

**City of Alexandria
City Council Public Hearing Meeting
Saturday, February 25, 2023 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: Mr. Parajon, City Manager; Ms. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Horowitz, P&Z; Mr. Skrabak, Deputy Director, Transportation and Environmental Services (T&ES); Ms. North, Division Chief, T&ES;; Mr. Silva, Urban Planner, P&Z; Ms. Baker, Deputy City Manager; Mr. Knight, T&ES; Mr. Coleman, Deputy Director, General Services; Mr. Randall, Urban Planner, P&Z; Mr. Kerns, Division Chief, P&Z; Ms. McIlvaine, Director, Office of Housing; Mr. Dofflemyer, T&ES; Ms. Sample, Urban Planner, P&Z; Ms. Miliarias, Principal Planner, P&Z; Ms. Collins, Office of Housing; Ms. Jovovic, Office of Housing; Ms. Demeke, Information Technology Services; and Mr. Supo, ITS.

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 Councilmember Bagley attending virtually from Chicago, IL and Councilman Chapman and Councilman Aguirre arriving following roll call.

2. Approval of Electronic Participation Resolution by Members of City Council (if needed).

Approval of Electronic Participation Resolution by Members of City Council.
[ROLL-CALL VOTE]

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried unanimously, City Council adopted the resolution for electronic participation for Councilmember Bagley. 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. 3142

Resolution Regarding Electronic Participation by a Member of City Council

WHEREAS, Virginia Code Section 2.2-3708.2 provides that an individual member of a public body may fully participate in meetings electronically if any such member meets the criteria of the code and the public body has adopted an Electronic Meeting Policy; and

WHEREAS, City Council adopted an Electronic Participation Policy on June 22, 2021 as Resolution No. 3011; and

WHEREAS, City Council Member Sarah R. Bagley has notified the Mayor and the Clerk that she is unavailable to be physically present for the February 25, 2023 City Council Meeting due to a personal matter, specifically travel for work, and

WHEREAS the Council Member has not participated in more than two or 25% of City Council Meetings by electronic means during this calendar year; and

WHEREAS the City Council Member will participate in the City Council Meeting by Zoom Video Conference Call from Chicago, Illinois, and arrangements have been made to ensure the member shall be heard by all participants at the City Council Meeting; and

WHEREAS a quorum of the City Council is physically assembled in person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

That pursuant to Virginia Code 2.2-3708 and the City Council's Electronic Meeting Policy Resolution 3011, City Council Member Sarah Bagley will participate remotely in this meeting by video conference call.

3. Public Discussion Period

The following persons participated in the public discussion period:

1. Katie Wannen, Alexandria, spoke about the noise from Barkhaus and requested help from Council mitigating the problem by reviewing the SUP for the business.
2. John Christopher Wannen, Alexandria, spoke about the noise from Barkhaus and requested that Council review the SUP for the business.
3. Karen D. Conrad, Alexandria, spoke about the noise from Barkhaus and requested that Council review the SUP for the business.
4. Jonathan Jennelle, Alexandria, spoke about the noise from Barkhaus and requested that Council review the SUP for the business.
5. Robert Jones, Alexandria, spoke about the noise from Barkhaus and requested that Council review the SUP for the business.
6. Chelsea Cowan, Alexandria, representing the Courts Condo Association, thanked the City for planting trees along Prince Street. Ms. Cowan spoke about pedestrian safety near intersections near the condos where there are many accidents and requested

information from the City about improvements for the area. Ms. Cowan also inquired whether there were any plans to install on street charging stations for electric cars along Prince Street.

7. Samantha Ahdoot, Alexandria, spoke about noise from leafblowers and the need for more enforcement and policy regulating the tools.

8. Kathleen Pullin, Alexandria, spoke about scooters being abandoned along sidewalks and causing a hazard for pedestrians.

9. Margaret Wohler, Alexandria, spoke about the need for amendments and more action on the Green Building Policy.

10. Holly Carr, Alexandria, spoke about the need for amendments and more action on the Green Building Policy.

11. Scott Barstow, Alexandria, spoke about the climate crisis and the need for the City to have more action on the energy efficiency and the Green Building Policy.

12. David Peabody, Alexandria, spoke about the climate crisis and the need for the City to have more action on energy efficiency and climate change mitigation.

13. Kara Fast, Alexandria, spoke about the realignment of DASH Bus Line #34 onto North Pitt Street and crossing over Pendleton Street and the impact it would have on the surrounding neighborhood.

14. Jim Murphy, Alexandria, spoke about the realignment of DASH Bus Line #34 onto North Pitt Street and crossing over Pendleton Street and the impact it would have on the surrounding neighborhood.

