

City of Alexandria
Saturday, April 23, 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: Absent.

Also Present: Mr. Parajon, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Fire Chief Smedley; Ms. Routt, Director, Office of Management and Budget; Sheriff Casey; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. McIlvaine, Director, Office of Housing; Ms. Horowitz, Principal Planning, P&Z; Ms. Miliaras, Principal Planner, P&Z; Mr. Ziemann, Division Chief, Transportation and Environmental Services (T&ES); Mr. Lambert, Director, T&ES; Ms. Snow, Senior Assistant Attorney; Mr. Kerns, Division Chief, P&Z; Mr. Welles, Urban Planner, P&Z; Mr. Browning, Information Technology Services (ITS); Ms. Demeke, ITS, and Police Captain Ballantine.

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

OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present, with Councilman Chapman arriving at 9:50 a.m.

2. Public Discussion Period.

The following person participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about the corruption with the courts and law enforcement.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried 6-0, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Absent, Councilman Chapman.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES
ACTION CONSENT CALENDAR

Planning Commission (3)

3. Special Use Permit #2022-00006
2700 Witter Drive - Witter Recreational Fields Safety Netting
Public Hearing and consideration of a request to allow athletic safety netting up to 30 feet in height; zoned POS/Public Open Space. Applicant: City of Alexandria Department of Recreation, Parks, and Cultural Activities
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 04/23/22, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman McPike and carried 6-0, City Council approved the consent calendar. The approval was as follows:

3. City Council approved the Planning Commission recommendation.

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

ROLL-CALL CONSENT CALENDAR (4-7a)

4. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00001 (Implementation Ordinance for Text Amendment No. 2022-00001 associated with Extension of Temporary Program for Business Relief and to Address Public Need Related to COVID-19 approved by City Council on March 12, 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. 4; 4/23/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 4/23/22, and is incorporated as part of this record by reference.)

5. Public Hearing, Second Reading and Final Passage of an Ordinance Approving and Authorizing the Temporary Closure of the Unit Block of King Street and Northern Portion of the Strand to Vehicular Traffic. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 1, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 4/23/22, 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. 5; 4/23/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 4/23/22, and is incorporated as part of this record by reference.)

6. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Article C (Street names) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 4/23/22, 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. 6; 4/23/22, 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; 4/23/22, and is incorporated as part of this record by reference.)

7. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2022. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 4/23/22, 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. 7; 4/23/22, 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; 4/23/22, and is incorporated as part of this record by reference.)

- 7a. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 2-4-31 (CREATION, COMPOSITION AND ORGANIZATION) of Article C (HISTORIC ALEXANDRIA RESOURCES COMMISSION) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) and Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) of Article I

(Alexandria Archaeological commission) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager’s memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7a; 4/23/22, 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. 7a; 4/23/22, 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. 7a; 4/23/22, and is incorporated as part of this record by reference.)

END OF ROLL-CONSENT CALENDAR

WHEREUPON, upon motion by Councilman McPike, seconded by Vice Mayor Jackson and carried 6-0 by roll-call vote, City Council approved the roll-call consent calendar. The approvals were as follows:

4. City Council adopted an ordinance to amend and reordain the Code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00001.

The ordinance reads as follows:

ORDINANCE NO. 5424

AN ORDINANCE to amend and reordain the code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00001.

WHEREAS, the City Council finds and determines that:

1. Due to COVID-19, on March 14, 2020, the City Manager issued a Declaration of Local Emergency applicable throughout the City of Alexandria (“City”), which was consented to by the City Council; and

2. As of the date of the adoption of this ordinance the Declaration of Local Emergency is still in effect and the community continues to face enormous impacts from COVID-19; and

3. Once the Declaration of Local Emergency is lifted the impacts of COVID-19 will persist for some time; and

4. Since the Declaration of Local Emergency the City Council ratified actions taken to assist local businesses and extended the expiration of those deadlines until April 1, 2022, in an acknowledgment of the ongoing impacts from COVID-19; and

5. The City Council finds and determines that the public interest would be served by the establishment of a program that would allow for more adaptable operation of businesses and address public need during the emergency and recovery, the program will enable businesses to operate and customers to support businesses in a safe and efficient manner, promote pedestrian and business friendly vitality, ensure that the public's use of the public right-of-way will not be significantly impaired, ensure that other uses will be protected from the adverse impacts of the uses, and address public needs that arise related to COVID-19; and

6. In Text Amendment No. 2022-00001, 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 March 1, 2022 of a text amendment to the City Code and Zoning Ordinance to address the extraordinary circumstances caused by the COVID 19 pandemic on local business, which recommendation was approved by the City Council at public hearing on March 12, 2022;

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

8. 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. The regulations herein are temporary and are being put in place to address the extraordinary circumstances caused by the COVID 19 pandemic on local businesses. The ordinance will expire on September 30, 2022, except for Sections 5(f) and 6 as indicated therein.

