

**City of Alexandria
Meeting Minutes
Saturday, February 22, 2014
9:30 A.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Ms. Anderson, Assistant City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Mr. Baier, Director, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Ms. Dastgheib Transportation and Environmental Services; Mr. Skrabak, Office of Environmental Quality; Mr. Sharma, Office of Environmental Quality; Mr. Imig, Office of Environmental Quality; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Ms. Hamer, Director, Planning and Zoning; Ms. North, Planning and Zoning; Ms. Contreras, Planning and Zoning; Mr. Geratz, Planning and Zoning; Mr. Kerns, Planning and Zoning; Mr. Wagner, Planning and Zoning; Mr. Moritz, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

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OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

Vice Mayor Silberberg thanked everyone for their support, understanding and kind notes during the period of her mother's illness and recent passing.

2. Public Discussion Period.

1. Eileen Bradley, 4705 West Braddock Road, with the Friends of Beatley Library, thanked the City staff and many City departments and extended appreciation for the significant progress that has been made with regard to remediation of the physical problems at Beatley Central Library.

2. David Martin, 1400 King Street, presented a check in the amount of \$6,750 to fulfill his agreement to raise half of the contingency of \$13,500 for the King Street tree lighting.

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The following item was taken out of turn:

5. Consideration of the Allocation of \$6,750 in City Matching Funds to Extend the King Street Tree Lighting Program to June 30, 2014.

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/22/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council allocated \$6,750 from Council's FY2014 contingent reserve account as a one-to-one match to \$6,750 in privately raised funds in order to keep the King Street tree lights on until June 30, 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none. (Councilman Smedberg abstained.)

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3. Jim Durham, 622 Fort Williams Parkway, chair, Alexandria Bicycle and Pedestrian Advisory Committee, spoke of the three changes the committee has made associated with increasing emphasis on pedestrian issues. They are building a team that is focused on pedestrian issues as a primary responsibility; they have started organizing walks in the City that are interesting and fun; and they will be hosting a complete streets and pedestrian safety discussion on Monday, April 21 from 6:15 to 7:30 p.m. at the Lee Recreation Center, and he invited Council and the public to the event.

4. Dino Drudi, 315 N. West Street, asked if the time limit of 30 minutes on the public discussion period was new. He spoke to the alternatives introduced for the proposed new Metro station, called BCSX, where the railroad tracks would be shifted to eliminate the curve, which would give extra space to build the Metro station where the City and the developers want it built. If that is going to be done, Council should plan and line up the funding to put up a VRE stop there. Mr. Drudi said Burke Brownfeld in the Alexandria Times has done a great service by raising the concern about reemploying returning citizens - prisoners coming home. He said Council should do something more fundamental than banning the box.

Mayor Euille noted that there isn't a policy on the banning the box/returning citizens, so staff will be responding, since it is an administrative procedure. The City is committed to making sure that those who were incarcerated are living positive and quality lives and have an opportunity to work for the government. The City is committed to working on the matter.

Councilman Smedberg noted that the VRE Board has discussed the possibility of having a station at one point or another and is on a list and is part of its strategic session it had this past August, 2013.

5. Marie Randall, 2904 Cameron Mills Road, president, George Mason PTA, spoke to the Alexandria City Public School's request for the budget for next year. She said that in 2007, there were 370 students at George Mason, and this year there are 520 students in the school, which is a 40 percent increase, which is a similar story to the majority of the schools in ACPS. They have run out of classrooms, the children begin lunch at 10:00 a.m., the gym space is inadequate for assemblies and band concerts, and they have carved spaces out of the library for offices and special rooms so it is now a fraction of the size it was. She said they cannot expect the staff and teachers to perform miracles in an environment that is not adequately funded. She encouraged Council to fully support the budget proposed by the School Superintendent.

6. Al Starnes, 1249 Madison Street, representing the Braddock Place Townhome Association, spoke of the need for the City to more closely monitor the construction at 1250 Madison Street, as the crane adjacent to their property, which has, on more than one occasion, trespassed into their property with loads of concrete. The Association has asked the developer to cease those kinds of activities, but the developer is not acknowledging that it is occurring. He asked that the construction activities be more closely monitored and get the developer to acknowledge that the crew is doing something that is illegal.