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

II. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (4-6)

Planning Commission

4. Zoning Text Amendment #2022-00015
King Street Outdoor Dining sidewalk use permit validity dates(A) Initiation of a Text Amendment: and (B) Public Hearing and consideration of a Text Amendment to change the permit validity dates for King Street Outdoor Dining on public sidewalks from April 1 - March 31 to October 1 - September 30.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; 02/25/23, and is incorporated as part of this record by reference.)

5. Special Use Permit #2022-00103
4513 Duke Street
Public Hearing and consideration of a request for a Special Use Permit to amend Condition #3 for the extension of a temporary trailer use (amending SUP #2020-00105); zoned: CG/Commercial General. Applicant: DHL Express US
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; 02/25/23, and is incorporated as part of this record by reference.)

6. Special Use Permit #2022-00102
700 South Patrick Street
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a non-complying automobile service station use; zoned CL/Commercial Low. Applicant: Adam Aldie, LLC
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; 02/25/23, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

Council considered each of the items on the consent calendar under separate motions. The approval was as follows:

4. Zoning Text Amendment #2022-00015
King Street Outdoor Dining sidewalk use permit validity dates(A) Initiation of a Text Amendment: and (B) Public Hearing and consideration of a Text Amendment to change the permit validity dates for King Street Outdoor Dining on public sidewalks from April 1 - March 31 to October 1 - September 30.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; 02/25/23, and is incorporated as part of this record by reference.)

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.

5. Special Use Permit #2022-00103

4513 Duke Street

Public Hearing and consideration of a request for a Special Use Permit to amend Condition #3 for the extension of a temporary trailer use (amending SUP #2020-00105); zoned: CG/Commercial General. Applicant: DHL Express US
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; 02/25/23, and is incorporated as part of this record by reference.)

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

1. Essete Abebe, applicant, spoke in support of the proposal.
2. Bruce Marsh, applicant, spoke in support of the proposal.
3. Kelly Shepard, applicant, spoke in support of the proposal.

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.

A motion was made by Councilmember Bagley, seconded by Vice Mayor Jackson, for City Council to approve the Planning Commission recommendation.

An amendment was made by Vice Mayor Jackson, seconded by Councilman Chapman to approved the Planning Commission recommendation with an amendment to condition #3, stating, the temporary trailer shall be permitted at the site for a one-year term which expires on February 25, 2024. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilmember Bagley. The motion carried 6-1. The amended motion becomes the main motion.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried 6-1, City Council approved the Planning Commission recommendation with an amendment to condition #3, stating, the temporary trailer shall be permitted at the site for a one-year term which expires on February 25, 2024. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilmember Bagley.

6. Special Use Permit #2022-00102
700 South Patrick Street
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a non-complying automobile service station use; zoned CL/Commercial Low. Applicant: Adam Aldie, LLC
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; 02/25/23, and is incorporated as part of this record by reference.)

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

1. Petya Campbell, Alexandria, spoke against the proposal.
2. Stephen Milone, Alexandria, representing the Old Town Civic Association, spoke about returning the curb cut that is part of this project.

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

III. ROLL-CALL CONSENT CALENDAR (7-10)

7. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the Owner and Tenant of the property located at 2462 Mandeville Lane, Alexandria, VA 22332, to construct and maintain an encroachment for an outdoor dining use at that location (Implementation Ordinance for Encroachment No. 2022-00005 associated with 2462 Mandeville Lane - Nando's Outdoor Dining approved by City Council on January 21, 2023). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 02/25/23, 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; 02/25/23, and is incorporated as part of this record by reference.)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 046.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 6336 Stevenson Avenue from RB/Townhouse zone to RC/High density apartment zone with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2022-00007 (Implementation Ordinance for Rezoning No. 2022-00007 associated with Edgewood Towns approved by City Council on January 21, 2023). [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; 02/25/23, 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; 02/25/23, and is incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 9-12-81 (Requirements for Vehicles) and Section 9-12-132 (Amount of Fare to be Charged) of Chapter 12 (Taxicabs and Other Vehicles for Hire) of Title 9 (Licensing and Regulation). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 13, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 02/25/23, 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. 9; 02/25/23, 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; 02/25/24, and is incorporated as part of this record by reference.)

10. Public Hearing, Second Reading and Final Passage of an Ordinance to Authorize the Issuance of General Obligation Debt Instruments. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 7, 2023, is on file in the Office of the City Clerk and Clerk of Council, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 02/25/23, 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. 10; 02/25/23, 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; 02/25/23, and is incorporated as part of this record by reference.)

END OF ROLL-CALL CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilman McPike and carried unanimously by roll-call vote, City Council approved the roll-call consent

calendar, with the exception of docket item #9, which was considered under separate motion. The approvals are as follows:

7. City Council closed the public hearing and adopted an ordinance authorizing the owner and tenant of the property located at 2462 Mandeville Lane, Alexandria, VA 22332, to construct and maintain an encroachment for an outdoor dining use at that location (Implementation Ordinance for Encroachment No. 2022-00005 associated with 2462 Mandeville Lane - Nando's Outdoor Dining approved by City Council on January 21, 2023).