Section 2. *Restaurant Deliveries and Pick-up.* Delivery vehicles and customer pick-ups may use on-street parking subject to posted parking requirements.

Section 3. *Hours of Operation.* Notwithstanding the requirements of Section 11-500 of the Zoning Ordinance, the hours-of-operation for restaurants, convenience and grocery stores, catering operations and automobile service stations (gasoline stations) may be modified without amending current special use permits or obtaining new special use permits.

Section 4. *Sidewalk/Parking Lot Vending.*

(a) Notwithstanding the requirements of Section 7-1500 of the Zoning Ordinance, restaurants are permitted to vend on adjacent sidewalks or parking lots. Vending is limited to the placement of orders and customer pick-up. To the extent required, establishments must put in place limitations in compliance with the most current health and safety standards.

(b) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow

restaurants to vend on adjacent sidewalks pursuant to Section 4(a) above.

Section 5. Alexandria Outdoor Business Expansion Program.

(a) Within the King Street Outdoor Dining (KSOD) area

Restaurants within the KSOD may continue to utilize the KSOD program in Section 6-800 of the Zoning Ordinance and comply with the applicable guidelines therein.

In addition to the program in Section 6-800 of the Zoning Ordinance, restaurants may set up outdoor dining in parking spaces outside of their businesses if:

- All current health and safety standards are complied with;
- A current certificate of insurance is submitted to the Department of Planning and Zoning (P&Z);
- For a restaurant without a current permit for the KSOD program, an application must be submitted to and approved by P&Z;
- Participants comply with modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or not on streets with a high traffic volume; and
- The year-round outdoor storage of dining furniture will also be permitted whether the restaurant is open or closed.

There are no fees for this approval.

(b) All areas outside the KSOD boundaries

Notwithstanding the requirements of Section 11-513 of the Zoning Ordinance, outdoor dining is permitted on restaurant property and in the public right-of-way (sidewalks, parking spaces, parking lots) where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, Transportation and Environmental Services (T&ES), Health, Fire and Police departments of an application.

An application must be submitted to P&Z including:

- The proposed locations and square footage for outdoor dining
- number of seats;
- If the public right of way will be used, a current certificate of insurance must be submitted to P&Z to be eligible;
- If on private land not controlled by the operator, the operator must indicate permission of the property owner; and
- An explanation of compliance with specific criteria outlined below.

Approval Criteria:

- Restaurants may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or not on streets with a high traffic volume.
- Restaurant seating must be arranged in accordance with current health and safety standards.
- Restaurant operators must request that T&ES install traffic safety measures such as wheel stops and flex posts for outdoor dining areas in parking spaces in the public right-of-way.
- Outdoor dining on sidewalks must allow for at least five feet of continuous pedestrian

access.

- Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- Live entertainment is not permitted.
- Liability insurance certificate required for use of public right-of-way.

There are no fees for this approval.

(c) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow restaurants to have outdoor dining on adjacent sidewalks and restaurants and retail establishments to use public parking spaces pursuant to Section 5(b) above.

(d) Outdoor dining in off-street parking spaces on private property
Notwithstanding the requirements of Section 8-200(A)(17) and 11-513 of the Zoning Ordinance, restaurant operators may use off-street spaces located on the same property for outdoor dining where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the letter agreement.

A letter agreement must be submitted to P&Z with the following information:

- Proposed locations for outdoor dining,
- Number of seats,
- Number of parking spaces used, and
- Compliance with specific criteria outlined below.

Approval Criteria:

- Restaurant seating must be arranged in accordance with current health and safety standards.
- Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- Live entertainment is not permitted.

There are no fees for this approval.

(e) Retail Uses

Notwithstanding the requirements of Sections 5-2-29, 5-8-3(f), and 10-2-24 of the City Code and Sections 7-1500 and 8-200(A)(16) of the Zoning Ordinance, retail businesses may request the use of on-street parking spaces and privately-owned parking lots and spaces to display their products and conduct sales, where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the required information.

The following must be submitted to P&Z:

- Proposed locations and square footage for outdoor space;
- A current certificate of insurance; and
- A letter of agreement with conditions ensuring compliance with the specific criteria outlined below.

Approval Criteria:

- Retail operators may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor retail away from corners or not on streets with a high traffic volume.
- Retail operators must request that T&ES install traffic safety measures such as wheel stops and flex posts for outdoor retail areas in parking spaces in the public right-of-way.
- Live entertainment is not permitted.
- Liability insurance certificate is required for use of public right-of-way.
- If on private land not controlled by the operator, the operator must indicate permission of the property owner.

There are no fees for this approval.

(f) Retractable Awnings in the Old and Historic Alexandria District and in the Parker Gray-Historic District

Notwithstanding Section 10-103(A) and 10-203(A), retractable awnings may be administratively approved and are subject to the criteria listed in the Old and Historic Alexandria District and Parker-Gray Historic District Design Guidelines awning chapter. Permits issued pursuant to this section will expire on or before November 1, 2023, unless an extension is approved by the Board of Architectural Review.

