

**City of Alexandria  
Meeting Minutes  
Saturday, January 24, 2015  
9:30 A.M.  
Council Chambers**

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

Absent: None.

Also Present: Mr. Jinks, Acting City Manager; Mr. Banks, City Attorney; Ms. Anderson, Assistant City Attorney; Police Captain Wemple; Ms. Baker, Acting Deputy City Manager; Mr. Lambert, Acting Director, Transportation and Environmental Services; Mr. Garbacz, Transportation and Environmental Services; Mr. Mallamo, Director, Office of Historic Alexandria; Ms. Bromberg, Office of Historic Alexandria; Ms. McIlvaine, Acting Director, Office of Housing; Mr. Moritz, Acting Director, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. Horowitz, Planning and Zoning; Mr. Dambach, Planning and Zoning; Mr. Price, Planning and Zoning; Ms. Escher, Planning and Zoning; Mr. Kearns, Planning and Zoning; Ms. Toyama, Planning and Zoning; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Ruggiero, Recreation, Parks and Cultural Activities; Ms. Taylor, Acting Director, Office of Finance; 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.**

Mayor Euille called the meeting to order. All members of Council were present.

**2. Public Discussion Period.**

1. Susan Newell, 101 W. Linden Street, chair, Alexandria Social Services Advisory Board, spoke about the well-being of all Alexandria, helping one another and themselves along the way. She said the players are the Social Services Advisory Board, the Federal Government, the Virginia Department of Social Services, the Mayor and City Council, Department of Community and Human Services, the administration staff and clients of DCHS, residents, boards and commissions, and businesses. She said who they are becomes more clear when examined in the larger context. Ms. Newell said they are tasked with all matters pertaining to the social welfare of Alexandrians and acting as the public welfare social advisory board, and their collective purpose can be summarized as advancing the well-being of all Alexandrians.

2. Charles Ziegler, 30 N. Langley Street, vice president for advocacy, Friends of the Beatley Central Library, spoke about the one percent of the budget that is spent on the public library system and it is a wise investment to fund fully the library budget this fiscal year. He said the library supports English language learners by offering free English courses every week, offers hundreds of programs for children to support early literacy and school readiness, providing individual research assistants, meeting room space and technology access to small business owners, providing assistance to job seekers by providing assistance with writing resumes and cover letters and free computers and wireless services. He said that in FY2015, over 1.3 million items were borrowed from the library and there were over 1 million visits to the library and virtual library, and almost 50,000 people attended library programs. He said the Friends of the Beatley Central Library provides support for the library. Mr. Ziegler thanked Council for its past support of the libraries and hoped support would be forthcoming in the 2016 budget.

3. Nancy Blanton, 2181 Jamieson Avenue, said she is a Friend of the Beatley Central Library and she spoke in support of funds for the Alexandria Public Library, noting many examples of return on investment, including bringing children to the library to introduce them to books, participating in story times, provides opportunities for adult learners to further their education in different ways, for English language learners, technology and databases, research assistance and workshops on many things. Ms. Blanton said the libraries provide tremendous support for academic achievement and this is the kind of return on investment they should be seeking.

4. Bert Ely, 200 S. Pitt Street, spoke about the pending proposal to mitigate flood damage along the Alexandria waterfront, and noted that it is important to do flood mitigation properly and in a cost-effective manner. He said the flood mitigation plan currently on the table will create the worst of all worlds - it will be costly, ineffective and will cause more damage than if the City did nothing. He submitted an analysis of the City's pending flood mitigation plan, which is based on the 2010 flood mitigation study. He said a better, more cost-effective way to mitigate flooding along the waterfront is by constructing a lower four-foot elevation gravity based system that will not be subject to federal regulation. Mr. Ely said the estimated cost of the project exceeds any benefit the six-foot elevation mitigation plan might deliver, and it is not too late to go back to the drawing board and is essential that the City do so. He said City Council must demand the preparation of a new cost benefit analysis that contrasts a four-foot gravity system against a six-foot pumping based system and should be conducted by a third party organization without previous ties to the City.

Mayor Euille asked staff to report back to Council at the legislative meeting on February 10, so it can have more conversation about the issue.

Mr. Jinks, Acting City Manager, said staff will be prepared to speak to this on January 27.