The ordinance reads as follows:

ORDINANCE NO. 5476

AN ORDINANCE authorizing the Owner and Tenant of the property located at 2462 Mandeville Lane, Alexandria, VA 22332, to construct and maintain an encroachment for an outdoor dining use at that location.

WHEREAS, Foundry Associates Owner, LLC is the Owner ("Owner") of the property located at 2462 Mandeville Lane, Alexandria, VA 22332, in the City of Alexandria, Virginia; and

WHEREAS, Nando's Restaurant Group is the Tenant ("Tenant") of the property located at 2462 Mandeville Lane, Alexandria, VA 22332, in the City of Alexandria, Virginia; and

WHEREAS, Owner and Tenant desire to establish and maintain outdoor dining facilities which will encroach into the public sidewalk right-of-way at that location; and

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

WHEREAS, in Encroachment No. 2022-00005 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on January 5, 2023, which recommendation was approved by the City Council at its public hearing on January 21, 2023; and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner and Tenant be, and the same hereby are, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 2462 Mandeville Lane, Alexandria, VA 22332 as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of an outdoor dining use including tables, seating, pole mounted lighting, and non-permanent planters, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner or Tenant of liability for any negligence on their part on account of or in connection

with the encroachment and shall be subject to the provisions set forth below.

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

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

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

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

- (a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owner's or Tenant's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.
- (b) The Owner and Tenant shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity, and shall repair or replace the sidewalk where the improvements were anchored into the concrete.
- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owner or Tenant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. The Owner shall bear all the cost associated with any future removal of the encroachments.
- (d) The Owner or Tenant shall maintain the following minimum, unobstructed

sidewalk widths:

1. Seven feet (7') in between the proposed patio enclosure and the existing street tree wells on Hoffman Street; and
2. Five feet, six inches (5' 6") in between the proposed patio enclosure and the top of the existing ADA sidewalk ramp on Hoffman Street; and
3. Six feet, six inches (6' 6") in between the proposed patio enclosure and the top of the existing ADA sidewalk ramp on Mandeville Lane.

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

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

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

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

Section 8. The terms "Owner" and "Tenant" shall be deemed to include Foundry Associates Owner, LLC, and Nando's Restaurant Group and their respective successors in interest.

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

8. City Council closed the public hearing and adopted an ordinance to amend and reordain Sheet No. 046.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of

Alexandria Zoning Ordinance, by rezoning the property at 6336 Stevenson Avenue from RB/Townhouse zone to RC/High density apartment zone with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No.2022-00007 (Implementation Ordinance for Rezoning No. 2022-00007 associated with Edgewood Town as approved by City Council on January 21, 2023).

The ordinance reads as follows:

ORDINANCE NO. 5477

AN ORDINANCE to amend and reordain Sheet No. 046.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 6336 Stevenson Avenue from RB/Townhouse zone to RC/High density apartment zone with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No.2022-00007.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 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 January 5, 2023 of a rezoning of the property at 6336 Stevenson Avenue from, RB/Townhouse zone to RC/High density apartment zone with proffer, which recommendation was approved by the City Council at public hearing on January 21, 2023;
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. 046.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 6336 Stevenson Avenue, Alexandria, Virginia
22304, 046.04-02-02

From: RB/Townhouse zone
To: RC/High density apartment zone with proffer

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. 046.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of

Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

10. City Council closed the public hearing and adopted an ordinance an ordinance to Authorize the Issuance of General Obligation Debt Instruments.

The ordinance reads as follows:

ORDINANCE NO. 5479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA
AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DEBT INSTRUMENTS

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

WHEREAS, the City Council (the "City Council") of the City of Alexandria, Virginia ("City") has determined that it is necessary and desirable to provide short-term financing to facilitate efficient cash management operations as a part of the City's capital improvement program, and particularly to provide interim financing (the "Interim Financing") for all or a portion of the costs of capital improvements for which bond proceeds have been appropriated pursuant to the City's Capital Improvement Program, as the City Council may amend it from time to time hereafter, and the acquisition of various personal property (collectively, the "Projects") and that it is advisable to incur debt in the maximum aggregate principal amount of \$100,000,000, which amount may be borrowed, repaid and reborrowed, to provide funds to finance the costs of acquiring, constructing and equipping the Projects and the costs of issuance related to the Interim Financing; and

WHEREAS, the City Council has determined that it is advisable for the City to implement one or more of the following financing arrangements (each a "Financing Arrangement") to provide the Interim Financing: (i) a line of credit transaction with a lender, which line of credit may, but need not, be revolving and provide for the borrowing, repayment and reborrowing of the amounts thereof; (ii) a direct lending credit facility; (iii) a liquidity facility and (iv) an alternative short-term funding program; and

WHEREAS, the City Council desires to authorize the City Manager and the Director of Finance of the City, either of whom may act alone (the "Authorized Officer") (i) to select the particular Financing Arrangement or Financing Arrangements to be used to effect the Interim Financing and (ii) to determine the form and terms of the line of credit, the direct lending facility, the liquidity facility and the alternative short-term funding program, as applicable; and

WHEREAS, the City Council has held a public hearing on February 25, 2023, regarding the issuance of the Debt Instruments (as hereinafter defined) in accordance with the requirements of the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended (the "Virginia Code").