(g) Building Permit Fees

Notwithstanding Resolution Number 2769, building permit fees are not being charged for proposals associated with the outdoor business operations of restaurants, retail stores and fitness uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or the KSOD program or City Council approval of a special use permit for outdoor dining.

(h) Fire Prevention Permit Fees

Notwithstanding Ordinance Number 5150, fire prevention permit fees are not being charged for proposals associated with the outdoor business operations of restaurants, retail stores and fitness uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or the KSOD program or City Council approval of a special use permit for outdoor dining.

Section 6. Tolling of Validity Periods for Certain Land Use Permits.

Notwithstanding Sections 10-206, 11-418 and 11-506 of the Zoning Ordinance, the validity period for development site plans, special use permits, development special use permits, certificate of appropriateness, and permits to demolish shall be extended for the number of months as follows:

- For applications approved prior to March 14, 2020: 12 months or the number of months that the City's Declaration of Local Emergency is in place, whichever is longer
- For applications approved March 14, 2020 or after: the number of months beginning on the approval date through the expiration of the City's Declaration of Local Emergency.

Section 7. Transportation Management Plan (TMP) Survey. The annual survey required by Section 11-707(B) will not be required until the termination of this temporary ordinance.

Section 8. *Designation of Parking Spaces for curbside pickup.* Notwithstanding Section 5-8-3(f) of the City Code, the City staff will continue to designate public parking spaces as curbside pick-up areas. Spaces will be chosen based on proximity to restaurants and retail uses and will minimize impacts on surrounding properties.

Section 9. *City Emergency Use.* Notwithstanding the definition of public building in Section 1-125 of the Zoning Ordinance, any special use permit issued for the use of a city building, park or facility, or any Zoning Ordinance section or current special use permit that limits uses on private property, the City is authorized to use its facilities and those it obtains permission from private property owners to utilize to address public needs in response to the COVID-19 emergency. Such uses will be deemed permitted uses in that zone related to the public use. Locations will be chosen to minimize impacts on surrounding properties.

Section 10. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 11. That Ordinance Numbers 5313 and 5372 are repealed.

Section 12. That this ordinance shall become effective on the date and at the time of its final passage. This ordinance shall expire as set forth in Section 1.

5. City Council adopted an ordinance approving and authorizing the temporary closure of the Unit Block of King Street and northern portion of the Strand to vehicular traffic.

The ordinance reads as follows:

ORDINANCE NO. 5425

AN ORDINANCE Approving and Authorizing the Temporary Closure of the Unit Block of King Street and the Northern Portion of the Strand to Vehicular Traffic

WHEREAS, the unit block of King Street, between Union Street and the Strand, is a one-way street heading west toward the King Street Metro Station with several restaurants; and

WHEREAS, the northern portion of the Strand, between Wales Alley and King Street, is a two-way street heading north towards the Marina and south towards Jones Point Park; and

WHEREAS, prior to the Coronavirus Disease 2019 (COVID-19) pandemic (“the pandemic”), many of the restaurants participated in the City’s outdoor dining program that allowed restaurant seating on the sidewalk; and

WHEREAS, in 2012, the City Council adopted the [Waterfront Small Area Plan](#), which recommends closing the unit block and the Strand north of the parking garage entrance to traffic (except EMS, fire, police, etc.) to make a pedestrian plaza; and

WHEREAS, in 2019, the City Council directed staff to develop a pilot program to test closing the 100 block of King Street to vehicular traffic; and

WHEREAS, in 2021, the City Council approved the permanent closure of the 100 block of King Street to vehicular traffic to allow for additional space for pedestrians and for businesses to expand their operations outdoors; and

WHEREAS, the 100 block closure provides additional pedestrian space and outdoor dining area that is beneficial to the waterfront area, while the traffic circulation in this area is not dependent on keeping this block open to vehicles; and

WHEREAS, City staff will work together with the Old Town Business Association on the unit block of King Street and the northern portion of the Strand to make better use of the public space, meet public safety requirements, and provide opportunities for continued outdoor dining and retail activities; and

WHEREAS, City Staff will evaluate the benefits and impacts of this temporary closure and will return to City Council in the Fall of 2022 with a recommendation to make this closure permanent if deemed desirable; and

WHEREAS, on February 15, 2022, the Waterfront Commission endorsed the temporary closure of the unit block of King Street and the northern portion of the Strand to vehicular traffic as consistent with the Waterfront Small Area Plan; and

WHEREAS, on February 28, 2022, the Traffic and Parking Board reviewed and made a recommendation to support the temporary closure of the unit block of King Street and the northern portion of the Strand to vehicular traffic based on the reasons provided herein; and

WHEREAS, on April 7, 2022, the Planning Commission found that temporary closure of the block to vehicular traffic was consistent with the City of Alexandria Master Plan; and

WHEREAS, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, the City has the authority to close streets and alleys; and

WHEREAS, the City has complied with the legal requirements in order to temporarily close this block to vehicular traffic; and

WHEREAS, in consideration of the findings of Waterfront Commission, Planning Commission, Traffic and Parking Board, and the report of the staff, the City Council of the City of Alexandria, has determined that the temporary closure of unit block of King Street and the northern portion of the Strand to vehicular traffic is desirable; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, temporary closure of the unit block of King Street, located between Union Street and the Strand, and the northern portion of the Strand, located between Wales Alley and King Street to vehicular traffic through November 20 to conduct a pilot project is approved.

