

**City of Alexandria
City Council Public Hearing
Saturday, September 17, 2022, 9:30 AM
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: Ms. Baker, Deputy City Manager; Ms. Anderson; Mr. Lambert, Interim Deputy City Manager/Director, Transportation and Environmental Services (T&ES); Ms. Horowitz, Principal Planner, Planning and Zoning (P&Z); Ms. McLean, Chief of Staff, City Manager; Mr. Silva, Urban Planner, P&Z; Ms. Carroll, T&ES; Mr. Sharma, Deputy Director, T&ES; Fire Chief Smedley; Mr. LaColla, Division Chief, P&Z; Mr. Kerns, P&Z; Mr. Geratz, Principal Planner, P&Z; Mr. Ziemann, Division Chief, T&ES; Mr. Browand, Deputy Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Boulden, T&ES; Ms. Harwell, Urban Planner, P&Z; Ms. Demeke, Information Technology Services (ITS); Mr. Smith, ITS; Mr. Supo, ITS; Ms. Waters, Deputy City Clerk; and Police Captain Ballantine.

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

I. 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 Aguirre and Councilman Chapman, arriving following roll call.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about issues with the judicial system.
2. Jim Murphy, Alexandria, spoke at changes to DASH bus routes in the City,

in particular the change to DASH Line 34 from North Fairfax Street to North Pitt Street.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley 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, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Absent, Councilman Chapman.

**II. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES
ACTION CONSENT CALENDAR (3-7)**

Planning Commission

3. Zoning Text Amendment #2022-00009
(A) Initiation and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to align minor elements of the King Street outdoor dining overlay zone (Section 6-800) with the commercial parklet program for outdoor dining in on-street parking spaces.
Staff: City of Alexandria, Department of Planning & Zoning
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 09/17/22, and is incorporated as part of this record by reference.)

4. Zoning Text Amendment #2022-00010
Minor Updates to the KR/King Street Urban Retail zone (A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 6-702 to allow administrative special uses on both the ground and upper floors in the KR/King Street Urban Retail zone.
Staff: City of Alexandria, Department of Planning & Zoning
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. 4; 09/17/22, and is incorporated as part of this record by reference.)

5. Special Use Permit #2022-00022
103A East Del Ray Avenue
Public Hearing and consideration of a request for a Special Use Permit for: (A) redevelopment of a developed substandard lot with lot modifications, and; (B) a two space Parking Reduction; zoned: R-2-5/Single and two-family.
Applicant: Melanie Bradshaw and David Metzner
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. 5; 09/17/22, and is incorporated as part of this record by reference.)

6. Special Use Permit #2022-00048
106 Hume Avenue - Stracci Pizza
Public Hearing and consideration of a Special Use Permit for a temporary trailer and outdoor dining with over 40 seats (amending SUP #2021-00033); zoned: CL/Commercial low.
Applicant: Stracci Pizza
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. 6; 09/17/22, and is incorporated as part of this record by reference.)

7. Special Use Permit #2022-00052
4200 Eisenhower Avenue - Joseph Hensley Park renovation
Public Hearing and consideration of a request for a Special Use Permit to allow three (3) structures above 15 feet that measure between 20 and 30 feet tall, for safety netting and fencing around athletic fields within the public park; zoned: POS/Public Open Space.
Application: City of Alexandria, represented by Judy Lo, 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. 7; 09/17/22, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried unanimously, City Council approved the consent calendar, with the exception of item #5, which was considered under separate motion. The approval was as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. 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.

5. Special Use Permit #2022-00022
103A East Del Ray Avenue
Public Hearing and consideration of a request for a Special Use Permit for: (A) redevelopment of a developed substandard lot with lot modifications, and; (B) a two space Parking Reduction; zoned: R-2-5/Single and two-family. Applicant: Melanie Bradshaw and David Metzner
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. 5; 09/17/22, and is incorporated as part of this record by reference.)

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

1. Howard A. Birmiel, attorney for an affected neighbor, spoke in opposition to the special use permit and requested that the proposal be postponed. Mr. Birmiel responded to questions from Council.
2. Melanie Bradshaw, Alexandria, applicant, spoke in support of the special use permit.
3. David Metzner, Alexandria, applicant, spoke in support of the special use permit.