1. Authorization of Interim Financing and Use of Proceeds. The City Council hereby determines that it is advisable and in the best interest of the City to undertake the Interim

Financing with respect to the Projects and, in connection therewith, to contract debt, to enter into one or more of the Financing Arrangements and to issue and sell one or more Debt Instruments in connection with the Financing Arrangements. The proceeds from the issuance and sale of the Debt Instruments shall be used to pay all or a portion of the costs of the Projects and costs of issuance related to the Interim Financing. The Authorized Officer is authorized and directed to select and implement the Financing Arrangement or Financing Arrangements for the Interim Financing that such officer, in consultation with the City's financial advisor, determines to be in the best interests of the City.

2. Authorization of Debt Instruments and Financing Documents. The City Council hereby authorizes the issuance and delivery of notes, bonds or other obligations of the City for the payment of money (the "Debt Instruments") in connection with the Financing Arrangements. Such Debt Instruments may be issued on a revolving line of credit basis, and the City Council hereby authorizes the City to borrow, repay and reborrow amounts thereunder; provided however that the maximum amount of the Debt Instruments outstanding at any one time shall not exceed \$100,000,000. The City Council hereby authorizes the execution and delivery by the Authorized Officer on behalf of the City of such agreements, certificates and other documents (the "Financing Documents") as may be necessary or desirable in the determination of the Authorized Officer, to consummate the Financing Arrangements, including without limitation loan agreements, credit agreements, financing agreements, liquidity support agreements, reimbursement agreements and documents establishing any alternative short-term funding program. The Financing Documents shall contain such terms and provisions as the Authorized Officer, in consultation with the City's financial advisor, determines to be in the best interest of the City and may provide for the payment by the City of such fees (including without limitation unused line of credit fees and liquidity provider fees) as the Authorized Officer determines to be reasonable. The approval of the final terms and conditions of the Financing Documents shall be evidenced conclusively by the execution and delivery of the Financing Documents by the Authorized Officer, subject to the parameters set forth in Section 4.

3. Pledge of Full Faith and Credit. The full faith and credit of the City are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Debt Instruments as the same become due and payable. The City Council shall levy an annual ad valorem tax upon all property in the City, subject to local taxation, sufficient to pay the principal of, premium, if any, and interest on the Debt Instruments as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

4. Details and Sale of Debt Instruments. The Debt Instruments shall be issued upon the terms established pursuant to this Ordinance and upon such other terms as may be determined in the manner set forth in this Ordinance. The Debt Instruments shall be issued in one or more series, in fully registered form, shall be dated such date or dates as the Authorized Officer, may approve and shall be in the denominations of \$5,000 each or whole multiples thereof, or such other denominations as the Authorized Officer deems advisable. The Debt Instruments of a series shall be numbered from R-1 upwards consecutively or in such other manner as determined by the Authorized Officer. The Authorized Officer is hereby authorized and directed to determine the principal amount of the Debt Instruments, whether the Debt Instruments bear interest at a fixed or variable rate, whether the Debt Instruments bear interest that is includible in or excludable from gross income for purposes of federal

income taxation, the payment dates for the principal, premium, if any, and interest on the Debt Instruments and the maturity dates for the Debt Instruments, provided that: (a) the final maturity of any series of Debt Instruments shall not be more than five (5) years from the dated date of such series of Debt Instruments; (b) the aggregate principal amount of the Debt Instruments outstanding at any one time shall not exceed \$100,000,000; and (c) the Debt Instruments shall (i) if issued bearing interest at a variable rate, bear interest based on a public index and (ii) in no event bear interest at a rate exceeding the maximum rate permitted by law. The Debt Instruments may be sold pursuant to a public or private placement and may be sold on a negotiated or competitive bid basis, all as may be determined by the Authorized Officer. The Authorized Officer is authorized and directed, at his or her option, to accept a bid or bids for the purchase of the Debt Instruments which results in the lowest true interest cost to the City and the Debt Instruments shall bear interest at such rate or rates and shall be sold to the successful bidder or bidders at such price as may be set forth in the bid or bids so accepted, or, if he or she deems it to be in the City's financial interest, to forego such competitive bidding and negotiate the sale of the Debt Instruments to one or more initial purchasers. The Authorized Officer is authorized and directed to select or approve any underwriter, purchaser, liquidity provider or other facility provider as may be necessary or appropriate to implement the Financing Arrangements selected pursuant to Section 1. The Authorized Officer is authorized and directed to approve such optional redemption or prepayment provisions for the Debt Instruments as such officer determines to be in the best interest of the City. The City Council may provide for additional or other terms of the Debt Instruments by subsequent resolution.

