director, T&ES; Ms. McIlvaine, Director, Office of Housing; and Mr. Randall, Urban Planner, P&Z.

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 members of Council were present.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about issues with courts and the

judicial system.

the following speakers spoke later in the meeting

2. Sami Bourma, Alexandria, spoke about the need for increased safety measures near Seminary Road/Southern Towers for the students crossing to Francis Hammond Middle School and the challenges faced by those who walk to school.

3. Filsan Ismail, Alexandria, spoke about the need for increased safety measures on Seminary Road for the students who walk to Francis Hammond Middle School.

4. Berole Bekele, Alexandria, spoke about the need for increased safety along Seminary Road for the students who walk to Francis Hammond Middle School and the possibility of getting a school bus for the students so they will not have to cross Seminary Road. Ms. Bekele asked for pedestrian upgrades along Seminary Road to increase safety for children who walk to school.

5. Frank, Alexandria, representing Alexandria Accountability, spoke about not being able to receive service from a City department and complaints to the Alexandria Police Department. He expressed that it is unreasonable to deny verification of actions taken when a citizen has a grievance against a City employee.

WHEREUPON, upon motion by Vice Mayor Jackson, 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.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR

Planning Commission (3-5)

3. Special Use Permit #2021-00109
28 East Maple Street
Public Hearing and consideration of a request for a Special Use Permit for the redevelopment of a substandard lot with a new single-family dwelling; zoned: R2-5/ Single- and two- family. Applicant: LA, Linden, LLC, A Virginia Limited Liability Company, represented by Duncan W. Blair, 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. 3; 2/12/22, and is incorporated as part of this record by reference.)

4. Special Use Permit #2021-00118
3316 Circle Hill Road
Public Hearing and consideration of a request for a Special Use Permit for the redevelopment of a substandard lot with a new single-family dwelling; zoned: R-8/Single-family. Applicant: Dumor Properties, LLC, a Virginia Limited Liability Company, represented by Duncan W. Blair, 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. 4; 2/12/22, and is incorporated as part of this record by reference.)

5. Special Use Permit #2021-00121
5241 Seminary Road
Public Hearing and consideration of a request for a Special Use Permit for the redevelopment of a substandard lot with a new single-family dwelling with lot modifications; zoned: R-12/Single-family. Applicant: Eden Wubante
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. 5; 2/12/22, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

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

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. 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 (6-12)

6. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owner of the property located at 2601 Oakville Street to construct and maintain an encroachment for balconies on Richmond Highway (Implementation Ordinance for Encroachment No. 2021-00007 associated with 2601 Oakville Street 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; 2/12/22, 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: 2/12/22, and is incorporated as part of this record by reference.)

7. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Article II to define co-living dwelling and amend apartment hotel and tourist home definitions; Article III to allow co-living dwellings with a Special Use Permit in RM, RB, RS, RT, RMF zones; Article III to allow co-living dwellings with an administrative Special Use Permit in RCX, RA, RC, RD zones; 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; 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; Article VI to allow co-living dwellings with an administrative Special Use Permit in KR zone; 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; Article VIII to establish parking requirements for co-living dwellings; and 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, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00004 (Implementation Ordinance for Text Amendment No. 2021-00004 associated with Co-Living Dwelling approved by City Council on January 22, 2022). [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; 2/12/22, 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; 2/12/22, 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 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. 2021-00009 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. 2021-00009 associated with the Alexandria City High School Project, Minnie Howard Campus approved by City Council on January 22, 2022). [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; 2/12/22, 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. 8; 2/12/22, and is incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 031.02 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 property at 3701 West Braddock Road from, R-12/Single-family and POS/Public open space and community recreation to OCM(50)/Office commercial medium(50) and POS/Public open space and community recreation in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00008 (Implementation Ordinance for Rezoning No. 2021-00008 associated with Alexandria City High School Project, Minnie Howard Campus approved by City Council on January 22, 2022). [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. 9; 2/12/22, 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. 9; 2/12/22, and is incorporated as part of this record by reference.)

10. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00009 (Implementation Ordinance for Text Amendment No. 2021-00009 associated with an amendment to the CDD #12 Zoning Table approved by City Council on January 22, 2022). [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. 10; 2/12/22, 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. 10; 2/12/22, and is incorporated as part of this record by reference.)

11. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 055.01 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 1033, 1055, and 1111 North Fairfax Street 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. 2021-00004 (Implementation Ordinance for Rezoning No. 2021-00004 associated with Tidelock approved by City Council on January 22, 2022). [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. 11; 2/12/22, 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. 11; 2/12/22, and is incorporated as part of this record by reference.)

12. Public Hearing, Second Reading and Final Passage of an Ordinance to adjust the precinct boundaries to correspond to the 2020 Census and Virginia Supreme

Court drawn House of Delegates District Boundaries. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 4, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 2/12/22, 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. 12; 2/12/22, 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. 12; 2/12/22, 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 approval was as follows:

6. City Council adopted an ordinance authorizing the owner of the property located at 2601 Oakville Street to construct and maintain an encroachment for balconies on Richmond Highway.

The ordinance reads as follows:

ORDINANCE NO. 5404

AN ORDINANCE authorizing the owner of the property located at 2601 Oakville Street to construct and maintain an encroachment for balconies on Richmond Highway.

WHEREAS, OT Block B SUB, LLC is the Owner ("Owner") of the property located at 2601 Oakville Street, in the City of Alexandria, Virginia; and

WHEREAS, Owner desires to establish and maintain balconies which will encroach into the public sidewalk right-of-way on Richmond Highway; and

WHEREAS, the public sidewalk right-of-way at that location will not be significantly impaired by this encroachment; and

WHEREAS, in Encroachment No. 2021-00007 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on December 7, 2021, which recommendation was approved by the City Council at its public hearing on December 18, 2021; and

WHEREAS, it has been determined by the Council of the City of Alexandria that this encroachment is not detrimental to the public interest; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public sidewalk right-of-way on Richmond Highway at 2601 Oakville Street as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of balconies, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury: \$1,000,000 each occurrence
\$1,000,000 aggregate

Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insureds and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of its obligations and undertakings required under this ordinance.

Section 3. That the authorization hereby granted to establish and maintain said encroachment shall in addition be subject to and conditioned upon the following terms:

(a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owner's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.

(b) The Owner shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.

(c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owner shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. The Owner shall bear all the cost associated with any future removal of the encroachments.

Section 4. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, Owner shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 5. That the authorization herein granted to establish and maintain the encroachment shall be subject to Owner maintaining the area of the encroachment at all times unobstructed and free from accumulation of litter, snow, ice and other potentially dangerous matter.

Section 6. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owner the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.