5. Dino Drudi, 315 N. West Street, said Council has to be careful that they don't set up something that ends up being the butt of jokes and studied in law, engineering and architecture books as a textbook example of a really big screw up, as happened with Montgomery County's Silver Spring transit center. Mr. Drudi said that some months ago, he encouraged Council for the metro station development to look at option B alternative of moving the railroad track. He asked Council if it has any plans to take park land to put the metro station in the option B location.

Mayor Euille noted that they are considering the options.

Mr. Jinks, Acting City Manager, noted that all the alternatives will be covered in the draft environmental impact statement process.

6. Paul Alfieri, 614 Melrose Street, spoke in opposition to rezoning the Woodbine Convalesce Center, which is currently zoned for residential and for which there is a proposal to rezone it to a bigger and high density commercial building. He said it will be detrimental to the neighborhood if that happens.

7. Jim Kapsis, 24 E. Windsor Avenue, chair of the Environmental Policy Commission, spoke of the long-range planning work program, noting that the Commission has a strong concern with two of the recommendations. One is to think about how it updates the green building policy, which is five years old, as well as the environmental action plan. The recommendation of staff to Council on Tuesday's docket puts green building policies update into FY2018 and on the environmental action plan, it pushes it into FY2017. He said they are already behind in updating these policies, and the Commissioners are working to update these now and if there isn't support in the work plan, it is unclear how they can move forward. Mr. Kapsis asked Council to strongly consider pushing both the green building policy review and the environmental action plan review into FY2016.

Mayor Euille noted that he would provide an opportunity for the EPC to be part of the dialogue at Tuesday's meeting.

8. Joe Valenti, 1200 Braddock Place, spoke about his attendance at two public forums, one on criminal justice and community partnerships and the second on an Arlandria community forum. Mr. Valenti said the Arlandria forum was overflowing and was designed to draw out the community and was an example of the City coming into the community and doing culturally relevant and competent outreach and making sure that major issues that affect City residents are taken to venues where individuals are comfortable in their own communities. He said he wants to make sure there is an effort made to bring in as many voices as possible when looking at community forums. Mr. Valenti said on the affordable housing proposal on the docket today, he asked Council to maintain a commitment to housing that goes beyond individual projects and make sure that housing as a priority continues as it looks to the difficult budget situation.

9. Bradley Sampson, 1218 Wilkes Street, said he is the contact person for Narcotics Anonymous, and the meetings at the Lee Center and their room request application was reviewed and due to changes in policy, there is now an hourly fee requirement for use, and their group has met at the Lee Center since 1988 and 1993. He said they are a non-profit organization, and the function is to provide a suitable and reliable environment for recovery, and maintaining the same location weekly has enabled them to share the message so that those who might benefit from the program can find them. Mr. Sampson asked that their organization be grandfathered into free use of space.

Mr. Spengler, Director, Recreation, Parks and Cultural Activities, responded to questions of City Council regarding the policy that was put in place in October 2013. He said that in this particular case, they have reached out to DCHS to see if this can be identified as an affiliate program of DCHS and they expect a positive response so that it will qualify as a no

charge use. If that doesn't work, they would work to develop a memo of agreement that would spell out services so they could use the facility at no cost.

10. Brett Egusa, 612 Melrose Street, spoke about the Woodbine Convalesce Center, and said it is a dispute about whether a developer can develop an adjacent triangular piece of property next to the existing Woodbine property into a for-profit commercial assisted living enter. He asked Council to consider if there is an actual need in the City for the assisted living in the City, and if there is a need, why is that need necessary to go about changing the zoning for the parcel of land.

11. Bill Goff, 1313 Bishop Lane, said that in 2005, the City did a report on an All City Sports Facility, that would include recreational and high school sports. He said he understands the City will be given a free field with lights and turf, located in the Eisenhower Avenue area. Mr. Goff said it would be a great all sports facility for recreation and high school sports, and he recommended that Council consider the site.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR (3-7)**

#### **Planning Commission**

**3. Development Site Plan #2014-0024**

Special Use Permit #2014-0088

5055 Seminary Road - Southern Towers Clubhouse

Public Hearing and Consideration of requests for: a) development site plan, with modifications, to construct a clubhouse building and b) a special use permit to operate a day care center; zoned RC/High Density Apartment. Applicant: Southern Towers LLC represented by Kenneth Wire, attorney [This case was deferred at the December 2, 2014 Planning Commission hearing.]