Section 2. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this closure, including the execution of documents.

Section 3. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this closure, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 4. That this ordinance shall be effective at the time of its final passage and shall expire on October 4, 2022.

6. City Council adopted an ordinance to amend and reordain Article C (Street Names) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

ORDINANCE NO. 5426

AN ORDINANCE to amend and reordain Article C (STREET NAMES) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

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

Sec. 5-2-64 Streets named in future.

- (a) Except as hereinafter provided, all streets hereafter named and running in a generally eastward direction shall be designated as avenues, and all streets hereafter named and running in a generally north-south direction shall be designated as streets. In the case of diagonal streets, the planning commission shall designate the direction to be applied. Streets may also be designated parkways or places when the planning commission is of the opinion that the use of such a name is more desirable than that of street or avenue.
- (1) ~~In that portion of the city lying east of Quaker Lane, n~~Names shall be in harmony with surrounding streets in the existing developments insofar as possible.
- (2) ~~In the area west of Quaker Lane, an alphabetical progression of names shall be instituted, based upon a rectangular grid whose eastern base line shall run in a northerly direction passing through the intersection of Duke Street and Quaker Lane and the intersection of King Street and Quaker Lane, and northern base line of which shall be at right angles to the eastern base line and pass through the northernmost corner of the city limits west of Quaker Lane.~~
- (3) ~~Each base line shall be subdivided into sections 600 feet in length. Beginning at the intersection of the base lines, each 600 feet shall be lettered alphabetically beginning with A and proceeding south and east through W at which point a new alphabet beginning with A shall be begun.~~

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

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

7. City Council adopted an ordinance to make supplemental appropriations for the support of the City Government for Fiscal Year 2022.

The ordinance reads as follows:

ORDINANCE NO. 5427

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2022.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being Equipment Replacement Fund Revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2022, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Fire	\$ 96,900
Total Equipment Replacement Reserve Fund	<u>\$ 96,900</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2021 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2022, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Commonwealth Attorney	\$ (501)
Sheriff	35,745
Fire	106,141
Recreation, Parks, and Cultural Activities	157,000
Community and Human Services	<u>2,216,331</u>
Total Estimated Revenue	<u>\$ 2,514,716</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Commonwealth Attorney	\$ (501)
Sheriff	35,745
Fire	106,141
Recreation, Parks, and Cultural Activities	\$ 157,000
Community and Human Services	<u>2,216,331</u>
Total Appropriation	<u>\$ 2,514,716</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being external funds for which the proceeds were authorized and adjusted after July 1, 2021, but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2022, as follows:

AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Housing	\$ 2,666,024
Total Estimated Revenue	<u>\$ 2,666,024</u>

APPROPRIATION:

Housing	\$ 2,666,024
Total Appropriation	<u>\$ 2,666,024</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being external grant funds for which the proceeds were authorized and adjusted after July 1, 2021 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2022, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	\$ 477,924
Total Estimated Revenue	<u>\$ 477,924</u>

APPROPRIATION:

Housing	\$ 477,924
Total Appropriation	<u>\$ 477,924</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2022, the source of such amount being new revenues and the residual balances accumulated as of June 30, 2021, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2022, as follows:

DONATIONS AND OTHER SPECIAL REVENUE FUNDS

ESTIMATED REVENUE:

Historic Alexandria	\$ 25,000
Recreation, Parks and Cultural Activities	<u>22,686</u>
Total Estimated Revenue	<u>\$ 47,686</u>

DONATIONS AND OTHER SPECIAL REVENUE FUND

APPROPRIATION:

Historic Alexandria	\$ 25,000
Recreation, Parks and Cultural Activities	<u>22,686</u>
Total Appropriation	<u>\$ 47,686</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being General Fund Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Insurance Recoveries	\$ 75,000
Total Estimated Revenue	<u>\$ 75,000</u>

APPROPRIATION:

Fire	\$ 75,000
Total Appropriation	<u>\$ 75,000</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2022, the source of such amount being Bond Proceeds generated from the December 2021 bond refunding, and further that the council does hereby allot the amount so appropriated for Fiscal Year 2022, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Bond Proceeds	\$ 11,782,546
Total Estimated Revenue	<u>\$ 11,782,546</u>

APPROPRIATION:

Payment to Refunding Bonds Escrow Agent	\$ 11,710,136
Cost of Issuance	<u>\$ 72,410</u>
Total Appropriation	<u>\$ 11,782,546</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

Planning & Zoning	\$ (7,000)
Historic Alexandria	<u>7,000</u>
Total Appropriation	<u>\$ 0</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being external grant funds for which the proceeds were authorized and adjusted after July 1, 2021, but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2022, as follows:

AMERICAN RESCUE PLAN ACT FUND

ESTIMATED REVENUE:

ARPA State and Local Fiscal Recovery Funds	<u>(\$ 28,930,000)</u>
Total Estimated Revenue	<u>(\$ 28,930,000)</u>

APPROPRIATION:

Non-Departmental	(\$ 28,930,000)
Total Appropriation	<u>(\$ 28,930,000)</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being Unassigned General Fund Balance, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2022, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Assigned General Fund Balance	\$ 10,000,000
Unassigned General Fund Balance	<u>2,750,000</u>
Total Estimated Revenue	<u>\$ 12,750,000</u>

APPROPRIATION:

Non-Departmental	<u>\$ 12,750,000</u>
Total Appropriation	<u>\$ 12,750,000</u>

Section 11. That the Council of the City of Alexandria, Virginia, does hereby make

provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being Special Revenue Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

EMS Four-for-Life Fund Balance	\$ 90,000
Sanitary Sewer Fund Balance	20,897,144
Stormwater Utility Fund Balance	5,218,601
Potomac Yard Fund Balance	14,665,545
Braddock Community Amenities Fund Balance	<u>\$ 110,000</u>
Total Estimated Revenue	<u><u>\$ 40,981,290</u></u>

APPROPRIATION:

Fire	\$ 90,000
Project Implementation	16,921,861
Transportation & Environmental Services	23,859,429
Planning & Zoning	<u>\$ 110,000</u>
Total Appropriation	<u><u>\$ 40,981,290</u></u>

Section 12. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2022, as follows:

CAPITAL PROJECTS FUND

ESTIMATED REVENUE:

Capital Projects – Transfer from Internal Service Fund	\$ 94,501
Capital Projects – Intergovernmental Revenue	1,276,149
Capital Projects – Rental Fees	703,097
Capital Projects – Developer Contributions	<u>294,151</u>
Total Estimated Revenue	<u><u>\$ 2,367,898</u></u>

APPROPRIATION:

Capital Projects – Fire Department Vehicles	\$ 94,501
Capital Projects – Road Resurfacing	1,226,149
Capital Projects – GenOn Power Plant Assessment	50,000
Capital Projects – Open Space Acquisition	703,097
Capital Projects – Waterfront Promenade Railing	200,000
Capital Projects – Public Art Acquisition	<u>94,151</u>
Total Appropriation	<u><u>\$ 2,367,898</u></u>

Section 13. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2022, the source of such amount being Intergovernmental Revenue to Component Units, and further, that the council does hereby allot the amount so appropriated, as follows:

COMPONENT UNIT – ALEXANDRIA LIBRARY

ESTIMATED REVENUE:

Alexandria Library – Intergovernmental Revenue	\$ 24,842
Total Estimated Revenue	<u>\$ 24,842</u>

APPROPRIATION:

Component Unit – Alexandria Library	\$ 24,842
Total Appropriation	<u>\$ 24,842</u>

Section 14. That this ordinance shall be effective upon the date and at the time of its final passage.

7a. City Council adopted an ordinance to amend and reordain Section 2-4-31 (CREATION, COMPOSITION AND ORGANIZATION) of Article C (HISTORIC ALEXANDRIA RESOURCES COMMISSION) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) and Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) of Article I (Alexandria Archaeological Commission) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

ORDINANCE NO. 5428

AN ORDINANCE to amend and reordain Section 2-4-31 (CREATION, COMPOSITION AND ORGANIZATION) of Article C (HISTORIC ALEXANDRIA RESOURCES COMMISSION) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) and Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) of Article I (ALEXANDRIA ARCHAEOLOGICAL COMMISSION) of Title 2 (GENERAL GOVERNMENT) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 2-4-31 and 2-4-80 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding the text shown in underline as follows:

ARTICLE C – Historic Alexandria Resources Commission

Sec. 2-4-31 - Creation, composition and organization.

(a) There is hereby established a commission to be known as the "Historic Alexandria Resources Commission of the City of Alexandria, Virginia," hereinafter referred to as the "commission."