Section 8. The terms "Owner" shall be deemed to include OT Block B SUB, LLC and its respective successors in interest.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

7. City Council adopted an ordinance to amend and reordain Article II to define co-living dwelling and amend apartment hotel and tourist home definitions; Article III to allow co-living dwellings with a Special Use Permit in RM, RB, RS, RT, RMF zones; Article III to allow co-living dwellings with an administrative Special Use Permit in RCX, RA, RC, RD zones; 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; 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; Article VI to allowing co-living dwellings with an administrative Special Use Permit in KR zone; each zone listed above to classify the use as non-residential for the purpose of applying are and bulk regulations for up to two co-living dwellings; Article VIII to establish parking requirements for co-living dwellings; and 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, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council at Text Amendment No. 2021-00004.

The ordinance reads as follows:

ORDINANCE NO. 5405

AN ORDINANCE to amend and reordain Article II to define co-living dwelling and amend apartment hotel and tourist home definitions; Article III to allow co-living dwellings with a Special Use Permit in RM, RB, RS, RT, RMF zones; Article III to

allow co-living dwellings with an administrative Special Use Permit in RCX, RA, RC, RD zones; 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; 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; Article VI to allow co-living dwellings with an administrative Special Use Permit in KR zone; 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; Article VIII to establish parking requirements for co-living dwellings; and 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, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2021-00004, 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 January 4, 2022 of a text amendment to the Zoning Ordinance to adopt provisions to allow co-living dwellings, which recommendation was approved by the City Council at public hearing on January 22, 2022;
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
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 following Sections of Article II of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

2-112 – Apartment hotel.

A building or portion thereof designed for or containing guest rooms or suites of rooms for transient occupants ~~and dwelling units with or without unit-private~~ cooking facilities ~~and with or without common kitchen, dining or living facilities~~ for occupancy on a short- or long-term basis.

2-136.2 – Dwelling, co-living.

A portion of a building containing five or six private living spaces, a shared kitchen and other communal areas. Each private living space must include a bedroom but may or may not include a private bathroom. Each co-living dwelling cannot exceed a total

occupancy of eight people. Cooking facilities, specifically a stove or oven, shall not be provided within a private living space. Typically, private living spaces within a co-living dwelling are leased on an individual basis.

2-198 - Tourist home.

A building in which board or rooms or both are offered to the traveling public for compensation and which is open to transient guests, not exceeding nine individuals, as distinguished from a rooming house or co-living dwelling.

Section 2. That the following Sections of Article III of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

3-602.1 – Administrative special uses.

The following uses may be allowed in the RA zone with administrative approval pursuant to section 11-513 of this ordinance:

(C) Co-living dwelling, not to exceed two units;

3-603 - Special uses.

The following uses may be allowed in the RA zone pursuant to a special use permit:

~~(B) Reserved~~ Co-living dwelling, other than pursuant to section 3-602.1;

3-609 - Co-living dwellings.

Up to two co-living dwellings shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone. For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone. Each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

3-703 - Special uses.

The following uses may be allowed in the RB zone pursuant to a special use permit:

(A.1) Co-living dwelling, not to exceed two units;

~~(B) Day care center;~~ Continuum of care facility;

~~(C) Continuum of care facility;~~ Day care center;

3-709 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone. Each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

3-802.1 - Administrative special uses.

The following uses may be allowed in the RCX zone with administrative approval pursuant to section 11-513 of this ordinance:

- ~~(A) Day care center within a church or school building;~~ Child or elder care home, other than pursuant to section 3-802;
- ~~(B) Child or elder care home, other than pursuant to section 3-802.~~ Co-living dwelling, not to exceed two units;
- (C) Day care center within a church or school building.

3-803 - Special uses.

The following uses may be allowed in the RCX zone pursuant to a special use permit:

- ~~(C) Day care center;~~ Co-living dwelling, other than pursuant to section 3-802.1.
- (C.1) Continuum of care facility;
- ~~(D) Continuum of care facility;~~ Day care center;

3-809 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

3-902.1 - Administrative special uses.

The following uses may be allowed in the RC zone with administrative approval pursuant to section 11-513 of this ordinance:

- ~~(A) Daycare center within a church or school building;~~ Child or elder care home, other than pursuant to [section 3-902](#);
- ~~(B) Child or elder care home, other than pursuant to [section 3-902](#).~~ Co-living dwelling, not to exceed two units;-
- (C) Day care center within a church or school building.

3-903 - Special uses.

The following uses may be allowed in the RC zone pursuant to a special use permit:

- ~~(C) Day care center;~~ Co-living dwelling, other than pursuant to section 3-902.1;
- ~~(D) Freestanding commercial buildings for office or retail use where clearly designed as part of and to serve a residential development of at least 2,000 dwelling units and where no such building exceeds 10,000 square feet;~~ Continuum of care facilities;
- ~~(E) Continuum of care facilities;~~ Day care center;

(F) ~~Reserved~~; Freestanding commercial buildings for office or retail use where clearly designed as part of and to serve a residential development of at least 2,000 dwelling units and where no such building exceeds 10,000 square feet;

3-910 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

3-1001.1 - Administrative special uses.

The following uses may be allowed in the RD zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Co-living dwelling, not to exceed two units.

3-1002 – Special Uses.

The following uses may be allowed in the RD zone pursuant to a special use permit:

(A.1) Cemetery;

(B) ~~Cemetery~~; Co-living dwelling, other than pursuant to section 3-1001.1.

3-1006 – Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

3-1103 - Special uses.

The following uses may be allowed in the RM zone pursuant to a special use permit:

(B.1) Co-living dwelling, not to exceed two units;

3-1109 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

3-1203 - Special use.

The following uses may be allowed in the RS zone pursuant to a special use permit:

(A.1) Co-living dwelling, not to exceed two units;

3-1207 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

3-1303 - Special uses.

The following uses may be allowed in the RT zone pursuant to a special use permit:

(A.1) Co-living dwelling, not to exceed two units;

3-1307 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

3-1402.1 - Administrative special uses.

The following uses may be allowed in the RMF zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Co-living dwelling, not to exceed two units.

3-1403 - Special uses.

The following uses may be allowed in the RMF zone pursuant to a special use permit:

(A) ~~Townhouse, up to 30 percent of the total number of units;~~ Co-living dwelling, other than pursuant to section 3-1402.1.

(B.1) Townhouse, up to 30 percent of the total number of units.

3-1410 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as a nonresidential use for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

Section 3. That the following Sections of Article IV of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

4-102.1 - Administrative special uses.

The following uses may be allowed in the CL zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Co-living dwelling, not to exceed two units;

4-103 - Special uses.