5. Form of Debt Instruments. The Debt Instruments shall be in a form consistent with the provisions of this Ordinance and approved by the Authorized Officer, in consultation with the financial advisor and bond counsel to the City. There may be endorsed on the Debt Instruments such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

6. Book-Entry-Only-Form. The Debt Instruments may, but need not, be issued in book-entry-only form. The Debt Instruments shall be issued in fully-registered form and may be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC") as registered owner of the Debt Instruments, and immobilized in the custody of DTC. One fully-registered Debt Instrument in typewritten or printed form for the principal amount of each maturity of the Debt Instruments may be registered to Cede & Co. In such event, beneficial owners of the Debt Instruments shall not receive physical delivery of the Debt Instruments and principal, premium, if any, and interest payments on the Debt Instruments shall be made to DTC or its nominee as registered owner of the Debt Instruments on the applicable payment date.

Transfer of ownership interest in the Debt Instruments may be made by DTC and its participants (the "Participants"), acting as nominees of the beneficial owners of the Debt Instruments in accordance with rules specified by DTC and its Participants. In such event, the City shall notify DTC of any notice required to be given pursuant to this Ordinance or the Debt Instruments not less than fifteen (15) calendar days prior to the date upon which such notice is required to be given and the City shall also comply with the agreements set forth in the City's Letter of Representations to DTC.

In the event the Debt Instruments are issued in book-entry-only form and registered in the name of DTC's nominee as permitted above, replacement Debt Instruments (the "Replacement Debt Instruments") may be issued directly to beneficial owners of the Debt Instruments rather than to DTC or its nominee but only in the event that:

- (i) DTC determines not to continue to act as securities depository for the Debt Instruments; or
- (ii) The City has advised DTC of its determination not to use DTC as a securities depository; or
- (iii) The City has determined that it is in the best interest of the beneficial owners of the Debt Instruments or the City not to continue the book-entry system of transfer.

Upon the occurrence of an event described in (i) or (ii) above, the City shall attempt to locate another qualified securities depository. If the City fails to locate another qualified securities depository to replace DTC, the City Council shall execute and deliver Replacement Debt Instruments substantially in the form of the Debt Instruments being replaced to the Participants. In the event the City Council, in its discretion, makes the determination noted in (iii) above and has made provisions to notify the beneficial owners of the Debt Instruments by mailing an appropriate notice to DTC, the appropriate officers and agents of the City shall execute and deliver Replacement Debt Instruments substantially in the form of the Debt Instruments being replaced to any Participants requesting such Replacement Debt Instruments. Principal of and interest on the Replacement Debt Instruments shall be payable as provided in this Ordinance and in the Debt Instruments and Replacement Debt Instruments will be transferable in accordance with the provisions of paragraphs 10 and 11 of this Ordinance and the Debt Instruments.

7. Appointment of Registrar and Paying Agent. The City Council hereby appoints the Director of Finance as Registrar and Paying Agent (the "Registrar") for the Debt Instruments. The Authorized Officer may appoint a subsequent registrar and/or one or more paying agents for any Debt Instruments upon giving written notice to the registered owners of the affected Debt Instruments specifying the name and location of the principal office of any such registrar or paying agent.

8. Execution of Debt Instruments. The Mayor and the Clerk of the City are authorized and directed to execute the Debt Instruments and to affix the seal of the City thereto and to deliver the Debt Instruments to the purchaser or purchasers thereof. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the signatures of the Mayor and the Clerk are both by facsimile, the Debt Instruments shall not be valid until signed at the foot thereof by the manual signature of the Registrar. The Authorized Officer's approval or determination of the details and provisions of the Debt Instruments that the Authorized Officer has been authorized or directed to approve under this Ordinance shall be evidenced conclusively by the execution and delivery of the Debt Instruments by the Mayor and the Clerk of the City on the City's behalf, subject to the parameters set forth in Section 4.

9. CUSIP Numbers. The Debt Instruments may, but need not, have CUSIP identification numbers printed thereon. No such number shall constitute a part of the contract

evidenced by the Debt Instrument on which it is imprinted and no liability shall attach to the City, or any of its officers or agents by reason of such numbers or any use made of such numbers, including any use by the City and any officer or agent of the City, by reason of any inaccuracy, error or omission with respect to such numbers.