Mayor Euille noted that the matter was brought to the attention of Council yesterday, and City staff - both Code Administration and Planning and Zoning - are on top of it.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3)

Planning Commission

3. Special Use Permit #2013-0087

313 North Patrick Street

Public Hearing and Consideration of a request for the operation of an existing single family dwelling occupied by more than four and not more than nine unrelated individuals; zoned RB/Townhouse. Applicant: Dorothea Campbell

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 3, 2/22/2014, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council adopted the consent calendar, as follows:

3. City Council approved the Planning Commission recommendation.

Mayor Euille noted that he would recuse himself, due to the fact that a family member of the applicant is engaged in volunteer services to his political campaign. He said there is no economic or financial interest on his part.

The voting was as follows: In favor, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none. (Mayor Euille abstained.)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

4. Public Hearing on the Recommendation From the City Council Naming Committee on the Proposal to Name the City Playground at Buchanan Park the Leatrice Byrd Playground at Buchanan Park.

(A copy of the City Manager's memorandum dated February 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/22/14, and is incorporated as part of this record by reference.)

Mr. Browand, Recreation, Parks and Cultural Activities, responded to questions of City Council.

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

1. Bea Porter, 1727 Cameron Street, spoke in support of the Naming Committee recommendation.
2. Bernard Byrd, 243 Buchanan Street, spoke in support of the Naming Committee recommendation.
3. Bernadette Whitied, 243 Buchanan Street, spoke in support of the Naming Committee recommendation.
4. Regina Byrd, 3103 North 9th Road, Arlington, spoke in support of the Naming Committee recommendation.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and concurred with the recommendation of the City Council Naming Committee and approved the naming of the City playground at Buchanan Park the Leatrice Byrd Playground at Buchanan Park. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

6. Text Amendment #2013-0009

Transportation Management Plans

A) Initiation of text amendment; B) Public Hearing and Consideration of a text amendment to Section 11-700 of the Zoning Ordinance to establish new regulations regarding Transportation Management Plan Special Use Permits. Staff: Department of Transportation and Environmental Services

Planning Commission Action: Initiated and Recommended Approval 6-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 6, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. Marks, Transportation and Environmental Services, made a presentation of the staff report and she, along with Mr. Baier, Director, Transportation and Environmental Services, and Ms. Anderson, Assistant City Attorney, responded to questions of City Council.

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

1. Poul Hertel, 1217 Michigan Court, spoke to the pooling of resources for TMP's, and said he is in support of it. However, he urged that there become some transparency in order to give the community at large confidence in how the pooled resources are to be used. He requested that the approval of the Transportation and Planning Commission and City Council be required prior to dispensing of the pooled resources, in order to ensure that public input and transparency are employed in the disposition of the funds. He said there needs to be a place where there is an opportunity for citizens to see where the money is proposed to be spent and to have input in it.

Mr. Baier noted that Section 11-703 (d), page 8, speaks to Mr. Hertel's point and the fact that the Director of T&ES shall report on the status of the funding, including how funds will be spent in the prior year, and a proposed program of expenses for the following year, after public hearing and considered by the Transportation Commission and the Planning Commission, which will make recommendations to City Council.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

7. Text Amendment #2013-0014

Environmental Management

A) Initiation of a text amendment; B) Public Hearing and Consideration of a text amendment to Article XIII of the Zoning Ordinance to establish new regulations regarding management of stormwater quantity and quality. Staff: Department of Transportation and Environmental Services Office of Environmental Quality

Planning Commission Action: Initiated and Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 7, 2/22/2014, and is incorporated as part of this record by reference.)

Mr. Skrabak, Deputy Director, Transportation and Environmental Services, introduced Mr. Sharma and Mr. Imig, with T&ES, and Mr. Skrabak made a presentation of the report and responded to questions of City Council. Mr. Skrabak spoke to the memo he delivered on adding language on the City's infrastructure, noting that there is a typo next to "150" and to insert the word "feet" after 150.

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

1. Lianne Childress, 1750 Tysons Blvd., Tysons Corner, attorney with McGuire Woods, and a member of NAIOP of Northern Virginia, spoke in support of the request and of the revision identified in the memo distributed today.