The following uses may be allowed in the CL zone pursuant to a special use permit:

(B) ~~Congregate housing facility;~~ Co-living dwelling, other than pursuant to section 4-102.1;

(C) ~~Reserved;~~ Congregate housing facility;

(D) ~~Reserved;~~ Continuum of care facility;

(G) ~~Continuum of care facility;~~ Reserved;

4-109 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-202.1 - Administrative special uses.

The following uses may be allowed in the CC zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Restaurant;

4-203 - Special uses.

The following uses may be allowed in the CC zone pursuant to a special use permit:

(C) ~~Congregate housing facility;~~ Co-living dwelling, other than pursuant to section 4-202.1;

(D) ~~Reserved;~~ Congregate housing facility;

(E) ~~Reserved;~~ Continuum of care facility;-

(J) ~~Continuum of care facility;~~ Reserved;

4-209 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling

shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-302.1 - Administrative special uses.

The following uses may be allowed in the CSL zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Restaurant;

4-303 - Special uses.

The following uses may be allowed in the CSL zone pursuant to a special use permit:

(E.1) Co-living dwelling, other than pursuant to section 4-302.1;

(G) ~~Reserved;~~ Continuum of care facility;

(N) ~~Continuum of care facility;~~ Reserved;

4-309 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-402.1 - Administrative special uses.

The following uses may be allowed in the CG zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Restaurant;

4-403 - Special uses.

The following uses may be allowed in the CG zone pursuant to a special use permit:

~~(D.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component;~~ Bus shelter on private property;

~~(E) Bus shelter on private property;~~ Co-living dwelling, other than pursuant to section 4-402.1;

(G) ~~Reserved;~~ Continuum of care facility;

(H) ~~Reserved~~; Day labor agency;

(H.1) ~~Day labor agency~~;

(I) ~~Reserved~~; Drive through facility;

(J) ~~Drive through facility~~; Food and beverage production exceeding 5,000 square feet, which includes a retail component;

(N) ~~Continuum of care facility~~; Reserved;

4-409 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-502.1 - Administrative special uses.

The following uses may be allowed in the CD zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Co-living dwelling, not to exceed two units;

4-503 - Special uses.

The following uses may be allowed in the CD zone pursuant to a special use permit:

~~(B.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component~~; Bed and breakfast accommodation, as permitted by section 7-400;

~~(C) Bed and breakfast accommodation, as permitted by section 7-400~~; Bus shelter on private property;

~~(D) Bus shelter on private property~~; Catering operation;

~~(E) Catering operation~~; Co-living dwelling, other than pursuant to section 4-502.1;

~~(G) Reserved~~; Continuum of care facility;

~~(I) Fraternal or private club~~; Food and beverage production exceeding 5,000 square feet, which includes a retail component;

(I.1) Fraternal or private club;

~~(L) Continuum of care facility~~; Reserved;

4-509 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling

shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-602.1 - Administrative special uses.

The following uses may be allowed in the CD-X zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(F) ~~Reserved;~~ Restaurant;

4-603 - Special uses.

The following uses may be allowed in the CD-X zone pursuant to a special use permit:

(B.1) ~~Food and beverage production exceeding 5,000 square feet, which includes a retail component;~~ Bus shelter on private property;

(C) ~~Bus shelter on private property;~~ Catering operation;

(D) ~~Catering operation;~~ Co-living dwelling, other than pursuant to section 4-602.1;

(F) ~~Reserved;~~ Continuum of care facility;

(G) ~~Reserved;~~ Food and beverage production exceeding 5,000 square feet, which includes a retail component;

(K) ~~Continuum of care facility;~~ Reserved;

4-609 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-802.1 - Administrative special uses.

The following uses may be allowed in the OC zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Co-living dwelling, not to exceed two units;

4-803 - Special uses.

The following uses may be allowed in the OC zone pursuant to a special use permit:

~~(C.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component; Bus shelter on private property;~~

~~(D) Bus shelter on private property; Catering operation;~~

~~(E) Catering operation; Co-living dwelling, other than pursuant to section 4-802.1;~~

~~(G) Reserved; Continuum of care facility;~~

~~(H) Reserved; Day labor agency;~~

~~(H.1) Day labor agency;~~

~~(I) Reserved; Drive through facility;~~

~~(J) Drive through facility; Food and beverage production exceeding 5,000 square feet, which includes a retail component;~~

~~(N) Continuum of care facility; Reserved;~~

4-809 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-902.1 - Administrative special uses.

The following uses may be allowed in the OCM(50) zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Catering operation in an industrial or flex space center;

(A.2) Co-living dwelling, not to exceed two units;

~~(H) Catering operation in an industrial or flex space center; Reserved;~~

4-903 - Special uses.

The following uses may be allowed in the OCM(50) zone pursuant to a special use permit:

~~(C.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component~~

(D.1) Catering operation, other than pursuant to section 4-902.1;

(D.2) Co-living dwelling, other than pursuant to section 4-902.1;

(D.3) Congregate housing facility;

(D.4) Continuum of care facility;

(E) Catering operation, other than pursuant to [section] 4-902.1(H); Day labor agency;

(F) Congregate housing facility; Drive through facility;

(G) ~~Reserved~~; Food and beverage production exceeding 5,000 square feet, which includes a retail component;

(H.1) ~~Day labor agency~~; Reserved;

(J) ~~Drive through facility~~; Reserved;

(N) ~~Continuum of care facility~~; Reserved;

(W.2) ~~Outdoor market, other than pursuant to [section 4-902.1](#)~~; Outdoor garden center, other than pursuant to [section 4-902.1](#);

(W.3) ~~Outdoor garden center, other than pursuant to [section 4-902.1](#)~~; Outdoor market, other than pursuant to [section 4-902.1](#);

(Z) ~~Research and testing laboratory~~; Recreation and entertainment use, outdoor;

(AA) Research and testing laboratory;

4-908 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-1002.1 - Administrative special uses.

The following uses may be allowed in the OCM(100) zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Co-living dwelling, not to exceed two units;

(A.2) Catering operation in an industrial or flex space center;

(B) Restaurant; Light assembly, service, and crafts in an industrial or flex space center;

(B.1) Light auto repair in an industrial or flex space center;

(F) Reserved; Restaurant;

~~(H) Catering operation in an industrial or flex space center;~~

~~(H.1) Light assembly, service, and crafts in an industrial or flex space center and;~~

~~(I) Light auto repair in an industrial or flex space center;~~

4-1003 - Special uses.