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

III. ROLL-CALL CONSENT CALENDAR (8-12)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Articles II (DEFINITIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), and VIII (OFF-STREET PARKING AND LOADING) of the City of Alexandria Zoning Ordinance to allow auxiliary dwelling units in commercial zones, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00004 (Implementation Ordinance for Text Amendment No. 2022-00004 associated with auxiliary dwelling units in commercial zones approved by City Council on July 5, 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; 9/17/22, 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; 9/17/22, 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 the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North Small Area Plan chapter of such master plan as Master Plan Amendment Nos. 2022-00001 and 2022-00002 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 Nos. 2022-00001 and 2022-00002 associated with Potomac River Generating Station approved by City Council on July 5, 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; 9/17/22, 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; 9/17/22, 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) and Section 6-901 (OLD TOWN NORTH ARTS AND CULTURAL DISTRICT OVERLAY) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment Nos. 2022-00006 and 2022-00007 (Implementation Ordinance for Text Amendment Nos. 2022-00006 and 2022-00007 associated with Potomac River Generating Station approved by City Council on July 5, 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; 9/17/22, 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; 9/17/22, 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. 045.01 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 1300, 1400 (portion), and 1500 (portion) North Royal Street from, UT/Utilities and transportation to Coordinated Development District #30 and Old Town North arts and cultural district overlay and in accordance with the said zoning map amendment heretofore approved by city council as Rezoning Nos. 2022-00003 and 2022-00004 (Implementation Ordinance for Rezoning Nos. 2022-00003 and 2022-00004 associated with Potomac River Generating Station approved by City Council on July 5, 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; 9/17/22, 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; 9/17/22, and is incorporated as part of this record by reference.)

12. Public Hearing, Second Reading and Final Passage of an Ordinance to vacate two alleys located in the 700 block of North West Street (VAC No. 2020-00004) (Implementation Ordinance for Vacation No. 2020-00004 associated with Braddock West approved by City Council on May 15, 2021). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 6, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 9/17/22, 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; 9/17/22, 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; 9/17/22, and is incorporated as part of this record by reference.)

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:

8. City Council adopted an ordinance to amend and reordain Articles II (DEFINITIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES) and VIII (OFF-STREET PARKING AND LOADING) of the City of Alexandria Zoning Ordinance to allow auxiliary dwelling units in commercial zones, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00004.

The ordinance reads as follows:

ORDINANCE NO. 5449

AN ORDINANCE to amend and reordain Articles II (DEFINITIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), and VIII (OFF-STREET PARKING AND LOADING) of the City of Alexandria Zoning Ordinance to allow auxiliary dwelling units in commercial zones, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2022-00004, 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 June 23, 2022 of a text amendment to the Zoning Ordinance to adopt amendments to allow auxiliary dwelling units in commercial zones, which recommendation was approved by the City Council at public hearing on July 5, 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 Article II 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:

2-136.2 Dwelling, auxiliary.

A portion of a commercial building containing up to four dwelling units located on a ground floor or floors above or below retail or commercial uses.

2-136.23 – 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.

Section 2. That Article IV 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:

4-102 Permitted uses.

The following uses are permitted in the CL zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-108 ~~Accessory apartments.~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. ~~Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s~~ Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size, comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.

4-202 Permitted uses.

The following uses are permitted in the CC zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-208 Accessory apartments Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-302 Permitted uses.

The following uses are permitted in the CSL zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-308 Accessory apartments- Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-402 Permitted uses.

The following uses are permitted in the CG zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-408 Accessory apartments Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-502 Permitted uses.

The following uses are permitted in the CD zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-508 Accessory apartments Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, although open space, in the form of balconies, courtyards and rooftop terraces, is strongly encouraged where feasible. each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size with the following exceptions: parking spaces may be compact size or tandem; parking shall be located either on the site or within 500 feet of it; and each one-bedroom apartment unit shall provide at least one parking space. comply with Section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-602 Permitted uses.