10. Registration, Transfer and Exchange. Upon surrender for transfer or exchange of any Debt Instrument at the principal office of the Registrar, the City shall execute and deliver and the Registrar shall authenticate in the name of the transferee or transferees a new Debt Instrument or Debt Instruments of any authorized denomination in an aggregate principal amount equal to the Debt Instrument surrendered and of the same form and maturity and bearing interest at the same rate as the Debt Instrument surrendered, subject in each case to such reasonable regulations as the City and the Registrar may prescribe. All Debt Instruments presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and substance reasonably satisfactory to the City and the Registrar, duly executed by the registered owner or by his or her duly authorized attorney-in-fact or legal representative. No Debt Instrument may be registered to bearer.

New Debt Instruments delivered upon any transfer or exchange shall be valid obligations of the City, evidencing the same debt as the Debt Instruments surrendered, and shall be secured by this Ordinance and entitled to all of the security and benefits hereof to the same extent as the Debt Instruments surrendered.

11. Charges for Exchange or Transfer. No charge shall be made for any exchange or transfer of Debt Instruments, but the City may require payment by the registered owner of any Debt Instrument of a sum sufficient to cover any tax or other governmental charge which may be imposed with respect to the transfer or exchange of such Debt Instrument.

12. Non-Arbitrage Certificate and Tax Covenants. The Authorized Officer and such officers and agents of the City that the Authorized Officer may designate are authorized and directed to execute with respect to any Debt Instruments, the interest on which is intended to be excludable from gross income for federal income tax purposes, one or more Non-Arbitrage Certificate and Tax Covenants setting forth the expected use and investment of the proceeds of the Debt Instruments and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Tax Code"), including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The City Council covenants on behalf of the City that the proceeds from the issuance and sale of any such Debt Instruments will be invested and expended as set forth in the City's respective Non-Arbitrage Certificate and Tax Covenants relating to such Debt Instruments and that the City shall comply with the other covenants and representations contained therein.

13. Disclosure Documents. The Authorized Officer and such officers and agents of the City as the Authorized Officer may designate are hereby authorized and directed to prepare, execute, if required, and deliver, in connection with any public offering of the Debt Instruments, an appropriate notice of sale, preliminary official statement, official statement, continuing disclosure agreement or such other offering or disclosure documents as may be necessary to expedite the sale of the Debt Instruments. The notice of sale, preliminary official statement, official statement, continuing disclosure agreement or other documents shall be published in

such publications and distributed in such manner, including electronically, and at such times as the Authorized Officer shall determine. The Authorized Officer is authorized and directed to deem the preliminary official statement “final” for purposes of Securities and Exchange Commission Rule 15c2-12.

14. Interest Rate Hedge. The Authorized Officer is hereby authorized to the extent he or she deems to be in the best interest of the City to procure, for any series of Debt Instruments, an interest rate hedge, cap, collar or similar arrangement (the “Interest Rate Hedge”) to protect the City against increases in interest rates if such Debt Instruments bear interest at a variable rate; provided that the notional amount of any Interest Rate Hedges shall not exceed \$100,000,000 in the aggregate. The documents evidencing the Interest Rate Hedge and the City’s obligations in connection therewith shall be typical for such arrangements and the Authorized Officer is hereby authorized to execute and deliver the same on behalf of the City.

15. Further Actions. The Authorized Officer and such officers and agents of the City as the Authorized Officer may designate are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Debt Instruments including the execution and delivery of such purchase agreement or agreements as may be required in connection with any negotiated sale of the Debt Instruments and the execution and delivery of any such other documents, agreements and certificates as they may deem necessary or desirable, and all actions taken by such officers and agents in connection with the issuance and sale of the Debt Instruments are ratified and confirmed. The authorizations granted in this Ordinance to the Mayor, the City Clerk, the City Manager and the Director of Finance may be carried out by the Vice Mayor, any Deputy City Clerk, any Acting or Deputy City Manager or any Assistant Director of Finance, as appropriate, in the absence of the primary officer.

16. Reimbursement. The City Council adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The City Council reasonably expects to reimburse advances made or to be made by the City to pay the costs of the Projects from the proceeds of its debt. The maximum amount of debt expected to be issued for the Projects is \$100,000,000.

17. Applicable Law. In accordance with Section 15.2-2601 of the Virginia Code, the City Council elects to issue the Debt Instruments pursuant to the provisions of the Public Finance Act of 1991 without regard to the requirements, restrictions or other provisions contained in the Charter of the City.

18. Effective Date. 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, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

9. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 9-12-81 (Requirements for Vehicles) and Section 9-12-132 (Amount of Fare to be Charged) of Chapter 12 (Taxicabs and Other Vehicles for Hire) of Title 9 (Licensing and Regulation).
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 13, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 02/25/23, 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. 9; 02/25/23, 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; 02/25/23, and is incorporated as part of this record by reference.)