Councilmember Lovain asked the City Manager to have staff look at the green streets policy and draft appropriate language that may be brought forward as part of some other legislation that comes before City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with an amendment of the insertion of the word "feet" after "150" in section (d)(ii). The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

8. Master Plan Amendment #2013-0006

Development Special Use Permit #2013-0025

Special Use Permit TMP #2014-0009

760 John Carlyle Street, 1700 & 1800 Eisenhower Avenue, 340 Hoofs Run Drive

Carlyle Plaza Two

Public Hearing and Consideration of requests for: A) an amendment to the Eisenhower East Small Area Plan chapter of the City's Master Plan to allow a portion of office floor area allocated to Block 32 to be used for residential and/or hotel floor area, B) an amendment to an approved development special use permit with site plan, conditions of approval, and the Carlyle Plaza Design Guidelines to allow a portion of office floor area allocated to Block 32 to be used for residential and/or hotel floor area, and C) an amendment to the Transportation Management Plan Special Use Permit. Applicant: Carlyle Plaza, LLC by Kenneth Wire, attorney

Planning Commission Action: Master Plan Amendment #2013-0025 Adopted the Resolution and Recommended Approval 7-0; Development Special Use Permit #2013-0025 Recommended Approval 7-0; Special Use Permit TMP #2014-0009 Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 8, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. North, Planning and Zoning, made a presentation of the staff report and she, along with Mr. Moritz, responded to questions of City Council.

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

1. Kenneth Wire, 1750 Tysons Blvd, Suite 1800, Tysons Corner, attorney representing the applicant, spoke in support of the request.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice

Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

9. Rezoning #2014-0001

Master Plan Amendment #2014-0001

Development Special Use Permit #2013-0016

Encroachment #2014-0001

509 N. St. Asaph Street and 511, 513 and 515 Oronoco Street - Health Department Redevelopment

Public Hearing and Consideration of requests for: (A) an amendment to the official zoning map to change the zone of the property at 509 N. St Asaph Street from RM/Townhouse to CRMU-X/Commercial Residential Mixed Use (Old Town North) with proffer; (B) an amendment to the Old Town North Small Area Plan chapter of the Master Plan to change the land use maps and zoning maps of the property at 509 N. St Asaph Street from RM/Townhouse to CRMU X/Commercial Residential Mixed Use (Old Town North) with proffer; (C) a development special use permit and site plan, with modifications and subdivision to construct townhouse dwellings and, special use permit approvals for an increase in floor area ratio (FAR) for two dwelling units and for more than eight (8) townhouses in a single structure and; (D) encroachments into the public right-of-way on Oronoco and N. Pitt Streets; zoned RM/Townhouse. Applicant: Mount Vernon Commons, LLC, represented by Kenneth Wire and City of Alexandria Department of General Services, Jeremy McPike, Director, Department of General Services

Planning Commission Action: Rezoning #2014-0001 Recommended Approval 7-0; Master Plan Amendment #2014-0001 Adopted the Resolution and Recommended Approval 7-0; Development Special Use Permit #2013-0016 Recommended Approval 7-0; Encroachment #2014-0001 Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 9, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. Contreras, Planning and Zoning, made a presentation of the staff report and responded to questions of City Council.

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

1. Kenneth Wire, 1750 Tysons Blvd, Suite 1800, Tysons Corner, attorney representing the applicant, spoke in support of the request.

2. Robert Holzbach, 510 Pendleton Street, spoke in support of the project, noting that he had two issues. The first issue is the power poles, and the transformer serves part of the development and one of the solutions would be to upsize the transformer, which he objected to, since it is outside of his home. There is a solution for making a pad-mounted transformer instead of a pole-mounted transformer. The second issue is the City's request for relocating the bus stop to their property, to make it accessible at either 120 feet or 70 feet, and either resulted in a loss of parking. By creating a bulb-out, it doesn't have to lose parking.

3. Rick Mayfield, 517 Oronoco Street, spoke in support of the request, noting that they are still working out minor details.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

Board of Architectural Review

10. Public Hearing to Consider an Appeal to a Decision of the Board of Architectural Review - Old and Historic District, for Property at 207 Prince Street. Appellant: Robert Montague on behalf of petitioners. **THIS ITEM IS DEFERRED TO MARCH 15, 2014.**

This item was deferred.