(b) The commission shall consist of commissioners appointed by the city council to provide representation for the following groups:

(1) *Category A—City commissions.* One representative from each of the following groups (for a total of no more than four members):

- Alexandria Archaeological Commission
- Alexandria Historical Restoration and Preservation Commission
- Alexandria Convention and Visitors Association
- Public Records Advisory Commission

(2) *Category B—History organizations.* One representative from each of the following groups and entities (for a total of no more than 10 members):

- Alexandria Association
- Alexandria Historical Society
- Mortar & Pestle Society
- Alexandria Society for the Preservation of Black Heritage, Inc. or an equivalent organization
- Carlyle House
- Christ Church
- George Washington Masonic Memorial
- Historic Alexandria Foundation
- Lee-Fendall House
- Old Presbyterian Meeting House

(3) *Category C—Other.*

a. *Tourism and business.* Two representatives from the business community, one of which shall be designated by the Alexandria Chamber of Commerce (for a total of no more than two members).

b. *Art-affiliated groups.* One representative from each of the following groups (for a total of no more than two members):

- Northern Virginia Fine Arts Association
- Torpedo Factory Artists Association

c. *At-large members.* Seven representatives of the public at large of which at least two shall be members of Alexandria civic associations. At least two representatives shall be appointed from each of the three planning districts of the city (for a total of six of the no-more-than-seven at-large members).

d. *Historic site volunteer member.* One member who serves as a volunteer at a historic property or attraction which is open to the public on a regularly scheduled basis.

(c) One person may be appointed by the city council to represent more than one of the aforesaid groups and, thus, reduce the constituent membership of the commission to less than 26 appointed members but only if the groups who are to share representation by the same member have given their prior consent thereto.

ARTICLE I - Alexandria Archaeological Commission

Sec. 2-4-80 - Creation, composition and organization.

(a) There is hereby established a standing commission known as the Alexandria Archaeological Commission.

(b) The commission shall consist of 15 members to be appointed by the city council. The composition of the commission shall be as follows:

(1) five members at large;

(2) one citizen member from each of the three planning districts;

(3) one member from the Alexandria Association;

(4) one member from the Alexandria Business Community;

(5) one member from the Alexandria Convention and Visitors Bureau Board of Directors;

(6) one member from the Alexandria Historical Society;

(7) one member from the Alexandria Society for the Preservation of Black Heritage or an equivalent organization;

(8) one member from the Friends of Alexandria Archaeology; and

(9) one member from the Historic Alexandria Foundation.

(c) Members of the commission shall be appointed in the manner prescribed in title 2, chapter 4, article A of the city code; provided that members who are the representative of an organization shall be nominated by the organization and confirmed by city council. The members shall serve for a term of four years; provided, that the members of the commission in office as of January 21, 1995, shall continue to serve the unexpired portion of their term of office; and, provided further, that the members who are the representative of an organization shall cease to be a member at such time as they shall cease to be a member, in good standing, of the organization for which they serve as representative.

Section 2. That Sections and 2-4-31 and 2-4-80 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

8. Public Hearing on the FY 2023 City Council Preliminary Add/Delete Proposals and the City Manager's proposed amendments to the FY 2023 proposed budget. Budget Adoption is scheduled for Wednesday, May 4, 2022 at 7:00 p.m.

(A copy of the City Manager's memorandum dated April 18, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 04/23/22, and is incorporated as part of this record by reference.)

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

1. Michael Faber, Alexandria, representing the Firefighters Union, spoke about increased wages and short staffing in the Fire Department.
2. Carlos Cana, Manassas, Virginia, representing the Alexandria Sheriffs Association, spoke about compensation for public safety in the City and spoke about pay increases for staff, health care increases, language stipend initiative.
3. Ana Lina, Alexandria, spoke about need for secure, affordable housing in the City of Alexandria and possible displacement of lower income families.
4. Wilfredo Diaz, Alexandria, spoke about current conditions of affordable housing in the City and about support for more affordable housing for low income families.
5. Elsa Riveras, Alexandria, representing Tenants and Workers United, spoke about the need for committed affordable housing in the City for working class families.
6. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke about policing in Alexandria and allocation of resources for restorative justice and mental health, particularly for youth.
7. Sheriff Sean Casey, Alexandria, spoke in support of the budget, including the compensation initiatives and thanked Council for no reductions to the Sheriffs Department budget.
8. Mike Doyle, Alexandria, spoke in support of the additional engineering position for Complete Streets and for speed cameras.
9. James Durham, Alexandria, spoke in support of community health improvement plan strategy and for DASH service expansion plan. Mr. Durham also spoke in support of the additional position for Complete Streets.
10. Kevin Harris, Alexandria, spoke in support of compensation increase and staffing increases for the Fire Department.

11. Jason Schmauder, Alexandria Firefighter, spoke about the need for increased staffing with the Fire Department and increased compensation for first responders.

12. Alexander Lee, Alexandria, firefighter, spoke about the need for increased staffing and increased compensation for the Fire Department.

13. Sean Europe, Alexandria, firefighter, spoke about the need for increased staffing and increased compensation for the Fire Department.

14. Barrett Payne, Alexandria, firefighter, spoke about the need for increased staffing and increased compensation for the Fire Department.

15. Josh Turner, Alexandria, spoke about the need for increased staffing and increased compensation for the Fire Department.