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

1. Madison Gibbs, Alexandria, attorney, representing Union Cab Cooperative, spoke in support of the ordinance.
2. Zari Kaimian, Alexandria, spoke in support of the ordinance.
3. Muhyidin Mohammed, Alexandria, representing Union Cab Cooperative Inc., spoke in support of the ordinance.
4. Yohannes Abaye, Alexandria, spoke in support of the ordinance.
5. Yassin Meri, Alexandria, spoke in support of the ordinance.
6. Abdul Karim, Alexandria, spoke in support of the ordinance.

WHEREUPON, upon motion by Councilman Aguirre, seconded by Councilman McPike and carried unanimously, City Council closed the public hearing and adopted an ordinance to amend Section 9-12-81 (Requirements for Vehicles) and Section 9-12-132 (Amount of Fare to be Charged) of Chapter 12 (Taxicabs and Other Vehicles for Hire) of Title 9 (Licensing and Regulation) with an amendment to the model years to 15 and 17 years respectively, returning in a year for review. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5478

AN ORDINANCE to amend and reordain Section 9-12-81 (REQUIREMENTS FOR VEHICLES) and Section 9-12-132 (AMOUNT OF FARE TO BE CHARGED) of Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 9-12-81 and 9-12-132 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined, as follows:

Sec. 9-12-81 - Requirements for vehicles.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall at all times comply with the following minimum standards

(l) *Age of vehicles.* Except for hybrid or alternative fuel vehicles, no vehicle permit shall be issued for a taxicab that is older than ~~ten~~ 15 model years. No vehicle permit shall be issued for a hybrid or alternative fuel taxicab that is older than ~~12~~ 17 model years.

Sec. 9-12-132 - Amount of fare to be charged.

(a) The rates to be charged to passengers in taxicabs shall be as follows. It shall be unlawful to make any greater or lesser charge:

(1) For the initial meter charge, ~~\$3.00~~ \$4.00

Section 2. That Sections 9-12-81 and 9-12-132, as amended pursuant to Section 1 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria City Code.

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

IV. REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

11. Public Hearing and Consideration of a Lease Agreement Between the City and Neighborhood Health, a Non-profit Healthcare Organization Serving the City of Alexandria to Lease Space at 4850 Mark Center Drive.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 02/25/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the Lease Agreement and authorized the City Manager to execute the proposed Lease Agreement with Neighborhood Health. 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.

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

12. Rezoning #2022-00008
Development Special Use Permit #2022-10022
Transportation Management Plan Special Use Permit #2022-00111
3908 Elbert Avenue - Elbert Avenue Residences
Public Hearing and consideration of a request for (A) an amendment to the official zoning map to change the zone for the property from RA/Multifamily zone to RMF/Residential Multifamily zone; and (B) a Development Special Use Permit to construct a new multifamily residential building including a Special Use Permit to increase the floor area ratio to 3.0 in the RMF zone; and (C) Special Use Permit for a Transportation Management Plan; zoned RA/Multifamily zone. Applicant: Community Lodgings, Inc., represented by Mary Catherine Gibbs,
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; 02/25/23, and is incorporated as part of this record by reference.)

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

1. Betsy Faga, Arlington, Virginia, spoke in favor of the DSUP.
2. Gale Nemec, Alexandria, spoke about overcrowding and traffic that would result from this project.
3. Mary Catherine Gibbs, Alexandria, attorney for the applicant, spoke in favor of the DSUP.

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

City Council took a lunch break at 12:47 p.m. and resumed the meeting at 1:16 p.m.

13. Master Plan Amendment #2022-00006
Rezoning #2022-00009
Development Special Use Permit #2022-10020
Transportation Management Plan Special Use Permit #2022-00104
Special Use Permit (Restaurant) #2022-00105
Special Use Permit (Medical Care Facility) #2022-00115
Special Use Permit (Athletic Club/Fitness Facility) #2022-00116
899 and 999 North Henry Street - Samuel Madden Homes
Public Hearing and consideration of requests for (A) amendment to the Braddock Road Metro Station Small Area Plan through the Braddock East Master Plan overlay to

update the Land Use and Development Framework Tables; (B) amendment to the official zoning map to change the zone for the site from RB/Townhouse zone to RMF/Residential multifamily zone; (C) a Development Special Use Permit and Site Plan with modification to construct two mixed-income multifamily buildings on two blocks with 532 units and ground floor retail and day care center, including Special Use Permits to increase the floor area ratio to 3.0 in the RMF zone, for the utilization of Section 7-700 for Bonus Height and Density for the provision of affordable housing and a modification to the crown coverage requirement; (D) a Special Use Permit for a Transportation Management Plan; (E) a Special Use Permit for a restaurant with outdoor dining; (F) a Special Use Permit for a medical care facility; (G) a Special Use Permit for a health or athletic club or fitness facility; zoned RB/ Townhouse zone. Applicant: Alexandria Redevelopment and Housing Authority, by its agents Samuel Madden Fairstead Developer LLC and MCRT Old Town LLC, represented by Steven M. Mikulic, 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. 13; 02/25/23, and is incorporated as part of this record by reference.)