Planning Commission Action: Approved Development Site Plan 7-0; Recommend Approval of Special Use Permit 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 1/24/15, and is incorporated as part of this record by reference.)

**4. Special Use Permit #2014-0108**

1001 King Street - Blüprint Chocolatiers

Public Hearing and Consideration of a request to operate a restaurant; zoned KR/King Street Urban Retail Zone. Applicant: Teaspoon LLC represented by Kim Gustafson

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 1/24/15, and is incorporated as part of this record by reference.)

**5. Special Use Permit #2014-0109**

1940 Duke Street - Panera Bread

Public Hearing and Consideration of a request to amend Special Use Permit #2014-0081 to

increase permitted number of delivery vehicles; zoned CDD #1/Coordinated Development District 1. Applicant: Panera, LLC represented by Duncan Blair, attorney  
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 1/24/15, and is incorporated as part of this record by reference.)

**6.** Special Use Permit #2014-0112  
3131 Colvin Street (Parcel Address: 3148 Duke Street) and 3120 Colvin Street - Total Package Auto  
Public Hearing and Consideration of a request to operate an automobile sales business; zoned CG/Commercial General and I/Industrial. Applicant: Total Package Auto LLC represented by Ryan Alexander  
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 1/24/15, and is incorporated as part of this record by reference.)

**7.** Vacation #2014-0005  
2500 Sanford Street  
Public Hearing and Consideration of a request for a vacation of public right-of-way; zoned R-8/Residential Single-Family. Applicant: Joe Salama  
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 1/24/15, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the consent calendar, with the removal of item #3, which was considered under separate motion, as follows:

4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.

7. City Council approved the Planning Commission recommendation. (The viewers for this property designated by Mayor Euille are Michael Porterfield (chair), Joseph LaMountain and Benjamin Klein.)

**3.** Development Site Plan #2014-0024  
Special Use Permit #2014-0088  
5055 Seminary Road - Southern Towers Clubhouse  
Public Hearing and Consideration of requests for: a) development site plan, with modifications,

to construct a clubhouse building and b) a special use permit to operate a day care center; zoned RC/High Density Apartment. Applicant: Southern Towers LLC represented by Kenneth Wire, attorney [This case was deferred at the December 2, 2014 Planning Commission hearing.]

Planning Commission Action: Approved Development Site Plan 7-0; Recommend Approval of Special Use Permit 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 1/24/15, and is incorporated as part of this record by reference.)

In response to questions from City Council, Mr. Kearns, Planning and Zoning, spoke to the route for the future BRT Station and noted that positioning the front doors, the plaza and signage was all placed with the BRT Station in mind.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council 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.

## **OTHER**

### **8. Public Hearing and Consideration of the Fort Ward Park and Museum Area Management Plan.**

(A copy of the City Manager's memorandum dated January 14, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 1/24/15, and is incorporated as part of this record by reference.)

Mr. Spengler, Director, Recreation, Parks and Cultural Activities, made a presentation of the staff report and he, along with Mr. Mallamo, Director, Office of Historic Alexandria, Mr. Lambert, Acting Director, Transportation and Environmental Services, and Ms. Bromberg, City Archeologist, Office of Historic Alexandria, responded to questions of City Council.

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

1. Dave Cavanaugh, 4008 Fort Ward Avenue, spoke in support of the plan.
2. Janice Magnuson, 905 Peele Place, said she was a member of the Fort Ward Advisory Group and she spoke in support of the plan.
3. Adrienne Terrell Washington, 3413 Woods Avenue, Director, Fort Ward and Seminary African American Descendants Society, spoke in opposition to the plan.
4. Frances Terrell, 1005 N. Quaker Lane, president, Seminary Civic Association, spoke in opposition to the plan.
5. Lena Rainey, 3404 S. Pollard Street, Arlington, trustee, Oakland Baptist Church, spoke in opposition to the plan.

6. Joseph Glenn Eugster, 4022 Ellicott Street, spoke about deferring the plan to allow for revisions.

7. Brenda M. Adams, 6221 Split Creek Lane, spoke in opposition to the plan.

8. Carol Johnson, 1027 N. Quaker Lane, Fort Ward-Seminary African American Descendants Society, spoke about making changes and modifications to the plan.