(B.1) Auxiliary dwelling, not to exceed four units

~~4-608 Accessory apartments. Auxiliary dwellings.~~

~~One or two apartment Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-802 Permitted uses.

The following uses are permitted in the OC zone:

(B.1) Auxiliary dwelling, not to exceed four units;

~~4-808 Accessory apartments. Auxiliary dwellings.~~

~~One or two apartment Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-902 Permitted uses.

The following uses are permitted in the OCM(50) zone:

(B.1) Auxiliary dwelling, not to exceed four units;

4-907 ~~Accessory apartments.~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.

4-1002 Permitted uses.

The following uses are permitted in the OCM(100) zone:

(B.1) Auxiliary dwellings, not to exceed four units;

4-1007 ~~Accessory apartments~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

4-1403 Permitted uses.

In order to provide an active pedestrian-oriented retail environment along Mount Vernon Avenue, especially along the sidewalk and pedestrian way, permitted uses in the NR zone are limited as follows.

(B) *Permitted uses above the ground floor:*

(2) ~~Dwelling unit;~~ Auxiliary dwellings, not to exceed four units;

4-1414 Auxiliary dwellings.

Up to four auxiliary dwelling units are permitted and shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone. Such dwellings shall comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.

Section 3. That Article V 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:

5-102 Permitted uses.

The following uses are permitted in the CRMU-L zone:

(B.1) Auxiliary dwellings, not to exceed four units;

~~5-112 Accessory apartments~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

5-202 Permitted uses.

The following uses are permitted in the CRMU-M zone:

(B.1) Auxiliary dwellings, not to exceed four units;

~~5-212 Accessory apartments~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

5-302 Permitted uses.

The following uses are permitted in the CRMU-H zone:

(B.1) Auxiliary dwelling, not to exceed four units;

5-312 Accessory apartments Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

5-402 Permitted uses.

The following uses are permitted in the CRMU-X zone:

(A.3) Auxiliary dwelling, not to exceed for units;

~~(A.34)~~ Motor vehicle parking or storage for 20 vehicles or fewer;

~~(A.45)~~ Day care center;

~~(A.56)~~ Personal service establishment;

~~(A.67)~~ Private school, commercial;

~~(A.78)~~ Public school;

~~(A.89)~~ Recreation and entertainment use, indoor;

~~(A.910)~~ Retail shipping establishment, up to 20,000 gross square feet;

5-411 Accessory apartments ~~Auxiliary dwellings.~~

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

5-502 Permitted uses.

The following uses are permitted in the W-1 zone:

(B.1) Auxiliary dwelling, not to exceed four units;

5-513 ~~Accessory apartments~~ Auxiliary dwellings.

~~One or two apartment~~ Up to four auxiliary dwelling units are permitted and located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each s ~~Such apartment dwellings shall provide the parking required for a multifamily dwelling unit of equivalent size. comply with section 8-200(A)(16) for parking and where parking is required spaces may be compact size or tandem. Auxiliary dwellings are allowed behind a first floor commercial use, if the depth of the building is more than 50 feet measured from the front building wall and the building is setback no further than 30 feet from front property line.~~

Section 4. That Article VI 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:

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:

(A) *Ground floor uses.*

(1) *Permitted uses:*

(i) Auxiliary dwelling, not to exceed eight units;

(B) *Upper floor uses.*

(1) *Permitted uses:*

(b) Multifamily dwelling units or ~~accessory apartments~~ up to eight auxiliary dwelling units;

6-704 ~~Accessory apartments~~ Auxiliary dwellings.

A maximum of eight apartment auxiliary dwelling units, located on a floor or floors above retail or commercial uses, shall be permitted as an accessory use. Such apartments dwellings shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, although open space, in the form of balconies, courtyards and rooftop terraces, is strongly encouraged where feasible. Each such apartment dwelling shall provide a minimum of

one parking space for each dwelling unit, and the parking spaces may be compact size or tandem and parking may be located either on the site or within 500 feet of it.

Section 5. That Article VIII 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:

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.

(16) *Specific commercial uses:*

(a) Within the enhanced transit area:

- i. Minimum requirement—0.25 spaces per 1,000 square feet of floor area.
- ii. Maximum requirement—3.0 spaces per 1,000 square feet of floor area.

