

**City of Alexandria  
Meeting Minutes  
Saturday, February 21, 2015  
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. Jinks, Acting City Manager; Mr. Banks, City Attorney; Ms. Baker, Acting Deputy City Manager; Police Captain Wemple; Ms. Dawson, Director, Library; Mr. Keeler, Office of Housing; Mr. Moritz, Director, Planning and Zoning; Mr. Wagner, Planning and Zoning; Mr. Randall, Planning and Zoning; Mr. Dambach, Planning and Zoning; Mr. Roberts, Planning and Zoning; Ms. Miliaras, Planning and Zoning; Ms. Contreras, Planning and Zoning; Mr. Kearns, Planning and Zoning; Ms. Ruggiero, Recreation, Parks and Cultural Activities; Mr. Lambert, Acting Director, Transportation and Environmental Services; Ms. Garvey, Director, Community and Human Services; Ms. Lynch, Department of Community and Human Services; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

**OPENING**

**1. Calling the Roll.**

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

**2. Public Discussion Period.**

The following persons participated in this item:

1. Kathleen Schloeder, 2501 Saint John Place, chair, Alexandria Library Board, spoke of the burst pipe at Beatley Library on Monday that flooded the first floor of the building. She thanked the Police and Fire Department who first responded, and the City's General Services team who arranged for worked and worked on the clean-up. She said the building is now open. She said the current materials budget for the Library is \$360,000, which represents \$2.40 per capita, and the national average is around \$4.00 per capita. She said the materials budget has declined 47.5 percent over the past ten years. She said they are proposing a matching plan to increase the materials budget. The Library Foundation will try to raise \$50,000 if the City will match the challenge with \$50,000 to be put in reserve, and the Library is applying for grants, which would allow it to add another \$50,000. The Library budget as it stands is not flush enough to come up with the extra money on its own. If the grants don't pan out, the Foundation will still challenge Council to match what they can raise. Ms. Schloeder said on the CIP needs, they did a study on the Beatley building and the recommendations have been given to General

Services, but to fully solve the problem it is estimated to cost \$1 million. She said they would like to get on the CIP list for the next five years, and she reiterated the Library's need to reclaim the ground floor of the Burke Branch Library.

2. Helen Desfosses, 400 Madison Street, spoke to the materials budget for the Library. She said they lag behind other libraries in the area and don't have as much money per capita as other libraries in the area do, and they have a reputation as a great reading City. She said increasing the materials budget has to do with adding to the City's revenues. They have found that young entrepreneurs come to the library for materials for help with reviewing and getting business plans together to apply for grants, to get their organizational structures as new young businesses that can offer jobs. She appealed to Council to match the 50-50 proposal.

In response to a question from Council, Ms. Dawson, Director, Alexandria Libraries, spoke about the space that was vacated by the Alexandria Public Schools at the Burke Library.

3. Bill Goff, 1313 Bishop Lane, spoke to the maintenance of the City schools and to the commitment to academic excellence. He said that on this year's varsity football team at T.C. Williams, 28 players had waivers for academics, so more than 50 percent of the players were academically ineligible and still they played. He said it was a clear case of sports over academics. Mr. Goff said that 30-40 percent of all T.C. Williams students graduate with less than a 2.0 GPA. He asked how it was possible for the Board to suggest that teachers have sick leave reduced. It should not balance budgets on the backs of teachers. A better option is to remove the \$350,000 in the current budget to support the installation of lights at T.C. Williams. He said the school does not need a new concession, bleachers upgrades, press box or new stadium design. He said they should use the saved money to pay the teachers. He said they have six schools that are either denied or have a warning notice of academic accreditation as opposed to the three that it had in 2012. Mr. Goff said they should fund the teachers, enforce the rules on academic eligibility and change the academic atmosphere.