The following uses may be allowed in the OCM(100) zone pursuant to a special use permit:

~~(A.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue; Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;~~

~~(A.2) Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;~~

~~(C.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component; Bus shelter on private property;~~

~~(D) Bus shelter on private property; Catering operation, other than pursuant to section 4-1002.1;~~

~~(E) Catering operation, other than pursuant to section 4-1002.1; Co-living dwelling, other than pursuant to section 4-1002.1;~~

~~(G) Reserved; Continuum of care facility;~~

~~(BB.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;~~

4-1008 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-1102.1 - Administrative special uses.

The following uses may be allowed in the OCH zone with administrative approval, subject to section 11-513 of this ordinance:

(A.1) Catering operation in an industrial or flex space center;

~~(B) Restaurant; Co-living dwelling, not to exceed two units;~~

(B.1) Light auto repair in an industrial or flex space center;

~~(F) Reserved; Restaurant;~~

~~(H) Catering operation in an industrial or flex space center;~~

~~(I) Light auto repair in an industrial or flex space center.~~

4-1103 - Special uses.

The following uses may be allowed in the OCH zone pursuant to a special use permit:

~~(A.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue; Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;~~

~~(A.2) Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;~~

~~(C.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component; Bus shelter on private property;~~

~~(D) Bus shelter on private property; Co-living dwelling, other than pursuant to section 4-1002.1;~~

~~(F) Reserved; Continuum of care facility;~~

~~(I.1) Food and beverage production exceeding 5,000 square feet, which includes a retail component;~~

~~(M) Continuum of care facility; Reserved;~~

~~(Y.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;~~

4-1108 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

4-1403.1 - Administrative special uses.

The following uses may be allowed in the NR zone with administrative approval, subject to section 11-513 of this ordinance:

~~(A.1) Restaurant; Co-living dwelling, upper floor, not to exceed two units;~~

~~(A.2) Live theater;~~

~~(A.3) Outdoor dining;~~

~~(A.4) Outdoor display of retail goods;~~

~~(D) Reserved; Restaurant;~~

~~(G) Outdoor dining;~~

~~(H) Live theater;~~

~~(I) Outdoor display of retail goods.~~

4-1404 - Special uses.

The following uses may be allowed in the NR zone pursuant to a special use permit:

(B.1) Bus shelter on private property;

~~(C) Medical care facility; Co-living dwelling, other than pursuant to section 4-1403.1;~~

~~(C.1) Congregate housing facility;~~

~~(C.2) Continuum of care facility;~~

~~(D) Public parking lot; Fraternal or private club;~~

~~(E) Private school, commercial, with a frontage of more than 30 feet along Mount Vernon Avenue; Health and athletic club or fitness studio, other than pursuant to section 4-1403(A)(8);~~

~~(F) Fraternal or private club; Live theater, other than pursuant to section 4-1403.1;~~

~~(G) Live theater, other than pursuant to section 4-1403.1; Reserved;~~

~~(H) Bus shelter on private property; Live theater, other than pursuant to section 4-1403.1;~~

~~(H.1) Medical care facility;~~

~~(I.2) Outdoor garden center, other than pursuant to section 4-1403.1;~~

~~(K.1) Private school, commercial, with a frontage of more than 30 feet along Mount Vernon Avenue;~~

~~(L.1) Public parking lot;~~

~~(O) Congregate housing facility;~~

~~(P) Health and athletic club or fitness studio, other than pursuant to [section 4-1403\(A\)\(8\)](#);~~

~~(Q) Continuum of care facility;~~

~~(R) Outdoor garden center, other than pursuant to [section 4-1403.1\(B\)](#);~~

~~(S) Public building.~~

4-1414 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

Section 4. That the following Sections of Article V of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

5-102.1 - Administrative special uses.

The following uses may be allowed in the CRMU-L zone with administrative approval, subject to section 11-513 of this ordinance:

(A) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Outdoor dining;

~~(H) Outdoor dining;~~ Restaurant.

5-103 - Special uses.

The following uses may be allowed in the CRMU-L zone pursuant to a special use permit:

(B.1) ~~Food or beverage production exceeding 5,000 square feet, which includes a retail component;~~ Bus shelter on private property;

(C) ~~Bus shelter on private property;~~ Co-living dwelling, other than pursuant to section 5-102.1;

(E) ~~Reserved;~~ Continuum of care facility;

(H) ~~Reserved;~~ Food or beverage production exceeding 5,000 square feet, which includes a retail component;

(I) ~~Continuum of care facility;~~ Reserved;

5-113 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

5-202.1 – Administrative special uses.

The following uses may be allowed in the CRMU-M zone with administrative approval, subject to section 11-513 of this ordinance:

(A) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Outdoor dining;

(E) ~~Outdoor dining;~~ Restaurant;

5-203 - Special uses.

The following uses may be allowed in the CRMU-M zone pursuant to a special use permit:

(B.1) ~~Food or beverage production exceeding 5,000 square feet, which includes a retail component;~~ Bus shelter on private property;

(C) ~~Bus shelter on private property;~~ Co-living dwelling, other than pursuant to section 5-202.1;

(E) ~~Reserved;~~ Continuum of care facility;

(H) ~~Reserved;~~ Food or beverage production exceeding 5,000 square feet, which includes a retail component;

(I) ~~Continuum of care facility~~; Reserved;

5-213 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as a nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

5-302.1 - Administrative special uses.

The following uses may be allowed in the CRMU-H zone with administrative approval, subject to section 11-513 of this ordinance:

(A) ~~Restaurant~~; Co-living dwelling, not to exceed two units;

(B) ~~Reserved~~; Outdoor dining;

(E) ~~Outdoor dining~~; Restaurant;

5-303 - Special uses.

The following uses may be allowed in the CRMU-H zone pursuant to a special use permit:

(B.1) ~~Food or beverage production exceeding 5,000 square feet, which includes a retail component~~; Bus shelter on private property;

(C) ~~Bus shelter on private property~~; Co-living dwelling, other than pursuant to section 5-302.1;

(E) ~~Reserved~~; Continuum of care facility;

(H) ~~Reserved~~; Food or beverage production exceeding 5,000 square feet, which includes a retail component;

(I) ~~Continuum of care~~; Reserved;

5-313 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

5-402.1 - Administrative special uses.

The following uses may be allowed in the CRMU-X zone with administrative approval, subject to section 11-513 of this ordinance:

(A) ~~Restaurant;~~ Co-living dwelling, not to exceed two units;

(B) ~~Reserved;~~ Outdoor dining;

(E) ~~Outdoor dining;~~ Restaurant;

5-403 - Special uses.