(b) Outside the enhanced transit area:

- i. Minimum requirement—0.75 spaces per 1,000 square feet of floor area.
- ii. Maximum requirement—4.0 spaces per 1,000 square feet of floor area.

(c) The following uses are specific commercial for the purposes of determining parking requirements:

- i. Animal care facility.
- ii. Collegiate school or university.
- iii. ~~Reserved.~~ Auxiliary dwellings.

a. No parking is required within the enhanced transit area.

b. The parking required outside the enhanced transit area is set forth in subsection (b) above.

- iv. Day care center.
- v. Light assembly, service and crafts.
- vi. Personal service establishment.
- vii. Private school, academic.
- viii. Private school, commercial.
- ix. Retail shopping establishment.

Section 6. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 7. That Articles II, IV, V, VI, and VIII, as amended pursuant to Sections 1 through 5 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 8. 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.

9. 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 Old Town North Small Area Plan chapter of such master plan as Master Plan Amendment Nos. 2022-00001 and 2022-00002 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. 5450

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 Old Town North Small Area Plan chapter of such master plan as Master Plan Amendment Nos. 2022-00001 and 2022-00002 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 Nos. 2022-00001 and 2022-00002, 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 June 23, 2022 of an amendment to the Old Town North Small Area Plan Chapter of the Master Plan of the City of Alexandria to add the PRGS Urban Design Standards and Guidelines addendum and PRGS Design Excellence Prerequisites and Criteria addendum and amend the Recommended Height District Limits Map for the Potomac River Generating Station site, which recommendation was approved by the City Council at public hearing on July 5, 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 Old Town North Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by adding the PRGS Urban Design Standards and Guidelines addendum and PRGS Design Excellence Prerequisites and Criteria addendum, and amending the Recommended Height District Limits Map for the Potomac River Generating Station site, 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.

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) and Section 6-901(OLD TOWN NORTH ARTS AND CULTURAL DISTRICT OVERLAY) of Article VI (SPECIAL OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment Nos. 2022-00006 and 2022-00007.

The ordinance reads as follows:

ORDINANCE NO. 5451

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) and Section 6-901 (OLD TOWN NORTH ARTS AND CULTURAL DISTRICT OVERLAY) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment Nos. 2022-00006 and 2022-00007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment Nos. 2022-00006 and 2022-00007, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 23, 2022 of a text amendment to the Zoning Ordinance to establish Coordinated Development District No. 30 (Potomac River Generating Station) and amend the Old Town North Arts and Cultural District Overlay map, which recommendation was approved by the City Council at public hearing on July 5, 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) of the Zoning Ordinance be, and the same hereby is, amended by inserting new language, as shown:

5-602- Coordinated development districts created, consistency with master plan, required approvals.

(A) The CDD districts, as shown on Table 1, are as follows:
Table 1. Coordinated Development Districts

| CDD # | CDD Name | Without a CDD Special Use Permit | With a CDD Special Use Permit | | |
|-------|----------|----------------------------------|---|----------------|---|
| | | | Maximum FAR and/or Development Levels | Maximum Height | Uses |
| | | | Maximum floor area: 2.15 million sq. ft. of gross floor area (GFA), excluding floors below-grade and limited areas under projected building massing. Additional floor area up to 350,000 sq. | | Active recreational uses; animal care facility; any use with live entertainment; apartment hotel; arts and cultural anchors and tenants; business and professional office; child care |