4. Bert Ely, 200 S. Pitt Street, co-chair, Friends of the Alexandria Waterfront, spoke to the potential inadequacy of on-site parking at the proposed Robinson Terminal development. It is insufficient parking for residents and their guests and for the large restaurant operations planned for both developments. He said the developers say there is parking in the parking garages, but even today at peak times nearby garages are often full and they are not cheap. The restaurant patrons today park on nearby streets. The parking inadequacy of the new developments is evident in the development SUP that has been filed for the south Robinson Terminal property, and that requests a substantial reduction in required on-site parking. Part of the justification for the parking reduction is premised on utilizing 21 on-street parking spaces in the unit block of Wolfe Street that are already fully utilized at peak times. Mr. Ely said Council should adopt a policy that both Robinson Terminal properties must be able to accommodate on-site all of the peak parking demand they create, as well as all residential parking demand, specifically for the third, fourth and fifth cars that some residents will own. Mr. Ely said the DSUP's should explicitly state that residents of the condominium or townhomes cannot obtain parking permits in the parking districts. He said now is the time for Council to act.

5. Van Van Fleet, 21 Wolfe Street, president, Old Town Civic Association, said that for over a year, the Old Town community has been suggesting the use of barges on the Potomac River to haul out the debris and contaminated soils from each of the four projected development sites on the waterfront. An alternative river haul route by barge was proposed by citizens many months ago, and the City's initial response was that the barge alternative would

be discussed before any concrete decisions on haul routes were made. However, this did not come to pass. Mr. Van Fleet said that when Carr held a citizen briefing on its hotel did it learn that Carr had not and would not consider the use of barges as a haul route. Mr. Van Fleet asked if the City has mislead its citizens or do they chalk it up to another bureaucratic fiasco. Mr. Van Fleet said that a few months ago, the Mayor appointed an ad-hoc waterfront monitoring group to provide a forum in which the citizens could register their complaints and concerns about the construction of the development sites on the waterfront. He said he has stated that the ad-hoc group should not just monitor but should be a pro-active body to provide Council timely advice on all facets of construction, but that is not the case. He said the Director of Transportation and Environmental Services is acting as the sole decision maker on information to Council. He said the City Attorney has refused to allow his staff to discuss this matter in open meetings with the monitoring group. He said that as of this date, only one of four commercial development sites have been approved, and no decision has been made by the Director of T&ES as to any of the haul routes for the Carr hotel. Mr. Van Fleet said no haul routes have been designated as of this date, and barges need to be included as one of the alternative haul routes. He said that anything short of considering every available option is a miscarriage of justice and is a shameful indicator of no real representation of citizen's interest and concerns by the appointed or elected body.

Mayor Euille said he will coordinate with staff and will meet with the chair of the ad-hoc waterfront monitoring group to talk about the practice of staff participation and the communication process. He said if there is a misunderstanding, he wanted to be sure it gets corrected.

In response to a question from City Council, Mr. Jinks, Acting City Manager, noted that the group has met and he spoke to the proposed barges for the Carr Hotel and the other two properties.

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

### **ACTION CONSENT CALENDAR (3-5)**

#### **Planning Commission**

##### **3. Development Special Use Permit #2014-0005**

3100 Jefferson Davis Highway (Parcel Address: 3104 Jefferson Davis Highway) - Marino's Restaurant

Public Hearing and Consideration of a request for an extension to the date of expiration of a previously approved Development Special Use Permit #2010-0004, with modifications, to construct an addition to the existing building including Special Use Permit approval to operate two restaurants; zoned CSL/Commercial Service Low. Applicant: Ather Subzwari represented by Mike Razavi, engineer

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 2/21/15, and is incorporated as part of this record by reference.)

##### **4. Text Amendment #2014-0009**

Rezoning #2014-0012

510 North Quaker Lane - Charles M. Goodman House

A) Initiation of a text amendment and a map amendment and B) Public Hearing and Consideration of a text amendment and an amendment to the official zoning map to add the Charles M. Goodman House to the City's 100 Year Old Building List; zoned R-20/Residential Single-Family. Staff: City of Alexandria - Department of Planning and Zoning  
Planning Commission Action: Initiate Rezoning and Text Amendment: 6-0; Recommend Approval of Rezoning and Text Amendment: 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/21/15, and is incorporated as part of this record by reference.)