9. Bill Hendrickson, 304 E. Spring Street, chair, Historic Alexandria Resources Commission, spoke in support of the plan.

**WHEREUPON**, upon motion by Councilmember Lovain and seconded by Councilman Chapman, City Council closed the public hearing. 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.

Questions from City Council about the plan were answered by Mr. Mallamo, Mr. Spengler, Ms. Bromberg and Mr. Lambert.

Councilman Wilson asked that staff be directed to look at all the groups that are there and have been created and reconcile that and have some analysis done. He asked to look organizationally at how to better align it so there is a single group of people or organization that is responsible for everything that goes on in the park.

**WHEREUPON**, a motion was made by Councilman Chapman and seconded by Councilmember Lovain, to indicate to the City Manager that the Department of Recreation, Parks and Cultural Activities, Office of Historic Alexandria, and the Department of Transportation and Environmental Services should proceed to implement the Fort Ward Park and Museum Area Management Plan as outlined in the staff memorandum; the City Manager will come back with a separate proposal for an additional implementation monitoring group and set the date for a work session and scope of that work session; an amendment on #3 on the notification procedures for ground disturbance that it be 10 days, unless an emergency exists for health and safety, which in that case it would remain at 7 days.

Vice Mayor Silberberg asked for an amendment to add beginning language to state: "The City of Alexandria affirms that significant parts of Fort Ward Park are hallowed ground."

After discussion, the amendment was acceptable to the maker of the motion and becomes part of the motion. The motion reads as follows:

Indicate to the City Manager that the Department of Recreation, Parks and Cultural Activities, Office of Historic Alexandria, and the Department of Transportation and Environmental Services should proceed to implement the Fort Ward Park and Museum Area Management Plan as outlined in the staff memorandum; the City Manager will come back with a separate proposal for an additional implementation monitoring group and set the date for a work session and scope of that work session; an amendment on #3 on the notification procedures for ground disturbance that it be 10 days, unless an emergency exists for health and safety, which in that case it would remain at 7 days; and an amendment to add beginning language to state: "The City of Alexandria affirms that significant parts of Fort Ward Park are hallowed ground."

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.

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At 12:37, City Council took a 20 minute break.

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## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

9. Master Plan Amendment #2014-0008; Rezoning #2014-0008; Development Special Use Permit #2014-0003; Transportation Management Plan SUP 2014-0096; Vacation #2014-0003

5000 and 5001 Echols Avenue - The Fillmore

Public Hearing and Consideration of requests for: (A) an amendment to the Alexandria West Small Area Plan chapter of the Master Plan to amend the height map from 35 feet and 45 feet to 70 feet on the site area, and the proposed land use map from Institutional to Commercial Residential Mixed Use-Medium (CRMU-M) on the site area; (B) an amendment to the official zoning map to change the zone from R-12 to CRMU-M; (C) a development special use permit and site plan to construct two multi-family residential buildings including special use permits for an increase in Floor Area Ratio (FAR) and a parking reduction; (D) a special use permit for a Transportation Management Plan; and (E) to vacate a portion of public right of way; zoned R-12 /Residential Single-Family. Applicant: AHC Inc., represented by Duncan Blair, attorney  
Planning Commission Action: Adopt Resolution and Recommend Approval of Master Plan Amendment 7-0; Recommend Approval of Rezoning 7-0; Recommend Approval of Development Special Use Permit 7-0; Recommend Approval of Transportation Management Plan SUP 7-0; and Recommend Approval of Vacation 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 1/24/15, and is incorporated as part of this record by reference.)

Mr. Price, Planning and Zoning, and Ms. McIlvaine, Acting Director, Office of Housing, made a presentation of the staff report and they, along with Mr. Mortiz, Acting Director, Planning and Zoning, Mr. Kearns, Planning and Zoning, and Ms. Escher, Planning and Zoning, responded to questions of City Council.

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

1. Duncan Blair, 524 King Street, attorney for the applicant, spoke in support of the request and responded to questions of Council regarding the swimming pool, which was limited to the market rate units.

2. Pete Benavage, 5066 Fairbanks Avenue, spoke in support of the request and spoke of the plan to connect Echols with Fillmore and Echols to the new Fairbanks Avenue.