16. James Lewis, Alexandria, spoke about the need for increased staffing and increased compensation for the Fire Department.

17. Kathie Hoekstra, Alexandria, representing the Environmental Policy Commission, spoke in support of the set aside for the climate change initiative.

18. Carolyn Griffin, Alexandria, spoke in support of contingency funding for MetroStage in the proposed budget.

19. Scott Barstow, Alexandria, spoke in support of an increase for climate change initiatives and for the increase for affordable housing funding for working families in the City.

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

9. Consideration of the Draft City Fiscal Year (CFY) 2023 Action Plan for Housing and Community Development and Draft Amendment to the CFY 2022 to 2026 Consolidated Plan.

(A copy of the City Manager's memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 04/23/22, and is incorporated as part of this record by reference.)

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

1. Michael Schuster, representing the Commission on Aging, spoke in support of the Action Plan and responded to questions from Council.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council: (1) received the Draft City Fiscal Year (CFY)

2023 Action Plan for Housing and Community Development and the Draft Amendment to the Consolidated Plan; (2) closed the public hearing on the Draft CFY 2023 Action Plan for Housing and Community Development and the Draft Amendment to the Consolidated Plan; and (3) authorized the City Manager to execute any documents required to facilitate receipt of these and any related federal grant funds. 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.

10. Public Hearing and Consideration of the Draft Home Investment Partnership Program-American Rescue Plan (HOME-ARP) Allocation Plan.

(A copy of the City Manager's memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 04/23/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Gaskins and carried unanimously, City Council: (1) received the Home Investment Partnership Program - American Rescue Plan (HOME-ARP) Allocation Plan; (2) closed the public hearing on the Draft HOME-ARP Allocation Plan; and (3) authorized the City Manager to execute any documents required to facilitate receipt of these and related federal grant funds. 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 (continued)

Planning Commission (continued)

11. Special Use Permit #2021-00128
424 North Washington Street
Public Hearing and consideration of a request for a Special Use Permit to operate a private academic school with over 20 students; zoned: CD/Commercial downtown.
Applicant: Potomac Crescent Waldorf School
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 04/23/22, and is incorporated as part of this record by reference.)

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

1. John Cox, Alexandria, representing Potomac Waldorf Crescent School, spoke in support of the project and responded to questions from Council.
2. James Bethard, Alexandria, spoke in opposition to the project because of the number of students and the increased traffic in the area.
3. Paul Dueffert, Washington, D.C., spoke about the traffic impact that this project would have on Washington Street.

4. Maria Bethard, Alexandria, spoke against the number of students and the increased traffic in the area from the school.
5. Leander Wick, Alexandria, spoke against the relocation of the school to this location.
6. George Best, Alexandria, spoke against the relocation of the school to this location and responded to questions from Council.
7. Elaine Wick, Alexandria, spoke in opposition to the proposal.
8. Minturn Wright, Alexandria, attorney for Ms. Holdren, spoke against this proposal and noted that the applicant has ignored the easement on the building and responded to questions from Council about the easement.
9. Paul Nary, Alexandria, representing the Potomac Waldorf Crescent School, spoke in support of the proposal and responded to questions from Council.
10. Julie Holdren, Alexandria, spoke in opposition to the proposal.
11. Armer Harrison, Alexandria, spoke in opposition to the proposal.
12. Rob Blume, Alexandria, spoke in opposition to the proposal.
13. Steve Davidson, Alexandria, spoke in opposition to the proposal.
14. Joshua Hartman, Alexandria, Board Chair, Potomac Crescent Waldorf School, spoke in support of the proposal and responded to questions from Council.
15. Tyler Cromer Alexandria, spoke in opposition to the proposal.
16. Roy Shannon, Alexandria, attorney for neighbor, spoke in opposition to the proposal, noting the traffic issues on North Washington Street, concerns about the easements, and the use of the alley. Mr. Shannon responded to questions from Council.

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

WHEREUPON, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments:

- Deletion of Condition #16;

- Amend Condition #15 to require a six months and a one year review of the special use permit by the Director of Planning and Zoning.

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

- 12. Rezoning #2022-00001
Development Special Use Permit #2021-10030
Indoor & Outdoor Live Entertainment Special Use Permit #2022-00003
Transportation Management Plan Special Use Permit #2022-00005
901 North Pitt Street

Public Hearing and consideration of a request for (A) an amendment to the official zoning map to change the zone for the site from OC/Office Commercial to CRMU-X/Commercial Residential Mixed Use (Old Town North); (B) a Development Special Use Permit and Site Plan with modifications to redevelop the existing office building and associated parking lots into a multifamily residential building comprised of 250 units with ground-floor restaurant or retail and an arts and cultural anchor, including Special Use Permits for a multifamily dwelling in the CRMU/X zone, to increase the floor area ratio to 2.5 in the CRMU/X zone, for bonus density for the provision of affordable housing, for bonus density and height for the provision of an arts and cultural anchor in Old Town North, and a parking reduction for the restaurant; and (C) a Special Use Permit for Live Entertainment, indoor and outdoor; (D) a Special Use Permit for a Transportation Management Plan; zoned OC/Office Commercial. Applicant: 901 N Pitt Street LLC, represented by, Kenneth W. Wire, Attorney.
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 4/23/22, 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 proposed special use permit.