**5. 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: Recommend Approval 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/21/15, and is incorporated as part of this record by reference.)

**END OF ACTION CONSENT CALENDAR**

City Council removed items 3, 4 and 5 from the consent calendar, and all were heard under separate vote.

**3. Development Special Use Permit #2014-0005**

3100 Jefferson Davis Highway (Parcel Address: 3104 Jefferson Davis Highway) - Marino's Restaurant

Public Hearing and Consideration of a request for an extension to the date of expiration of a previously approved Development Special Use Permit #2010-0004, with modifications, to construct an addition to the existing building including Special Use Permit approval to operate two restaurants; zoned CSL/Commercial Service Low. Applicant: Ather Subzwari represented by Mike Razavi, engineer  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 2/21/15, and is incorporated as part of this record by reference.)

Mr. Roberts, Planning and Zoning, and Mr. Kearns, Planning and Zoning, responded to questions of City Council concerning the extension of time for the restaurant and the details of the site, along with discussion of the Oakville Triangle.

**WHEREUPON**, a motion was made by Councilman Smedberg and seconded by Councilman Wilson, to deny the request.

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

1. Mr. Ather Subzwari, owner of the restaurant, spoke in support of the request and spoke to the problems he has had with his lease. He noted that if given 18 months, he is 100 percent committed to making something happen on the site.

After discussion, Councilman Smedberg withdrew his motion.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwomen Pepper and carried 6-1, City Council deferred this item to the March 10 City Council legislative meeting in order to have staff prepare an alternative condition that provides the City with the protection it needs for the right-of-way issue. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Councilman Smedberg.

**4. Text Amendment #2014-0009  
Rezoning #2014-0012**

510 North Quaker Lane - Charles M. Goodman House

A) Initiation of a text amendment and a map amendment and B) Public Hearing and Consideration of a text amendment and an amendment to the official zoning map to add the Charles M. Goodman House to the City's 100 Year Old Building List; zoned R-20/Residential Single-Family. Staff: City of Alexandria - Department of Planning and Zoning  
Planning Commission Action: Initiate Rezoning and Text Amendment: 6-0; Recommend Approval of Rezoning and Text Amendment: 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/21/15, and is incorporated as part of this record by reference.)

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

**WHEREUPON**, upon motion by Vice Mayor Silberberg, 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.

**5. 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: Recommend Approval 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/21/15, and is incorporated as part of this record by reference.)

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

The following person participated in this item:

1. Jim Nicholson, 851 Shore Acres Road, Arnold, Maryland, the applicant, spoke in support of the application and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilmember Lovain, seconded by Councilman Chapman and 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.

The following items were heard out of turn:

## **ORDINANCES AND RESOLUTIONS**

**10.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-500 (W-1/Waterfront Mixed Use Zone) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance to add section 5-502.1 (Administrative Special Use Permits) to allow Valet Parking as an administrative special use in such zone, in accordance with the text amendment heretofore approved by City Council on December 13, 2014 as Text Amendment No. 2014-0007. [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. 10; 2/21/15, 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. 2 of Item No. 10; 2/21/15, 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. 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. 4925**

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 112," are hereby adopted as and shall constitute "The One Hundred and Twelfth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Twelfth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 14, 2014 through December 13, 2014, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after December 13, 2014, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between September 24, 2014 through December 13, 2014, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Twelfth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Twelfth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

**11.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sections 8-1-130 through 8-1-140 of Article H, (Registration of Vacant Buildings), of Chapter 1 (Building Code), of Title 8 (Building Code Regulations) 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. 11; 2/21/15, 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. 2 of Item No. 11; 2/21/15, and is incorporated as part of this record by reference.)

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

1. Van Van Fleet, 26 Wolfe Street, president, Old Town Civic Association, said they don't have a problem with the ordinance, except for the fine, but the community had not had an opportunity to discuss it and he requested deferral.