The following uses may be allowed in the CRMU-X zone pursuant to a special use permit:

~~(C.1) Food or beverage production exceeding 5,000 square feet, which includes a retail component;~~

(E.1) Co-living dwelling, other than pursuant to section 5-402.1;

~~(G) Reserved;~~ Continuum of care facility;

~~(H) Reserved;~~ Food or beverage production exceeding 5,000 square feet, which includes a retail component;

~~(K) Continuum of care facility;~~ Health profession office, on the ground floor of buildings facing the sidewalk;

~~(O) Health profession office, on the ground floor of buildings facing the sidewalk;~~
Reserved;

5-412 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

5-502.1 - Administrative special uses.

The following uses may be allowed in the W-1 zone with administrative approval, subject to section 11-513 of this ordinance:

~~(A) Valet parking;~~ Co-living dwelling, not to exceed two units;

~~(B) Restaurant;~~ Outdoor dining;

~~(C) Outdoor dining;~~ Outdoor market;

~~(D) Outdoor market;~~ Restaurant;

(E) Valet parking.

5-503 - Special uses

The following uses may be allowed in the W-1 zone pursuant to a special use permit:

~~(A) Commercial outdoor recreation facility;~~ Any use with live entertainment;

(A.1) Co-living dwelling, other than pursuant to section 5-502.1;

(A.2) Continuum of care facility;
(A.3) Commercial outdoor recreation facility;

(D) ~~Any use with live entertainment;~~ Hotel, consistent with the Development Goals and Guidelines for Development Sites in the Waterfront small area plan;
(E) ~~Continuum of care facility;~~ Reserved;

(O) ~~Hotel, consistent with the Development Goals and Guidelines for Development Sites in the Waterfront small area plan;~~ Reserved;

5-514 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

Section 5. That the following Sections of Article VI of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

6-702 - Uses.

Uses in the King Street urban retail zone are divided into two categories, depending on their location, in order to protect and enhance opportunities for existing and future retail uses. The two use categories, which are each further divided into permitted and special uses, are defined as followed:

Ground floor uses: Retail and other active uses are emphasized in the ground floor uses category. The ground floor uses category applies to uses to be located in the space within the first 50 feet of a building, measured from the front building wall, and in a building that is set back no further than 30 feet from a front property and with a first floor of the building within four feet above the sidewalk grade.

Upper floor uses: The second category of uses is all space that is not located within the ground floor of a building, as that is defined above. Upper floor uses may be located on floors above the ground floor, in the space on the ground floor beyond the 50 feet threshold for ground floor uses, and in buildings not considered retail appropriate because they are elevated above grade or set back an excessive distance from the street as expressed above.

(B)Upper floor uses.

(2) *Administrative special uses.* Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of [section 11-513](#) of this ordinance:

(a) Co-living dwelling, not to exceed two units;

(b) Outdoor market;

(c) Restaurant.

(d) Valet parking;

~~(3)(2) Special uses:~~

~~(b) Food and beverage production, exceeding 5,000 square feet, which includes a retail component; Church;—~~

~~(c) Church; Co-living, greater than two co-living dwellings other than pursuant to 6-702(B)(2);~~

(e.1) Food and beverage production, exceeding 5,000 square feet, which includes a retail component;

(f.1) Motor vehicle parking and storage, including as an accessory use to accommodate required parking, in a structure that is visually screened with active uses for at least 25 feet, measured from the property line on King Street.

~~(h.1) Motor vehicle parking and storage, including as an accessory use to accommodate required parking, in a structure that is visually screened with active uses for at least 25 feet, measured from the property line on King Street. Reserved;~~

~~(C) Administrative special uses. Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of [section 11-513](#) of this ordinance:—~~

~~(1) Valet parking;—~~

~~(2) Outdoor market;—~~

~~(3) Restaurant.—~~

6-708 - Co-living dwellings.

Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of [section 11-513](#) of this ordinance: Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under [section 8-200\(A\)\(22\)](#). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multifamily dwellings in this zone.

Section 6. That the following Sections of Article VIII of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

Sec. 8-200 – General parking regulations.

(A) *Schedule of requirements.* The following number of parking spaces shall be provided for each use listed. In the case of any use not listed in [section 8-200\(A\)](#), the requirements of the most similar listed use shall apply. The requirements of [section 8-200\(A\)](#) may be reduced when special zoning allows parking reductions and the required approvals of the director and the director of transportation and environmental services have been obtained and the conditions of said approval are complied with.

(22) Co-living dwelling: one space for each four private living spaces.

(C) *Location of parking facilities.*

(3) For all co-living dwellings the required off-street parking shall be located on the subject property or may be permitted within 300 feet.

(34) For all commercial or industrial uses, the distance from the off-street parking facility to the commercial or industrial use which it serves shall not exceed 1,000 feet measured as a straight line from the nearest corner of the lot containing the structure to the nearest lot line of the property with the shared parking facility, provided that there are no active railroad tracks, interstate highways, or waterways located between the parking facility and the uses using the parking facility and such off-street parking facility shall be permitted on land in a commercial or industrial zone only. An application shall be filed with the director of planning and zoning for an administrative permit for off-site parking on such forms and subject to such procedures as the director may establish for that purpose.

(45) For all other uses, including, but not limited to churches, private and fraternal clubs, private and public schools and social service buildings, such required off-street parking shall be located on the same lot as the main building or on a lot immediately contiguous to the main building lot; except, that off-street parking may be permitted within 300 feet with a special use permit.

(56) Access to parking, required or otherwise, shall be limited as follows:

(67) Parking, required or otherwise, limited on residential lots. For all lots containing single-family, two-family or townhouse dwelling uses, there shall be a limit of one vehicle per 1,000 square feet of lot area, not to exceed a maximum of four (4) vehicles per lot parked or stored outside on the lot in question.

Section 7. That the following Sections of Article XI of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline or added and ordained, as follows:

Sec. 11-513 - Administrative special use permit.

An applicant may seek the director's approval of a use identified in this ordinance as one for which administrative special use permit approval is available pursuant to the standards and procedures outlined in this section.

(Q) Specific standards for co-living dwellings.

(1) A maximum of two private living areas per co-living dwelling are permitted to have double occupancy.

(2) Lease agreements with tenants must be for 30 days or longer.

(3) One wall sign with the contact information for a responsible party (including the name of the manager, email address, and phone number) is required at the entrance of buildings with a minimum of one square foot and maximum of two square feet. This sign is excludable for the purpose of calculating the square footage of wall signs permitted on the property.

Section 8. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 9. That Sections of Articles II, III, IV, V, VI, VIII, and XI, as amended pursuant to Sections 1 through 7 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 10. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

8. 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. 2021-00009 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

The ordinance reads as follows:

ORDINANCE NO. 5406

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. 2021-00009 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. 2021-00009, 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 January 4, 2022 of an amendment to the Seminary Hill/Strawberry Hill Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Map 13: Seminary Hill/Strawberry Hill Land Use, as amended, to reflect an exchange of Institutional area with Parks & Open Space area and amend Map 18: Seminary Hill/Strawberry Hill Height Limits, as amended, to reflect a change in height from 35 feet to 77 feet, which recommendation was approved by the City Council at public hearing on January 22, 2022;

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, as amended, to reflect an exchange of Institutional area with Parks & Open Space area and amend Map 18: Seminary Hill/Strawberry Hill Height Limits, as amended, to reflect a change in height from 35 feet to 77 feet, 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.