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

1. J. Glenn Hopkins, Alexandria, spoke in support of the proposal.
2. Betsy Faga, Arlington, Virginia, spoke in support of the proposal.
3. Kathie Hoekstra, Alexandria, representing the Environmental Policy Committee, spoke in support of the proposal.
4. Marsha Rhea, Alexandria, spoke in support of the proposal.
5. Keith Pettigrew, CEO, ARHA, spoke in support of the proposal.
6. Kevin Harris, Alexandria, ARHA Commissioner, spoke in support of the proposal.
7. Mary Eileen Dixon, representing ALIVE!, spoke in support of the proposal.
8. Joe Valenti, Alexandria, spoke in support of the proposal.
9. Zalia Brooks, Alexandria, spoke in support of the proposal.
10. Amos Sims, Alexandria, spoke in support of the proposal.
11. Trashawn Randolph, Alexandria, spoke in support of proposal.
12. Philip Agee, spoke in support of the proposal.
13. Ellen Mosher, Alexandria, spoke about the changes to the parking policy in the proposal.

14. Stephen Milone, Alexandria, representing Old Town Civic Association, spoke about the height limits of the project and its compliance with the limits for the historic district.

15. Steven Mikulic, attorney for the applicant, spoke in support of the proposal.

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

14. Consideration of a Request for a City Housing Opportunities Fund Loan of \$1 Million to Alexandria Redevelopment and Housing Authority for the Samuel Madden Redevelopment Project.

(A copy of the City Manager's memorandum dated February 7, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 02/25/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council: (1) approved ARHA's loan request for \$1 million for the Samuel Madden Redevelopment Project; and (2) authorized the City Manager to execute the loan agreement and such documents as may be necessary to document Alexandria's support for ARHA's Low-Income Housing Tax Credit application for the Samuel Madden Redevelopment Project. 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.

VI. ORDINANCES AND RESOLUTIONS

15. Consideration of a Request for a Resolution Designating the Samuel Madden Redevelopment Project Site a Revitalization Area. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 7, 2022, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 02/25/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Gaskins and carried unanimously by roll-call vote, City Council: (1) adopted the resolution designating the Samuel Madden Redevelopment Project Site a Revitalization Area pursuant to Section 36-55.30:2A of the Virginia Code following approval, if granted, of the related land use matters; and (2) authorized the City Manager to execute such documents as may be necessary to support ARHA's application for Low Income Housing Tax Credits related to this

resolution. The vote was 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. 3143

WHEREAS, pursuant to Section 36-55.30:2.A of the Code of the Virginia of 1950, as amended, the City Council of the City of Alexandria, Virginia, desires to designate the site which will include the proposed Samuel Madden Redevelopment Project Site as the area (the "Area") described on Exhibit A attached hereto, as a revitalization area;

WHEREAS, the proposed Area will support a mixed-use development, mixed income development, including 532 rental units affordable to households at a range of incomes, from at- or-below 30% to 80% of the Area Median Income to market rate;

WHEREAS, the revitalization area is blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions- dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition;

WHEREAS, private enterprise and investment are not reasonably expected, without assistance, to produce decent, safe and sanitary housing and supporting facilities that will meet the needs of low- and moderate-income persons and families in such area and thereby create a desirable economic mix of residents in such area;

WHEREAS, the range and amount of housing affordability proposed in this Area would not be economically feasible without the provision of federal low-income housing tax credits along with City investment at advantageous rates and terms; and

WHEREAS, the proposed redevelopment will provide a critical source of affordable housing for current and future low-and-moderate income residents at a range of incomes whose tenancy and local employment is essential to the Alexandria's future economic development and sustainability, as well as to the City's strategic goal of maintaining neighborhoods that are diverse, inclusive and true mixed-income communities;

NOW, THEREFORE, BE IT HEREBY DETERMINED BY CITY COUNCIL that:

- (1) The revitalization area is blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions- dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition; and
- (2) Private enterprise and investment are not reasonably expected, without assistance, to

produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low-and- moderate income persons and families in the Area and induce other persons and families to live within such area thereby creating a desirable economic mix of residents.

NOW, THEREFORE, BE IT HEREBY RESOLVED that pursuant to Section 36-55.30:2.A of the Code of Virginia 1950, as amended, the Area is hereby designated as a revitalization area.

**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 Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council adjourned the public hearing meeting of February 25, 2023 at 2:32 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

Adopted: April 11, 2023