**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. 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. 4926

AN ORDINANCE to amend and reordain Sections 8-1-130 through 8-1-140 of Article H, (REGISTRATION OF VACANT BUILDINGS), of Chapter 1 (BUILDING CODE), of Title 8 (BUILDING CODE REGULATIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 8-1-130 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows

#### ARTICLE H - Registration of Vacant Buildings

##### Sec. 8-1-130 - Vacant building registration.

(a)The owner of a building which has been continuously vacant for a period of 12 months or more and meets the definition of "derelict building" under Va. Code § 15.2-907.1 (1950 as amended) must register the building with the director of the department of code administration ~~provided that a building shall be deemed "continuously vacant," as that term is used in this subsection, even if it is sporadically or intermittently occupied during the 12-month period.~~

(b)"Director" shall mean the; director of the department of code administration or the director's designee.

(c)To register a building, the owner, or the owner's agent for the building, shall provide the following information to the director:

(1)the address of the vacant building;

(2)the name, address and telephone number of the owner and the owner's agent;

(3) the name, address and telephone number of a person(s) to contact in case of an emergency, if different from the owner or the owner's agent;

~~(4) a detailed statement which estimates how long the building is likely to remain vacant and the reasons for it remaining vacant during that period;~~

~~(5) proof that the owner or agent has implemented an on-going rodent abatement and prevention plan for the interior and exterior of the building and~~

(5) a description of the measures that will be taken while the building is vacant to ensure that the property is maintained in compliance with all applicable building and health codes;



(6)if the building is located in a historic district established by article X of the zoning ordinance of the City of Alexandria, or in any conservation or rehabilitation district established by city council, or in an area that has been declared blighted by city council, a description of the measures that will be taken to ensure that the building does not sustain significant structural damage due to neglect.

(d)The building owner shall pay an annual registration fee of \$25100. The fee shall be paid at the time that the building is initially registered. For each subsequent year, or any part of such year, that the building remains continuously vacant, an annual and non-refundable fee of \$25100 shall be paid within 15 days of the anniversary date of the building's initial registration.

(e)The director shall develop and make available a standardized form for registration. Completed forms shall be filed with and maintained by the director.

Section 2. That Section 8-1-131 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows.

Sec. 8-1-131 - Violations and penalties.

(a)Failure to register a vacant building as required by this article shall be a civil violation punishable by a civil penalty of \$50200; provided, that failure to register a vacant building in a historic district established by article X of the zoning ordinance of the City of Alexandria, or in a conservation or rehabilitation district established by city council, or in an area that has been designated as blighted by city council, shall be punishable by a civil penalty of \$250400.

(b)The director shall mail to the owner of a registered vacant building notice of the upcoming anniversary of the initial registration date and of the need to renew the registration of the building if it remains vacant. The notice shall warn the owner that a civil penalty will be imposed pursuant to this section if the owner fails to renew the registration within 15 days of the anniversary of the building's initial registration.

(c)Notice of the imposition of a civil penalty pursuant to this section shall be mailed to the owner, at the address to which property tax notices are sent, at least 30 days prior to the imposition of the penalty. The notice and any subsequent enforcement action shall comply with the provisions of city code section 1-1-11.

Section 3. That Sections 8-132 through 8-1-140 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows.

Secs. 8-1-132 through 8-1-140 - reserved.