9. City Council adopted an ordinance to amend and reordain Sheet No. 031.02 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 property at 3701 West Braddock Road from, R-12/Single-family and POS/Public Open Space and community recreation to OCM(50)/Office Commercial Medium (50) and POS/Public Open Space and community recreation in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00008.

The ordinance reads as follows:

ORDINANCE NO. 5407

AN ORDINANCE to amend and reordain Sheet No. 031.02 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 property at 3701 West Braddock Road from, R-12/Single-family and POS/Public open space and community recreation to OCM(50)/Office commercial medium (50) and POS/Public open space and community recreation in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00008.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2021-00008, 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 January 4, 2022 of a rezoning of the property at 3701 West Braddock Road from, R-12/Single-family and POS/Public open space and community recreation to OCM(50)/Office commercial medium (50) and POS/Public open space and community recreation, which recommendation was approved by the City Council at public hearing on January 22, 2022;
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. 031.02 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: 3701 West Braddock Road, Alexandria, Virginia 22302, 031.02-02-05, diagram attached

From: R-12/Single-family and POS/Public open space and community recreation
To: OCM(50)/Office commercial medium (50) and POS/Public open space and community recreation

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. 031.02 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.

10. City Council adopted an ordinance to amend and reordain Section 5-602(COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00009.

The ordinance reads as follows:

ORDINANCE NO. 5408

AN ORDINANCE to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00009.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2021-00009, 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 January 4, 2022 of a text amendment to the Zoning Ordinance to amend the CDD Special Use Permit provisions of CDD No. 12, which recommendation was approved by the City Council at public hearing on January 22, 2022;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

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 Section 5-602(A), CDD No. 12, of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

CDD No.	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum F.A.R. and/or Development Levels	Maximum Height	Uses
12	Safeway-Datatel	NR zone regulations shall apply except that the FAR shall not to exceed 0.5 for nonresidential and 0.75 for a mixed use project including residential and ground floor retail uses.	Up to 3.0 gross floor area (GFA) including above-grade structured parking for the total mixed use development. <u>Development shall be consistent with the Arlandria-Chirilagua Small Area Plan.</u>	<u>The overall height of buildings should be generally consistent with the heights depicted in the Arlandria-Chirilagua Small Area Plan</u> UPW Task Force Report Illustrative Plan.	A mixed use, neighborhood center that provides <u>community-serving retail and other uses, including catering facilities, continuum of care facilities, nursing home, office and live/work or residential uses a</u> retail anchor and supporting retail, office and live/work or residential uses with public and private parking. A minimum of 10 percent of the total number of residential units

					shall be affordable units.
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Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Section 5-602(A), CDD No. 12, as amended pursuant to Section 1 of this ordinance, 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, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

11. City Council adopted an ordinance amend and reordain Sheet No. 055.01 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 1033, 1055, and 1111 North Fairfax Street from, OCM(50)/Office Commercial Medium 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. 2021-00004.

The ordinance reads as follows:

ORDINANCE NO. 5409

AN ORDINANCE to amend and reordain Sheet No. 055.01 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 1033, 1055, and 1111 North Fairfax Street 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. 2021-00004.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2021-00004, 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 January 4, 2022 of a rezoning of the properties at 1033, 1055, and 1111 North Fairfax Street 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 January 22, 2022;

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. 055.01 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: 1033 North Fairfax Street, Alexandria, Virginia 22314, 055.01-04-09

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

LAND DESCRIPTION: 1055 North Fairfax Street, Alexandria, Virginia 22314, 055.01-04-10

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

LAND DESCRIPTION: 1111 North Fairfax Street, Alexandria, Virginia 22314, 055.01-04-11

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. 055-01 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.

12. City Council adopted an ordinance to adjust the precinct boundaries to correspond to the 2020 Census and Virginia Supreme Court drawn House of Delegates District Boundaries.

The ordinance reads as follows:

ORDINANCE NO. 5410

AN ORDINANCE to amend and reordain Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-2-13 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

The election districts and voting places established by this chapter shall be shown on a map designated "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places." The said map shall include a listing of the year ~~2000~~ 2020 census blocks included within each election district, and hereby is incorporated by reference and declared to be a part of this code. The said map shall be signed by the mayor, attested to by the clerk, and the official seal of the city shall be impressed thereon.

The original of such map shall be deposited with the general registrar for the city and shall be available to the public for inspection. Whenever there are any changes in the election districts or voting places, except temporary voting places as provided for in the preceding section, another such official map shall be prepared.

Section 2. That the general registrar of voters be, and he hereby is, directed to record the foregoing amendments on the said map.

Section 3. That this ordinance shall become effective upon the earlier of i) receipt by the City Attorney's Office of a Certification of No Objection by the Office of the Attorney General of Virginia or ii) April 15, 2022, and the adjustments contained herein will be utilized for the elections in 2022 and thereafter until or unless further modified and amended.

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

None.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)
Planning Commission (continued)

13. Special Use Permit #2021-00119

711 Princess Street

Public Hearing and consideration of (1) a one year Special Use Permit review and (2) a request to extend the hours for indoor and outdoor live entertainment, to expand the number of seats for outdoor dining and outdoor live entertainment, to permit amplified sound, and to allow a parking reduction for an indoor and outdoor live entertainment and outdoor dining use (amending Special Use Permit #2020-00102); zoned: CD/Commercial Downtown. Applicant: Blue Heart Travel, Inc., dba Classical Movements, represented by Neeta Helms
Planning Commission Action: Recommended Approval 5-0-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 2/12/22, and is incorporated as part of this record by reference.)

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

1. Neeta Helms, Alexandria, applicant, spoke in support of the project.
2. Soren Johnson, Alexandria, spoke in support of the project.
3. Douglas Rosenthal, Alexandria, spoke in support of the project.
4. George Henson, Alexandria, spoke in support of the project.
5. Carla DuLaney, Alexandria, spoke in support of the project.
6. Johan van Zyl, Alexandria, spoke in support of the project.
7. Tanya Lervik, Alexandria, spoke in support of the project.
8. Jayci Thomas, Stafford, Virginia, spoke in support of the project.
9. David Fritz, Alexandria, spoke in opposition to the project and responded to questions from Council about the noise.
10. Duncan Blair, attorney for the applicant, spoke in support of the project and responded to questions from Council.
11. Norma Duggar, Washington, D.C., spoke in support of the project.
12. Sara Casar, Alexandria, applicant, spoke in support of the project and

responded to questions from Council.