ORDINANCES AND RESOLUTIONS

11. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Section 7-700 (Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013(A). (Implementation ordinance for the Text Amendment approved by the City Council on January 25, 2014) [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 Exhibit No. 1 of Item No. 11; 2/22/14, 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 Exhibit No. 2 of Item No. 11; 2/22/14, and is incorporated as part of this record by reference.)

Ms. Anderson, Assistant City Attorney, noted that there was a typo in Section 7-701(a), and they will correct the word "sates" to "states."

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the ordinance for allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low and moderate income house. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4858

AN ORDINANCE to amend and reordain Section 7-700 (Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision

of low- and moderate-income housing) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013(A).

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0013(A), 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 7, 2014 of a text amendment to the Zoning Ordinance to amend the affordable housing bonus density program, which recommendation was approved by the City Council at public hearing on January 25, 2014

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 7-700 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline below:

Sec. 7-700 Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing.

7-701 Definitions.

For the purposes of this section 7-700, low- and moderate-income housing units shall be determined in accordance with regulations which are issued by the city manager and approved by the city council and which reflect the following guidelines.

(A)Low- and moderate-income rental units are rental units for which the combined cost of rent and utilities does not exceed 30 percent of the maximum income limits used by the United States Department of Housing and Urban Development for its section 8 and Housing Voucher programs, as adjusted for family size and corresponding number of bedrooms, and which are occupied by persons or households whose gross income does not exceed the limits applicable to the section 8 program.

(B)Low- and moderate-income sales units are units with sales prices for which a person or household whose gross annual income is at or below the median income for the Washington, D.C., Metropolitan Statistical Area, adjusted for family size, could qualify using the lending criteria applied by the Virginia Housing Development Authority in its single-family mortgage assistance program and which are occupied by persons or households whose gross annual income is at or below such median income level.

7-702 When increases and reductions may be allowed.

Increases in allowable floor area ratio, density and height and reductions in required off-street parking may be allowed for a building which contains one or more dwelling units or a project which includes one or more such buildings through a special use permit when:

(A)The applicant for the special use permit commits to providing low and moderate income sales or rental housing units in conjunction with the building or project which is the subject of the permit application in compliance with the following:

1.Number of units required: The number of units required shall be equivalent to at least one third (1/3) of the increase achieved by the bonus approved under this section 7-700. Equivalency can be established with a different number of units if the size (square footage or number of bedrooms) of the units provided achieves an equivalent contribution as determined by the Director of Housing and approved with this SUP.

2.Location of Units: The units may be provided within the building or project which is the subject of the permit application, or with the consent of the applicant and the Director of Housing and the Director of Planning and Zoning and approval of this Special Use Permit, the units may be provided:

i.at an off-site location provided that:

1. a specific plan for the off-site location is approved with this SUP;

2.the off-site location meets all zoning requirements to include the units;
and

3.the total contribution value of the off-site units is equivalent to the total contribution value of what would have been provided on site; or

ii.by a cash contribution to the City of Alexandria Housing Trust Fund in an amount equivalent to the value of the units that would have been provided on-site, or

iii.A combination of i and ii above if the total contribution is equal to the value of the units that would have been provided on site.

(B)The applicant for the special use permit agrees and provides sufficient assurance, by way of contract, deed or other recorded instrument acceptable to the city attorney, that the low-and/or moderate-income housing units to be provided will remain in these categories for the period of time specified in the special use permit.

(C)City council determines that the building or project which is subject to the special use permit, with the increase in allowable floor area ratio, density and height and the reduction in required off-street parking, meets the standards for the issuance of a special use permit set forth in section 11-500.

7-703Limits on increases which may be allowed.

(A)Floor area ratio and density may not be increased pursuant to this section 7-700 by more than 20 percent of the floor area ratio and density otherwise permitted by this ordinance, unless a greater percentage increase is specifically designated in a Small Area Plan chapter of the Master Plan. The increase permitted under this section 7-700 is exclusive of any other floor area ratio and density increases allowable under any other section of this ordinance.

(B)Height may not be increased pursuant to this section by more than 25 feet beyond the height otherwise permitted by this ordinance; provided, however, that no building located in any zone or height district where the maximum allowable height is 50 feet or less may be allowed to exceed such height limits.