3. Annabelle Fisher, 5001 Seminary Road, spoke about her concerns with the project and asked that they clarify the term affordable housing and said Council should not give a loan to another housing group.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, a motion was made by Councilman Wilson and seconded by Councilwoman Pepper, that City Council approve the Planning Commission recommendation, with an amendment requesting that staff and the applicant work to try and be responsive to the concerns about the pool being a shared resource between the two buildings and come back to Council to work through that with an informational report as to what the result would be.

**WHEREUPON**, a substitute motion was made by Vice Mayor Silberberg and seconded by Councilman Chapman, to defer this to February 10, 2015, and which failed by a vote of 2-5, as follows: In favor, Vice Mayor Silberberg and Councilman Chapman; Opposed, Mayor Euille, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson.

The voting on the motion to approve the Planning Commission recommendation carried by a vote of 5-0-2, was as follows: In favor, Mayor Euille, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none; Abstained, Vice Mayor Silberberg and Councilman Chapman.

(The viewers for this vacation designated by Mayor Euille are: Dak Hardwick (chair), Jim McIntyre and Ann Tucker.)

**10.** Consideration of a Loan to AHC for a Proposed Affordable Housing Development Project Near Beauregard and the Designation of the Project Site as a Revitalization Area. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 14, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 1/24/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 6-0-1 by roll-call vote, City Council: (a) approved a total loan of up to \$5,700,000 from the Housing Opportunities Fund and other affordable housing fund sources to AHC for the development of 93 new units of affordable housing; (b) adopted the resolution designating the project site as a revitalization area; and (c) authorized the City Manager to execute all appropriate documents. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none; Abstained, Councilman Chapman.

The resolution reads as follows:

## RESOLUTION NO. 2661

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, desire to designate the Site which will include the proposed St. James Plaza as the area (the "Area") described on Exhibit A attached hereto, as a revitalization area;

WHEREAS, the proposed redevelopment Area is planned to include affordable rental housing and an early childhood education center, as well as a separate market rate condominium building;

WHEREAS, planned redevelopment in this section of the City, which is immediately adjacent to the Beauregard Plan Area (Beauregard) is likely to drive the price of new rental and ownership housing to unaffordable levels;

WHEREAS, the affordable housing development proposed in this Area would not be economically feasible without the provision of federal low income housing tax credits and City loan funds 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 whose tenancy and local employment is essential to the Area's future economic development and sustainability, as well as to the City's strategic plan goal of maintaining neighborhoods that are diverse and inclusive;

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

(1) the industrial, commercial or other economic development of the Area will benefit the City but the Area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in the Area, 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 will induce other persons and families to live within the Area and thereby create a desirable economic mix of residents in the Area.

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.

### **11. Text Amendment #2014-0008**

Rezoning #2014-0007

CDD Concept Plan #2014-0003

Development Special Use Permit #2014-0012

4800 Fillmore Avenue - Goodwin House

Public Hearing and Consideration of requests for: a) a text amendment to the Zoning Ordinance to amend the provisions of Section 5-600 to establish a new Coordinated Development District Zone; b) an amendment to the official zoning map to change the zone

from RC/High-Density Apartment and RA/Multifamily to Coordinated Development District #23; c) a special use permit for a CDD conceptual design plan; and d) a development special use permit with site plan to construct a home for the elderly; zoned RC/High-Density Apartment and RA/Multifamily. Applicant: Goodwin House Inc., represented by M. Catharine Puskar, attorney

Planning Commission Action: Initiate and Recommend Approval of Text Amendment 7-0; Recommend Approval of Rezoning 7-0; Recommend Approval of CDD Concept Plan 7-0; and Recommend Approval of Development Special Use Permit 7-0

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 1/24/15, and is incorporated as part of this record by reference.)

Ms. Escher, 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. M. Catharine Puskar, 2200 Clarendon Blvd, attorney for the applicant, spoke in support of the request.
2. Kathleen Anderson, 611 N. St. Asaph Street, CEO of Goodwin House, spoke in support of the request.
3. Fitz Woodrow, 4800 Fillmore Avenue, a resident of Goodwin House, spoke in support of the request.
4. Rosemari Sullivan, 402 Virginia Avenue, spoke in support of the request.
5. Sarah Brady, 54800 Fillmore Avenue, a resident of Goodwin House, spoke in support of the request.
6. Pete Benavage, 5066 Fairbanks Avenue, chairman, BDAC, spoke in support of the request.