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 Councilwoman Jackson and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments: reinstate condition #32 stating that the applicant will work with staff to develop a new mitigation plan in a timely manner; reinstate condition #34 to retain standard Special Use Permit condition for one-year zoning inspection and Director's ability to docket if issues arise; and amend outdoor entertainment hours to Sunday through Thursday ending at 8 p.m., and Friday and Saturday ending at 10 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.

Council reopened the public discussion period at this point in the meeting

WHEREUPON, upon motion by Councilman McPike, seconded by Councilman Chapman and carried unanimously, City Council reopened 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.

(Speakers are recorded under public discussion above)

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

City took a recess for lunch at this time.

14. Rezoning #2021-00007
Development Special Use Permit #2021-10029
Transportation Management Plan Special Use Permit #2021-00088
5380 Holmes Run Parkway - ParcView II
Public Hearing and consideration of requests for (A) an amendment to the official zoning map to change the zone from RC/High Density Apartment Zone to RMF/Residential Multifamily Zone; (B) a Development Special Use Permit with site plan and modifications and a subdivision to construct two connected affordable apartment buildings with 227 units, a daycare/commercial/community

use, and an underground garage; to renovate an existing apartment building with 146 affordable units, to re-subdivide the lot into two fee simple lots and dedicate a portion of Holmes Run Parkway and the newly created lot in Holmes Run Park to the City of Alexandria; including Special Use Permits to increase the allowable Floor Area Ratio to 2.7 and to have more than three mechanical penthouses; and (C) a Tier III Transportation Management Plan Special Use Permit; zoned: RC/High Density Apartment. Applicant: Wesley Housing Development Corporation of Northern Virginia, represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 6-0 (REZ2021-00007); Recommended Approval 6-0 (DSUP2021-10029, TMP SUP2021-00088)

(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; 2/12/22, and is incorporated as part of this record by reference.)

Mr. Moritz, Director, Planning and Zoning, notified City Council that a valid protest petition was filed with the Office of the City Clerk yesterday before the deadline and that the vote required a supermajority of Council will be required for the rezoning to pass (six affirmative votes).

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

1. Arthur Impastato, Alexandria, representing Cameron Station Civic Association, spoke in opposition of the proposed project as currently proposed.
2. Kimberly Collins, Alexandria, spoke in opposition to the project.
3. Natasha Leyton, Alexandria, spoke in opposition to the project.
4. Gerry Hebert, Alexandria, spoke in support of the project.
5. Rev. Juli Wilson-Black, Alexandria, spoke in support of the project.
6. Valerie Spiegler, Alexandria, representing Place One Condominium, spoke in opposition of the project.
7. Laura Perez, Alexandria, spoke in opposition to the project.
8. Betsy Faga, Alexandria, spoke in support of the project.
9. David Blakeslee, Alexandria, spoke in opposition to the project.
10. Sandra Buerle, Alexandria, spoke in opposition to the project.
11. Donna Fossum, Alexandria, spoke in opposition to the project.

12. Elliott Waters, Alexandria, spoke about modifications to the proposed project by forming an advisory council for the project.

13. Martin Goldstein, Alexandria, spoke in opposition to the project.

14. James Lewis, Alexandria, spoke about the parking at the project.

15. Cathy Puskar, attorney for the applicant, spoke in support of the project and responded to questions from City Council.

16. Shelley Murphy, Alexandria, in support of the project.

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilman McPike and carried unanimously, City Council closed the public hearing. 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 Chapman, seconded by Councilman Aguirre and carried unanimously, City Council approved the Planning Commission recommendation. In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

15. Master Plan Amendment #2021-00001
Rezoning #2021-00002
Development Special Use Permit #2021-10013 (Stacked Townhouses)
Development Special Use Permit #2021-10014 (Multifamily Buildings)
Transportation Management Plan Special Use Permit #2021-00025 (Stacked Townhouses)
Transportation Management Plan Special Use Permit #2021-00108 (Multifamily Buildings)
Special Use Permit #2021-00059 (Coordinated Sign Plan)
5901, 5951, and 5999 Stevenson Avenue and 2 South Whiting Street - Landmark Overlook
Public Hearing and consideration of requests for: (A) an amendment to the Landmark-Van Dorn Small Area Plan Chapter of the Alexandria Master Plan to change the recommended primary use above the first floor from office to residential-with some office and to change the following recommendations for Block B of the Plan: increase the maximum square footage of residential uses, decrease the minimum square footage of office uses, and decrease the minimum square footage of retail uses; (B) an amendment to the official zoning map to change the zoning designation for the properties from CRMU-M/Commercial Residential Mixed Use - Medium zone and OCM(50) / Office Commercial Medium (50) zone to CRMU-H/Commercial Residential Mixed Use - High zone; (C) a Development Special Use Permit to construct new stacked townhouse units

(multifamily residential) with a modification, a request to treat the project area as a tract for the purpose of calculating FAR pursuant to Section 1-400(B)(3)(c), and Special Use Permits for a parking reduction, and to increase the proposed floor area ratio (FAR) to 2.03; (D) a Development Special Use Permit to construct two new multifamily residential buildings with modifications, a request to treat the project area as a tract for the purpose of calculating FAR pursuant to Section 1-400(B)(3)(c), and a Special Use Permit request to increase the proposed floor area ratio (FAR) to 2.03; (E) a Special Use Permit for a Transportation Management Plan (Tier 1) for the stacked townhouse units (multifamily residential); (F) a Special Use Permit for a Transportation Management Plan (Tier 3) for the two multifamily residential buildings; and (G) a Special Use Permit for a Coordinated Sign Plan; zoned CRMU-M/Commercial Residential Mixed Use - Medium and OCM(50)/Office Commercial Medium (50).Applicant: West End Development Associates, LLC, represented by Kenneth Wire, attorney
Planning Commission Action: Recommended Approval 7-0 (MPA2021-00001 & REZ2021-00002); Recommended Approval 6-1 (DSUP2021-10013, DSUP2021-10014, TMP SUP2021-00025, TMP SUP2021-00108, and SUP2021-00059)

(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; 2/12/22, and is incorporated as part of this record by reference.)

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

1. Kenneth Wire, attorney for the applicant, spoke in support of the project and responded to questions from City Council.

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 Councilwoman Gaskins, seconded by Vice Mayor Jackson and carried 6-1, City Council approved the Planning Commission recommendation with the following amendments:

Stacked townhouse DSUP #2021-10013: (a) delete "public art" conditions #121-125; and (b) delete affordable housing contribution condition #120.