| | | | | | |
|----|----------------------------------|----------------------------|---|---|--|
| 30 | Potomac River Generating Station | UT regulations shall apply | <p>ft. of GFA may be requested pursuant to the provision of affordable housing and arts and cultural anchors. Floor area will be excluded for arts and cultural tenants if requested pursuant to Section 6-903 of the Zoning Ordinance. Properties in this zone are ineligible to request Special Use Permit approval for the affordable housing bonus density provisions of <u>Section 7-700</u> or the arts and cultural anchors bonus density provisions of Section 6-904 of the Zoning Ordinance.</p> <p>Minimum sitewide non-residential uses: 20% of total GFA.</p> <p>Open Space: minimum 15% per development block containing residential uses and a minimum 5 acres of publicly accessible open space adjacent to the Mount Vernon Trail and the Old Town North Linear Park.</p> <p>Minimum yards: None. The supplemental yard and setback regulations of Section 7-1000 do not apply.</p> <p>Area Requirements: There are no lot area or frontage requirements.</p> <p>The height-to-setback ratio required in Section 6-403(A) of the Zoning Ordinance and the zone transition requirements of Section 7-900 do not apply.</p> | <p>The minimum and maximum heights shall conform to the heights in the Old Town North Small Area Plan as amended.</p> <p>Additional height for mechanical penthouses, solar photovoltaic structures and horizontally adjacent structures for common amenity spaces is permitted up to 20 feet above maximum building height unless increased by Special Use Permit.</p> | <p>home; church; congregate housing facility; congregate recreational facility; continuum of care facility; day care center; dwelling, multifamily; dwelling, townhouse; dwelling, co-living; elder care home; food or beverage production exceeding 5,000 sq. ft., which includes a retail component; fraternal or private club; health and athletic club or fitness studio; health profession office; helistop; hospice; hospital; hotel; interim surface parking lots for non-construction uses on undeveloped blocks; light assembly, service, and crafts; medical care facility; medical laboratory; nursing or convalescent home or hospice; outdoor dining; outdoor market; passive recreational use; personal service establishment; public park; private school, academic; private school, commercial; public building; public school; radio or television broadcasting office and studio; recreation and entertainment use; restaurant; retail shopping establishment; social service use; valet parking; and veterinary/animal hospital</p> |
|----|----------------------------------|----------------------------|---|---|--|

Section 2. That Section 6-901 of the Zoning Ordinance be, and the same hereby is, amended by deleting the Old Town North Arts and Cultural District Overlay map and replacing it with the attached map.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Sections 5-602(A) and 6-901, as amended pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 5. 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 dates, 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 to amend and reordain Sheet No. 045.01 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 1300, 1400 (portion), and 1500 (portion) North Royal Street from, UT/Utilities and transportation to Coordinated Development District #30 and Old Town North arts and cultural district overlay and in accordance with the said zoning map amendment heretofore approved by city council as Rezoning Nos. 2022-00003 and 2022-00004.

The ordinance reads as follows:

ORDINANCE NO. 5452

AN ORDINANCE to amend and reordain Sheet No. 045.01 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 1300, 1400 (portion), and 1500 (portion) North Royal Street from, UT/Utilities and transportation to Coordinated Development District #30 and Old Town North arts and cultural district overlay and in accordance with the said zoning map amendment heretofore approved by city council as Rezoning Nos. 2022-00003 and 2022-00004.

WHEREAS, the City Council finds and determines that:

1. Rezoning Nos. 2022-00003 and 2022-00004, 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 June 23, 2022 of a rezoning of the properties at 1300, 1400, and 1500 North Royal Street from, UT/Utilities and transportation to Coordinated Development District #30 and Old Town North arts and cultural district overlay, which recommendation was approved by the City Council at public hearing on July 5, 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. 045.01 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 classifications of the property hereinafter described:

LAND DESCRIPTION: 1300 North Royal Street, Alexandria Virginia 22314, 045.01-01-05, drawing

From: UT/Utilities and transportation
To: Coordinated Development District #30 and Old Town north arts and cultural district overlay

LAND DESCRIPTION: portion of 1400 North Royal Street, Alexandria, Virginia 22314, 045.01-01-06, drawing attached

From: UT/Utilities and transportation
Coordinated Development District #30 and Old Town North arts and Cultural district overlay

LAND DESCRIPTION: portion of 1500 North Royal Street Alexandria, Virginia 22314, 045.01-01-07, drawing attached

From: UT/Utilities and transportation
To: Coordinated Development District #30 and Old Town North arts and Cultural district overlay

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. 045.01 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 vacate two alleys located in the 700 block of North West Street (VAC No. 2020 -00004).

The ordinance reads as follows:

ORDINANCE NO. 5453

AN ORDINANCE to vacate two alleys located in the 700 block of North West Street (VAC No. 2020-00004).