**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.

**12. Special Use Permit #2014-0111**

1117 Roan Lane

Public Hearing and Consideration of a request to construct new single-family dwelling on a substandard lot; zoned R-12/Residential Single-Family. Applicant: Classic Cottages LLC represented by Duncan Blair, attorney

Planning Commission Action: Recommend Approval 6-1

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 1/24/15, and is

incorporated as part of this record by reference.)

Ms. Toyama, Planning and Zoning, made a presentation of the staff report.

**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. 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.

**13. Subdivision #2014-0013**

200 & 212 Lloyd's Lane

Public Hearing on an Appeal of the Planning Commission Denial of a Preliminary Plat for Subdivision #2014-0013 at 200 and 212 Lloyd's Lane requesting to subdivide two existing lots into three new lots. Appellant: David M. Phillips, Jr. and Nancy E. Phillips represented by Duncan Blair, attorney

Planning Commission Action: Denied 6-1

(A copy of the Planning Commission report dated January 24, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 1/24/15, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the staff report and he responded to questions of City Council.

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

1. Duncan Blair, 524 King Street, attorney for the appellant, spoke in support and submitted documents in support of the appeal.
2. Kathy Cassel, 1804 Russell Road, spoke in opposition to the appeal.
3. David Phillips, 206 Lloyds Lane, owner of the property, spoke in support of the appeal.
4. Brian Thomas, 2208 Russell Road, spoke in support of the appeal.
5. Dave Brown, 503 Woodland Terrace, member of the Planning Commission, spoke of the Planning Commission's decision and consideration of the subdivision.

Mr. Randall, along with Mr. Dambach, Planning and Zoning, and Mr. Banks, City Attorney, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried 6-0-1, City Council closed the public hearing and accepted the Planning Commission recommendation to deny the subdivision based on the dominant lot characteristic rationale put forth by staff and reaffirmed by the Planning Commission. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none; Abstained, Councilman Wilson.

## ORDINANCES AND RESOLUTIONS

**14.** Public Hearing, Second Reading and Final Passage of an Ordinance to Revise the Alexandria Commission for the Arts as Outlined in the Public Art Policy and the Public Art Implementation Plan. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 9, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 1/24/15, 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 Exhibit No. 2 of Item No. 14; 1/24/15, 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. 3 of Item No. 14; 1/24/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to revise the Alexandria Commission for the Arts as outlined in the Public Art Policy and the Public Art Implementation Plan. 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. 4920

AN ORDINANCE to amend and reordain Article K (ALEXANDRIA COMMISSION FOR THE ARTS), Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS), of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article K, Chapter 4, all of Title 2 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 2-4-90 and 2-4-91, to read as follows.

Sec. 2-4-90 Creation, composition and organization.

- (a) There is hereby established a standing commission known as the Alexandria Commission for the Arts.
- (b) The commission shall consist of 16 members to be appointed by the City Council. The composition of the commission shall be as follows:

- ~~(1) five members shall have expertise in the arts, either as practitioners of various art disciplines or as professional administrators working in the field;~~
- ~~(1) four member shall have expertise in the arts, including, but not limited to, arts educators, professional practitioners of various art disciplines and professional administrators working in the arts;~~
  - ~~(2) three members shall have specific expertise in visual arts either as professional practitioners of visual art, curators of visual art, or as professional arts administrators currently working in the field;~~
  - ~~(3) five three members shall represent the public at large, as arts consumers and or participants;~~
  - ~~(4) five three members shall represent be professionals in fields relevant arts, educational or business expertise relative to arts and cultural development, including such perspectives cultural planning, marketing, finance, funding, tourism, promotion, and non profit organizational development, and real estate development;~~
  - ~~(5) two members shall be professionals in the field related to the visual appearance of the cityscape, such as architecture, environmental design, landscape architecture or urban design; and~~
  - ~~(6) one member shall be a student who resides in the City and attends a high school located in the City of Alexandria.~~
- (c) Members of the commission shall be appointed in the manner prescribed by article A of this chapter. The members shall serve for a term of three years, except in the case of an appointment to fill the unexpired portion of a term.