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

Section 3. That Section 7-700, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

12. Public Hearing, Second Reading and Final Passage of an Ordinance of a Proposed Amendment to Title 5 (Transportation and Environmental Services), Chapter 8 (Parking and Traffic Regulation), and Title 10 (Motor Vehicles and Traffic), Chapter 4 (Stopping, Standing and Parking) of The Code of the City of Alexandria, Virginia, 1981, as amended. [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 Exhibit No. 1 of Item No. 12; 2/22/14, 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 Exhibit No. 2 of Item No. 12; 2/22/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the ordinance for parking and traffic regulations, motor vehicles and traffic, stopping, standing and parking of the Code of the City of Alexandria, Virginia. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4859

AN ORDINANCE to amend and reordain Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Chapter 8 (PARKING AND TRAFFIC REGULATION), and Title 10 (MOTOR VEHICLES AND TRAFFIC), Chapter 4 (STOPPING, STANDING AND PARKING) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 5, Chapter 8, Article F of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-74 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 5-8-74 - Parking permits; issuance.

Except as provided in subsection (6), the city manager shall, upon payment of the fee provided for by this article, issue permits to natural, but not corporate, persons who reside in a dwelling located within the boundaries of a permit parking district authorizing the parking of motor vehicles in such district for more than the consecutive hour limitation in effect in the district, as follows:

- (1) to persons who reside in a permit parking district or to persons who both reside in a dwelling located on a block adjacent to an existing permit parking district where parking on said block is controlled by time limits set by official signs or metered parking and lack adequate alternative nearby parking facilities available to them, as determined by the city manager or the manager's designee:
 - (a) one permit for each vehicle belonging to such persons for which the persons have paid all personal property taxes imposed thereon by the city and which displays a valid license windshield tag issued pursuant to the provisions of [section 3-2-321](#), et seq. of this code. Such permits shall be valid from July 1 or, if later, the date of issuance through November 15 of the following year. Applicants for permits issued pursuant to this subsection shall provide proof of residence and, for each vehicle for which a permit is sought, a motor vehicle registration card issued by the division of motor vehicles and proof of payment of all personal property taxes and license taxes imposed thereon by the city; and
 - (b) one permit per residence for a health care provider providing health care services at the residence. Permits issued under this paragraph (b) are not vehicle specific and may be transferred to different vehicles, but the use of such permits other than by persons providing health care services at the residence or other than during such times as they are providing health care services at the residence (or are in the immediate process of coming or going from the residence in connection with providing health care services at the residence) is prohibited. Such permits shall be valid for up to one year and will expire on October 5, annually. Applicants for permits issued pursuant to this paragraph (b) shall provide proof of residence, a notarized certification that a permanent resident is receiving health care services at the residence, and a written statement from a licensed medical professional that a permanent resident is receiving health care services at the residence. ~~The provisions of this paragraph (b) shall expire on June 30, 2006, and no permit issued hereunder shall be valid after such date.~~

For permits issued to a person or renewed pursuant to paragraph (a) of this subsection, there shall be imposed a fee of \$30 for the first vehicle, \$40 for the second vehicle, and \$100 for each additional vehicle. Any person who has been

issued a permit for a vehicle pursuant to paragraph (a) of this subsection may obtain a replacement permit for use on another vehicle registered in such person's name, upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of \$1. For permits issued to a person or renewed pursuant to paragraph (b) of this subsection, there shall be imposed a fee of \$50 per permit.

[Intervening portions of Section 5-8-74 are unchanged.]

- (4)to persons doing business with a resident or a nonresident property owner of a property located within a permit parking district on the application of the resident or nonresident property owner, one permit for the vehicle used while doing business in the permit parking district; provided, that such permits may be issued to no more than three persons doing business at the same residence at the same time. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the resident or nonresident property owner to be required for completing the business transaction for which the permit is sought, and in no event shall any permit be valid for more than 30 days.

[Remaining portions of Section 5-8-74 are unchanged.]

[Remainder of page intentionally left blank.]

Section 2. That Title 5, Chapter 8, Article G, Division 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-92(c) to read as follows:

Sec. 5-8-92 Parking meter zones established.