WHEREAS, West Street Acquisitions, LLC (Owner) has applied for the vacation of two alleys located in the 700 block of North West Street in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2020-00004, the planning commission recommended approval to the City Council on December 1, 2020 of a vacation of public right-of-way, which recommendation was approved by the City Council at public hearing on May 15, 2021; and

WHEREAS, viewers, Jeanette-Ankoma Sey, Charles Sumpter, and Dr. C.E. Palmer-Johnson have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that the portion of the public right-of-way to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the vacation of the public right-of-way to Owner , as shown on the plat of vacation attached hereto and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject to the conditions set forth below:

1. The Owner shall prepare a plat of consolidation, showing the property vacated and all easements therein, and consolidating such property with their abutting property, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.
2. Easements shall be reserved for all existing public and private utilities within the area vacated. The Owner shall show all easements on the plat of consolidation.
3. Owner has paid \$650,000, the fair market value, as determined by the Director of Real Estate Assessment, to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include West Street Acquisitions, LLC, and their respective successors in interest.

Section 4. 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 vacation, including the execution of documents.

Section 5. 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 vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

Section 7. That Ordinance No. 5443 is repealed.

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.

IV. REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

13. Public Hearing and Consideration of an Appeal of the Traffic and Parking Board's July 25, 2022 Decision to Recommend the Removal of Nine Parking Spaces on Polk Street between Pelham Street and Palmer Place. Appellant: Kathleen Burns on behalf of petitioners.

(A copy of the appeal is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 09/17/22, and incorporated as part of this record by reference.)

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

1. Kathleen Burns, Alexandria, appellant, spoke in support of the appeal and responded to questions from Council.
2. Carol James, Alexandria, spoke in support of the appeal.
3. Mike Doyle, Alexandria, spoke in support of upholding the Traffic and Parking Board decision.

4. Andrea Dietz, Alexandria, spoke in support of upholding the Traffic and Parking Board decision.

5. Nicole Radshaw, Alexandria, spoke in support of upholding the Traffic and Parking Board decision.

6. Laura Rodriguez, Alexandria, representing the James K. Polk Elementary School PTA, spoke in support of upholding the Traffic and Parking Board decision.

7. Shirley Downs, Alexandria, spoke in support of the appeal.

8. Erin Berry Philip, Alexandria, spoke in support of upholding the Traffic and Parking Board decision.

9. Mairym Ramos Salinas, Alexandria, spoke in support of the appeal.

10. Dorathea Peters, Alexandria, spoke in support of the appeal.

11. Ken Notis, Alexandria, representing Alexandria BPAC, spoke in support of upholding the Traffic and Parking Board decision.

12. Dino Drudi, Alexandria, spoke in against removing the parking for the open space.

13. Michael Williams, Alexandria, requested that the project be delayed until the issues are resolved and he spoke in support of the appeal.

14. Kate Evans, Alexandria, spoke in support of upholding the Traffic and Parking Board decision.

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 Councilman Aguirre, seconded by Councilmember Bagley and carried 6-0, City Council denied the appeal and concurred with the July 25, 2022 Traffic and Parking Board decision. 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.

V. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

14. Encroachment #2022-00001
300 Hume Avenue
Public Hearing and consideration of a request for an Encroachment into the public rights-of-way along Hume Avenue and Turner Road for a fence; zoned: R-2-5/Single- and-two family.
Applicant: Jeffrey W. Howard and Jenafer B. Howard, represented by Duncan W. Blair, attorney
Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 09/17/22, and is incorporated as part of this record by reference.)

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

1. Chuck Krockner, Alexandria, spoke about the encroachment and how it will affect the neighborhood.
2. Duncan Blair, attorney for the applicant, spoke in support of the encroachment and responded to questions from Council regarding the proposal.
3. Jeffrey Howard, Alexandria, applicant, spoke in favor of the encroachment and responded to questions from Council.

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

WHEREUPON, upon motion by Councilman Aguirre, seconded by Councilwoman Gaskins and carried 6-0, City Council approved the Planning Commission recommendation with an amendment to condition #6: The fence and any related improvements along Turner Road shall be relocated to the property line or removed within 30 days of notification by the City Manager, not to exceed a year from approval. 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.