Sec. 2-4-91 Function; powers; duties.

- (a) The functions of the Commission shall be as follows:

- ~~(1) to support the development and expansion of the arts and the expansion of public access to and participation in the arts, in Alexandria;~~
  - ~~(2) to serve as an advisory body for the arts in Alexandria;~~
  - ~~(3) to advise the city council concerning appropriate policies that will strengthen the arts and further public access to the arts in Alexandria;~~
  - ~~(4) to serve as the single funding source for all activities concerning arts which are not conducted as part of the regularly scheduled city program, including:
    - ~~(a) the establishment and periodic review of criteria and standards for grant applications for city funds and accountability for the use of such funds, and~~
    - ~~(b) the allocation to particular arts activities from such funds as may be appropriated from time to time by the city council for such purpose;~~~~
  - ~~(5) to seek national, state and private support on behalf of the arts in Alexandria, and~~
  - ~~(6) to prepare and submit to city council a cultural plan for the City of Alexandria and revisions thereto.~~
- (1) to advise City Council with regard to policies that will strengthen the arts and further public access to the arts and cultural matters identified by the City Council;

- (2) to establish and periodically review criteria and standards for arts grant applications for City funds and accountability for the use of such funds; the allocation from such funds to eligible organizations and activities as may be appropriated by the City Council for such purpose;
- (3) to review the public art annual work plan as developed by the Office of the Arts and a work plan task force and make recommendations to the City Council as part of the budget process;
- (4) to review and approve public art project plans for specific public art projects, and to review and approve artist selection and concept development;
- (5) to create committees and task forces, as necessary, to focus on public art project development and artist selection;
- (6) to review proposals for donations of public art and commemorative art and make recommendations to the City Council;
- (7) to collaborate with the Office of the Arts on public art project evaluations; and
- (8) to support public communication and outreach as related to the arts and;
- (9) to serve as citizen liasons to City planning initiatives when public art is involved.

(b) The commission is empowered to adopt rules and regulations in regard to procedure and other matters so long as the same are not inconsistent with the city code, including, but not limited to, the establishment of committees, through w to carry on its functions and purpose.

(c) A commission chair, vice-chair and secretary shall be elected annually by the commission members at the organization meeting designated in the commission's bylaws.

~~(d) The commission shall hold at least 10 regular meetings each year, and as many special meetings as the commission may deem advisable.~~

Section 2. That this ordinance shall become effective upon passage.

**15.** Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2015. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 22, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 1/24/15, 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 Exhibit No. 2 of Item No. 15; 1/24/15, 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. 3 of Item No. 15; 1/24/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the ordinance to make supplemental appropriations for the support of the City government for fiscal year 2015. 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. 4921

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2015.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2014, but which are payable in Fiscal Year 2015, and for which amounts were appropriated but not expended in Fiscal Year 2014 and further that the council does hereby allot the amounts so appropriated to the several city departments for Fiscal Year 2015, as follows:

#### EQUIPMENT REPLACEMENT RESERVE FUND

Transportation and Environmental Services	786,500
Fire	270,000
Management and Budget	8,288
Total Equipment Replacement Reserve Fund	<u>\$1,064,788</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2015 the source of such amount being General Fund Revenues for which the proceeds were received after July 1, 2014 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2015, as follows:

#### GENERAL FUND

##### ESTIMATED REVENUE:

General Fund Revenues	<u>\$ 5,319,500</u>
Total Estimate Revenues	<u>\$ 5,319,500</u>

#### GENERAL FUND

##### APPROPRIATION:

Non-Department	\$ 5,230,000
Alexandria Health Department	<u>\$ 89,500</u>
Total Appropriation	<u>\$ 5,319,500</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2015 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2014 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2015, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

General Services	\$94,249
Fire	380,200
Police	<u>982,720</u>
Total Estimated Revenue	<u>\$1,457,169</u>

SPECIAL REVENUE FUND

APPROPRIATION:

General Services	\$94,249
Fire	380,200
Police	<u>982,720</u>
Total Estimated Revenue	<u>\$1,457,169</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2015 the source of such amount being the residual balances accumulated as of June 30, 2014, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2015, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Planning and Zoning	206,526
Recreation	<u>234,296</u>
Total Estimated Revenue	<u>\$440,822</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Planning and Zoning	206,526
Recreation	<u>234,296</u>
Total Appropriation	<u>\$440,822</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2015, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2015, as follows:

#### CAPITAL PROJECTS

##### ESTIMATED REVENUE:

Capital Projects	<u>\$5,435,048</u>
Total Estimated Revenue	<u>\$5,435,048</u>

##### APPROPRIATION:

Capital Projects	<u>\$5,435,048</u>
Total Appropriation	<u>\$5,435,048</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2015, the source of such amount being Committed General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

#### GENERAL FUND

##### ESTIMATED REVENUE:

Committed General Fund Balance	<u>\$175,500</u>
Total Estimated Revenue	<u>\$175,500</u>

##### APPROPRIATION:

Planning and Zoning	39,500
Non-Departmental	<u>136,000</u>
Total Appropriation	<u>\$175,500</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

#### DASH FUND

##### REVENUE:

Special Revenue – Grant Proceeds	<u>\$222,000</u>
Total Revenue	<u>\$222,000</u>

##### APPROPRIATION:

Alexandria Transit Company – Component Unit	<u>\$222,000</u>
Total Appropriation	<u>\$222,000</u>

Section 8. That this ordinance shall be effective upon the date and at the time of its final passage.

**16.** Public Hearing, Second Reading and Final Passage of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles for Hire) of the Code of the City of Alexandria, Virginia, 1981. [ROLL-CALL VOTE]

(A copy of the City Manager’s memorandum dated January 7, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 1/24/15, 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 Exhibit No. 2 of Item No. 16; 1/24/15, 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. 3 of Item No. 16; 1/24/15, and is incorporated as part of this record by reference.)

Mr. Lambert, Acting Director, Transportation and Environmental Services, submitted to Council a technical correction to the ordinance, as the text change to Section 9-12-81 was inadvertently omitted from the original ordinance, so it is being resubmitted and is an administrative change and follows the intent of the original ordinance. Mr. Lambert and Mr. Garbacz, Transportation and Environmental Services, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried unanimously by roll-call vote, City Council adopted the ordinance to amend Title 9 (licensing and regulation), Chapter 12 (taxicabs and other vehicles for hire) of the Code of the City of Alexandria, Virginia, 1981, with the amended language as submitted by City staff to make a technical correction to the language. 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. 4922

AN ORDINANCE to amend and reordain Title 9 (LICENSING AND REGULATION), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9, Chapter 12 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 9-12-32(b) and the addition of subsections (q) and (r) to Section 9-12-57, to read as follows:

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

Sec. 9-12-32 - Requirements for certificate holders.

Each certificate holder shall:

(a) Provide 24-hour service;

(b) Provide ~~a radio~~ dispatch service located within the boundaries of the city that meets the following:

(Subsequent sections of the ordinance remain unchanged.)

Sec. 9-12-57 - Service requirements.

The following are minimum service requirements that must be met by all drivers holding a driver's permit issued under this division:

(Intervening sections of the ordinance remain unchanged.)

(q) *Smoking in taxicabs.* Smoking shall be prohibited in taxicabs at all times.

(r) *Cell phone and mobile device use.* Drivers shall not use cell phones or other mobile devices when transporting passengers except for emergencies and trip related activities.

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:

(Intervening sections of the ordinance remain unchanged.)

(k) *Two-way radios.* Every taxicab shall be equipped with a ~~two-way radio, properly installed and kept in working order at all times. Such radios shall be operated in compliance with the regulations of the Federal Communications Commission. Each radio unit will have~~ a properly operating device that provides the ability to conduct a two-way conversation with the taxicab dispatcher. ~~The hack inspector shall be provided with the serial number of each radio.~~

Section 2. 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**

17. Special Use Permit #2014-0113  
5055 Seminary Road - Farmers Market at Southern Towers  
Public hearing and consideration of a request to operate an outdoor food and crafts market;  
zoned RC/High-Density Apartment. Applicant: Jim Nicholson  
Planning Commission Action: Deferred Without Objection

City Council noted the deferral.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, the public hearing meeting of January 24, 2015, was adjourned at 4:20 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:

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WILLIAM D. EUILLE      MAYOR

ATTEST:

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Jacqueline M. Henderson  
City Clerk and Clerk of Council