Multifamily DSUP #2021-10014: (a) delete "public art" conditions #146-150; (b) modify condition #17 to read as follows: Notwithstanding the percentage of materials shown within the preliminary plan, the Applicant shall be permitted to substitute fiber cement panels and siding in lieu of metal panel and brick on portions of the facades about the first floor on all facades except for facades fronting Stevenson Avenue and S.

Walker Street, so long as the building appearance is in general conformance with the preliminary plans; and (c) modify housing conditions to reflect 15 on-site units by adding the following conditions:

162. Provide fifteen (15) affordable set-aside rental units with a unit mix proportional to the overall unit mix in Landbays C and D as determined at the time of Final Site Plan to the satisfaction of the Director of Housing. (Housing)

163. Rents for set-aside units shall not exceed the maximum amounts allowed under the Federal Low Income Housing Tax Credit (LIHTC) program for households with incomes at 60 percent of the Washington D.C. Metropolitan Area Median Family Income (including utility allowances and any parking charges) for a 40-year period from the date of initial occupancy of each affordable unit. Recertify the incomes of resident households annually. (Housing)

164. If at the time of lease up or lease renewal, the differential between the market rent and set-aside rent (as adjusted for utility allowances) for a comparable unit is less than 15 percent of the market rent, then the set-aside rent shall be reduced to maintain a differential of 15 percent for the term of the new lease or lease renewal. (Housing)

165. Total non-refundable fees, excluding application and pet fees, shall not exceed 15 percent of gross affordable rent. (Housing)

166. Residents of the set-aside units may be charged a monthly parking fee of up to \$50 (in 2022 dollars) or the standard fee whichever is lower for their first parking space. Any additional parking spaces shall be subject to standard fees. (Housing)

167. Once an income-eligible household moves into a set-aside unit, that unit shall count as an affordable unit until the household's income increases to more than 140 percent of the then-current income limit. Provide one additional one-year lease term at the affordable rent but notify the household that at the end of one year the household shall not be eligible to continue at the affordable rent. Afterwards, the over-income household may move to a comparable market rate unit or remain in the same unit. However, the next available and comparable unit (i.e., same number of bedrooms, den space, and/or approximate square footage) must be offered to a qualified household. Once the comparable unit is rented, the rent of the over-income unit may then increase to market rate per any lease restrictions. If a comparable unit within the building does not exist (e.g., a three-bedroom unit), then the over-income tenant must vacate the unit for an income-eligible household. (Housing)

168. Do not deny households receiving Housing Choice Voucher assistance admission based on receiving such assistance. A household is income qualified if the amount of rent it can pay based on income, together with the voucher payment, is sufficient to cover the applicable rent. (Housing)

169. Provide residents of set-aside units with access to all amenities offered within the entire development. (Housing)

170. Set-aside units shall be comparable in size and floor plan and have the same finishes as similar units in the development. Clustering of set-aside units shall be avoided. (Housing)

171. Notify the Landlord-Tenant Relations Division Chief at the Office of Housing in writing 90 days prior to leasing. Provide the City with marketing information 45 days prior to leasing, which shall include the affordable rents, fees, property amenities, and contact information for applications. The City shall notify interested parties of the availability of set-aside units. The applicant shall not accept applications for set-aside units until 45 days after providing written notification to the Office of Housing or until the Office of Housing advises the applicant that the information has been distributed and posted, whichever occurs first. (Housing)

172. List all set-aside units at Virginia Housing's website: www.VirginiaHousingSearch.com. (Housing)

173. Provide the City with the records and information necessary for annual compliance monitoring with the Housing conditions for the 40-year affordability period. (Housing)

174. If the development involves Community Development Block Grant (CBDG), Home Investment Partnership Program (HOME), Section 108 loan funds, federal Housing Trust Fund, or other monies provided by the Department of Housing and Urban Development, then the applicant shall consult and coordinate with Staff to ensure that the project complies with all federal environmental statutes, laws, and authorities. (Housing)

And the addition of conditions #136 and #137 stating the following:

136. Present a disclosure statement to potential buyers disclosing, to the satisfaction of the Director of P&Z, T &ES, and the City Attorney, that the existing City drop off recycling center at the end of South Whiting Street is within the immediate vicinity of the project and is intended to continue indefinitely as a public drop off facility open to the public 24 hours a day 7 days a week for the purpose of dropping off acceptable recyclable material only in designated City recycling containers for collection and service as required by the City.

137. Depict additional landscaping or fencing for screening purposes on the final site plan submission, to the satisfaction of the Director of Planning & Zoning in a location adjacent to the front property line along South Whiting Street between Stacked Townhouse Unit # 1/2 and the pedestrian staircase to Duke Street.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson,

Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilman Aguirre.

16. FOR INFORMATION ONLY

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

City Charter Section 9.06 Case #2021-00010

Right-of-Way in front of 1050 North Fayette Street

Public Hearing and consideration of a request for the Planning Commission to review whether the interim use of a portion of the sidewalk in front of the building for overflow operations from the Yates Car Wash & Detail Center at 1018 North Henry Street 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. 16; 2/12/22, and is incorporated as part of this record by reference.)

City Council received this item for information only.

ORDINANCES AND RESOLUTIONS

17. Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing the Disposition and Sale of City Vacant Land Located at 3700 Mount Vernon Avenue to the Alexandria Housing Development Corporation. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 1, 2022, and is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 2/12/22, and 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; 2/12/22, 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; 2/12/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance authorizing the disposition and sale of city vacant land located at 3700 Mount Vernon Avenue to the Alexandria Housing Development

Corporation. 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. 5411

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 3700 Mount Vernon Avenue in the City of Alexandria, Virginia 22305, to the Alexandria Housing Development Corporation.

WHEREAS, the City of Alexandria owns the real property at 3700 Mount Vernon Avenue, in Alexandria, Virginia 22305 (the “Property”); and

WHEREAS, on September 8, 2020, and on May 11, 2021, the City Council approved predevelopment loans to the Alexandria Housing Development Corporation (AHDC) in order to support the potential development of an affordable housing project at 221 West Glebe Road, 3606, 3610, 3612, and 3700 Mount Vernon Avenue, 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 his memorandum to City Council dated February 1, 2022, for Introduction and First Reading, Consideration, Passage on First Reading and Request for Public Hearing at its legislative meeting on February 8, 2022, and for a Second Reading and Final Passage at its public hearing on February 12, 2022; 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:

3700 Mount Vernon Avenue, Tax Map Reference No. 007.03-08-11

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.

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

None.

ADJOURN.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council adjourned the public hearing meeting of February 12, 2022 at 3:11 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: April 5, 2022