*****City Council approved docket item #15 and docket item #16 together.*****

15. Master Plan Amendment #2022-00003
(A) Initiation of a Master Plan Amendment; and (B) Public Hearing and consideration of the update to the Water Quality Management Supplement Chapter of the City's Master

Plan and a change in name to the Chesapeake Bay Preservation Plan. The amendment is required pursuant to the Chesapeake Bay Preservation Act and the Chesapeake Bay Preservation Area Designation and Management Regulations, it includes an information base, policies and policy implementation related to: the location and extent of Chesapeake Bay Preservation Areas; physical constraints to development, including soil limitations; the character and location of commercial and recreational fisheries and other aquatic resources; shoreline and streambank erosion problems; existing and proposed land uses; catalog of existing and potential water pollution sources; and public and private waterfront access areas, including the general locations of or information about docks, piers, marinas, boat ramps, and similar water access facilities. Applicant: City of Alexandria, Department of Transportation & Environmental Services
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. 15; 09/17/22, and is incorporated as part of this record by reference.)

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

16. Special Use Permit #2022-00049
7 King Street, 101, 105 and 107 North Union Street - Vola's Dockside Grill
Public Hearing and consideration of a request for a Special Use Permit for: (A) an expansion of the indoor dining area; (B) outdoor dining seats over 40; and (C) a temporary trailer (amending SUP #2017-00039): zoned; KR/King Street urban retail, WPR/Waterfront Park and recreation, and CD/Commercial downtown. Applicant: ARP Waterfront, LLC
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; 09/17/22, and is incorporated as part of this record by reference.)

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

17. Rezoning #2022-00006
Development Special Use Permit #2022-10011

Transportation Management Plan Special Use Permit #2022-00053

615, 615A and 621 King Street

Public Hearing and consideration of a request for (A) a Rezoning of a portion of the property from CD / Commercial Downtown to KR / King Street Retail; (B) a Development Special Use Permit and Site Plan with modifications to construct a 24-unit multifamily building with ground-floor commercial uses and the rehabilitation of two historic buildings for commercial use, including Special Use Permits to increase the FAR up to 2.5 in the KR zone, to permit a personal service establishment with more than 30 linear feet of frontage on King Street, a Parking Reduction from 32 to zero parking spaces, and a loading space reduction from one to zero loading spaces for the commercial uses; and (C) a Special Use Permit for a transportation management plan; zoned KR / King Street Retail and CD / Commercial Downtown. Applicant: The Silverman Group, represented by M. Catharine Puskar, Attorney
Planning Commission Action: Recommended Approval 7-0

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

1. Cathy Puskar, attorney for the applicant, spoke in support of the item and responded to questions from Council.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman McPike and carried 5-1, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilman Aguirre; Absent, Councilman Chapman.

VI. ORDINANCES AND RESOLUTIONS

None.

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

Planning Commission (continued)

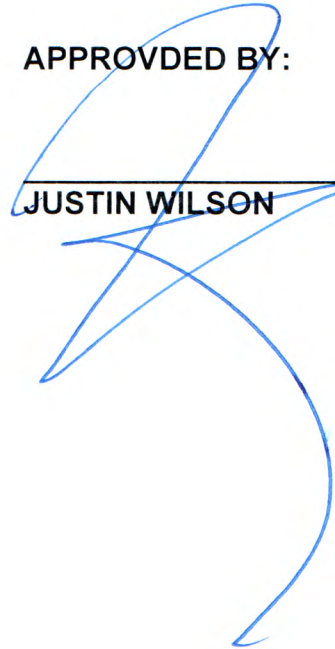
None.

VIII. Adjourn.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Aguirre, seconded by Councilwoman Gaskins and carried 6-0, City Council adjourned the September 17, 2022 Public Hearing Meeting at 1:37 p.m. 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.

APPROVED BY:



JUSTIN WILSON MAYOR

ATTEST:



Gloria A. Sifton, CMC City Clerk

Adopted: November 9, 2022