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 Councilmember Bagley and carried unanimously, City Council approved the Planning Commission recommendation with an amendment of a typographical error in Condition #18 stating, "Post sign(s) stating that open space public access easements are open to the public, noting any operating hours or including other restrictions." In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

- 13. FOR INFORMATION ONLY

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

City Charter Section 9.06 Case #2022-00002

Unit Block of King Street (between Union Street and Strand Street) and the northern part of the Strand

Public Hearing and consideration of a request for the Planning Commission to review whether the temporary closure of the unit block of King Street and the northern portion of the Strand to vehicular traffic by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter. Applicant: City of Alexandria

Planning Commission Action: Approved 6-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 04/23/22, and is incorporated as part of this record by reference.)

City Council received this item as information.

ORDINANCES AND RESOLUTIONS

14. Public Hearing and Consideration of a Recommendation to City Council for a Resolution to Initiate the Second Five-Year Extended Term of the Comcast Cable Television Franchise Agreement and Five-Year Extended Term of the Fiber Use Agreement. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 29, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 4/23/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman McPike, seconded by Vice Mayor Jackson and carried unanimously by roll-call vote, City Council adopted a resolution to initiate the second five-year extended term of the Comcast Cable Television Franchise Agreement and five-year extended term of the Fiber Use Agreement. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 3067

Resolution to Approve the Second Five-Year Extended term of the
Comcast of Virginia, Inc. Cable
Television Franchise dated October 25, 2011

WHEREAS, on or about October 25, 2011, the City of Alexandria, Virginia (the "City") granted a cable television franchise (the "Franchise") to Comcast of Virginia, Inc. ("Comcast"); and

WHEREAS, the Franchise consisted of an initial term of five years (the "Initial Term") with provisions for two extension of five years each ("Extended Terms"); and

WHEREAS, the City Council approved a resolution on September 27, 2016 that initiated the first five-year extended term of the Comcast cable television franchise agreement; and

WHEREAS, the first Term extension was to expire on or about October 25, 2021, and approval of the second Term extension of five years is to be based on the mutual agreement of the City and Comcast to extend the Franchise based on the City's compliance review of the Franchise to insure that Comcast has complied with the terms of the Franchise; and

WHEREAS, the City conducted the compliance review starting in 2020, and the City completed a review of Comcast's Public Educational and Governmental Access fee "(PEG)" grant payments to the City; the City was working with Comcast to ascertain the amount of the payment owed to the City before the end of the existing term on October 25, 2021; and

WHEREAS, the City asked the City Council for their approval to extend Comcast's existing term to complete their work with Comcast, and the City Council approved extending the end of Comcast franchise term extension on October 12, 2021 with the term now ending on April 25, 2022; and

WHEREAS, the City has also completed a technical audit of Comcast's equipment in the public rights of way; and

WHEREAS, the City determined that Comcast is substantially in compliance with the terms and conditions of the Franchise; and

WHEREAS, the City and Comcast agree to extend the Franchise for five years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria, Virginia:

1. That the term of the Franchise is hereby extended until October 25, 2026; and
2. That this Resolution shall be effective immediately upon passage.

15. Public Hearing. Second Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2022 (Fiscal Year 2023). (Final Passage of the Ordinance will be on Wednesday, May 4, 2022)

(A copy of the City Manager's memorandum dated April 19, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 4/23/22, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 4/23/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 4/23/22, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and City Council closed the public hearing on an ordinance on the proposed real and personal property tax rates and proposed effective tax rate increase for Calendar Year 2022 (Fiscal Year 2023). Final passage of the ordinance will be on Wednesday, May 4, 2022. 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.

16. Public Hearing. Second Reading of an Ordinance to expand the stated purpose of the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). (Final passage of the Ordinance will be on Wednesday, May 4, 2022)

(A copy of the City Manager’s memorandum dated April 19, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 4/23/22, is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 4/23/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 4/23/22, and is incorporated as part of this record by reference.)

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

1. Skip Maginniss, Alexandria, chair of the Ad Hoc Stormwater and Flooding Advisory Group, spoke in support of the proposed fee amendment.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing on an ordinance to expand the stated purpose of the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). Final passage of the ordinance will be on Wednesday, May 4, 2022. 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 (continued)
DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

Planning Commission (continued)

None.

Adjourn.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Aguirre, seconded by Vice Mayor Jackson and carried unanimously, City Council adjourned the public hearing meeting of Saturday, April 23, 2022 at 1:39 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: May 10, 2022