[Intervening portions of Section 5-8-92 are unchanged.]

- (c)The following described parts of the streets of the city are hereby established as parking meter zone 3:

[Intervening portions of Section 5-8-92 are unchanged.]

(5)both sides of the ~~4700, 1800, and 1900~~ and 2000 blocks of Ballenger Avenue.

(6)both sides of the ~~4700~~ 1800 block of Emerson Avenue.

[The remaining portions of Section 5-8-92 remain unchanged.]

Section 3. That Title 5, Chapter 8, Article G, Division 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Sections 5-8-93, -96 and -97 to read as follows:

Sec. 5-8-93 Parking meters; hours and days of operation; maximum time limits; rates.

[The intervening portions of Section 5-8-93 are unchanged.]

(c) In all parking meter zones, the rate shall be \$1.25 per hour at those meters that are coin only operated until such time as multi-space meters or single space meters that accept credit or debit cards are installed. In all parking meter zones, the rate shall be \$1.75 per hour at those spaces served by multi-space meters installed before November 13, 2010. Thereafter, when multi-space meters or single space meters that accept credit or debit cards are installed elsewhere in all parking meters zones, the rate will increase to \$1.75 per hour at those spaces. In all parking meter zones, the applicable rate shall be payable in such increments as provided at the applicable meter or pay station. The rates set forth above do not include any convenience fee that may be charged by the service provider in the event the City implements a "pay by phone" or other technology-based parking payment option.

[The remaining portions of Section 5-8-93 are unchanged.]

Sec. 5-8-96 How meters to be installed; operation generally.

[Intervening portions of Section 5-8-96 remain unchanged.]

(e) In the event the City implements a "pay by phone" or other technology-based parking payment option, each parking meter shall also display instructions setting forth the means through which a customer may pay the meter charge through such system.

Sec. 5-8-97 How parking pay stations to be installed; operation generally.

[Intervening portions of Section 5-8-97 remain unchanged.]

(e) In the event the City implements a "pay by phone" or other technology-based parking payment option, each parking station shall also display instructions setting forth the means through which a customer may pay the meter charge through such system.

Section 4. That Title 10, Chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 10-4-25 to read as follows:

Sec. 10-4-25 Permitting vehicle to remain parked at meter after expiration of time limit; permitting vehicle to remain parked in block with pay station after expiration of time limit.

[Intervening portions of Section 10-4-25 remain unchanged.]

(c) It shall be unlawful for any person to permit a vehicle to remain or be placed in any parking space with a meter or in the same block as any pay station where the payment has been made through a "pay by phone" or other technology-based parking payment system beyond the time for which authorized payment has been made.

Section 5. That Title 10, Chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the deletion of Section 10-4-32 in its entirety, as follows:

Sec. 10-4-32 ~~Tourist parking permits.~~ Reserved.

- ~~(a) Notwithstanding the provisions of this chapter, the owner or operator of a vehicle upon which a valid tourist permit is displayed shall be exempt from the requirements of sections 10-4-22 through 10-4-25 for the period of time stated on the permit.~~
- ~~(b) No tourist permit shall be issued or be deemed valid unless it complies with and conforms to the following:~~
- ~~(1) the permit shall bear the facsimile signature of the mayor and the manual signature of a person duly authorized by the city manager to issue the permit.~~
 - ~~(2) the time during which the owner or operators are entitled to the exemption shall be stated on the permit.~~
 - ~~(3) the exemption time stated shall not exceed 24 hours.~~
 - ~~(4) the vehicle and the owner or operator which are exempt shall be named on the permit.~~
 - ~~(5) the license tag number of the vehicle and the state issuing the tag shall be stated on the permit.~~
 - ~~(6) no permit shall cover more than one vehicle.~~
 - ~~(7) no permit shall be transferable.~~
 - ~~(8) no permit shall cover any owner, operator or vehicle other than those named on the permit.~~
 - ~~(9) no permit shall cover an owner or operator who resides within the city.~~
- ~~(c) No charge shall be made for the issuance of a permit.~~
- ~~(d) The city manager is authorized and directed to properly promulgate and establish regulations necessary to issue tourists permits and carry into effect the provisions of this section.~~

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the public hearing meeting of February 22, 2014, at 12:07 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council