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

**12.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 010.02 and 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 5000 and 5001 Echols Avenue from R-12/Single Family Zone to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council on January 24, 2015 as Rezoning No. 2014-0008. (The Fillmore) [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; 2/21/15, 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. 2 of Item No. 12; 2/21/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried 5-0-2 by roll-call vote, City Council closed the public hearing and adopted the ordinance. The voting 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 ordinance reads as follows:

#### ORDINANCE NO. 4927

AN ORDINANCE to amend and reordain Sheet No. 010.02 and 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 5000 and 5001 Echols Avenue from R-12/Single Family Zone to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council on January 24, 2015 as Rezoning No. 2014-0008. (The Fillmore)

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0008, 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 6, 2015 of a rezoning of the property at 5000 and 5001 Echols Avenue from R-12/Single Family Zone to CRMU-M/Commercial, Residential, Mixed Use - Medium, which recommendation was approved by the City Council at public hearing on January 24, 2015;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

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

Section 1. That Sheet No. 010.02 and 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby are, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 5000 Echols Avenue, Alexandria, VA  
Tax Map #011.01-01-05

5001 Echols Avenue, Alexandria, VA  
Tax Map # 010.02-02-30

From: R-12/Single Family Zone  
To: CRMU-M/Commercial Residential Mixed Use (Medium)

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

Section 3. That Sheet No. 010.02 and 011.01 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby are, 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.

**13.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council on January 24, 2015 to the Land Use Map and the Height Map in the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2014-0008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (The Fillmore) [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. 13; 2/21/15, 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. 2 of Item No. 13; 2/21/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 5-0-2 by roll-call vote, City Council closed the public hearing and adopted the ordinance. The voting 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 ordinance reads as follows:

#### ORDINANCE NO. 4928

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council on January 24, 2015 to the Land Use Map and the Height Map in the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2014-0008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (The Fillmore)

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2014-0008, 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 6, 2015 of an amendment to the Land Use Map (Map 8) and the Height Map (Map 14) in the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the land use from Institutional to CRMU-M/Commercial Residential Mixed Use (Medium) and to amend the maximum height from 45 feet to 70 feet, which recommendation was approved by the City Council at public hearing on January 24, 2015;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Land Use Map (map 8) and the Height Map (Map 14) in the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby are, amended as follows:

For the Parcels known as 5000 Echols Avenue (Tax Map #011.01-01-05) and 5001 Echols Avenue (Tax Map #010.02-02-30) amend the Land Use Map labeled as Map 8 from a land use designation of Institutional to a land use designation of CRMU-M/Commercial Residential Mixed Use (Medium) and the Height Map labeled as Map 14 from a maximum height of 45 feet to a maximum height of 70 feet.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

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

**14.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and

reordain Sheet No. 011.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4800 Fillmore Avenue from RC/High Density Apartment Zone and RA/Multifamily Zone to CDD #23/Coordinate Development District #23 in accordance with the said zoning map amendment heretofore approved by city council on January 24, 2015 as Rezoning No. 2014-0007. (Goodwin House) [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. 14; 2/21/15, 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. 2 of Item No. 14; 2/21/15, 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. 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. 4929

AN ORDINANCE to amend and reordain Sheet No. 011.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4800 Fillmore Avenue from RC/High Density Apartment Zone and RA/Multifamily Zone to CDD #23/Coordinate Development District #23 in accordance with the said zoning map amendment heretofore approved by city council on January 24, 2015 as Rezoning No. 2014-0007. (Goodwin House)

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0007, 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 6, 2015 of a rezoning of the property at 4800 Fillmore Avenue, Alexandria, VA from RC/High Density Apartment Zone and RA/Multifamily Zone to CDD #23/Coordinate Development District #23, which recommendation was approved by the City Council at public hearing on January 24, 2015;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 011.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 4800 Fillmore Avenue, Alexandria, Virginia  
Tax Map #011.03-01-06.

From: RC/High Density Apartment Zone and RA/Multifamily Zone  
To: CDD #23/Coordinate Development District #23

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

Section 3. That Sheet No. 011.03 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

**15.** Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) and Section 5-612 (Beauregard Urban Design Advisory Committee) both of Section 5-600 (CDD/Coordinated Development District) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2014-0008 on January 24, 2015 (Goodwin House) [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. 15; 2/21/15, 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. 2 of Item No. 15; 2/21/15, 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. 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. 4930

AN ORDINANCE to amend and reordain Section 5-602 (Coordinated development districts

created, consistency with master plan, required approvals) and Section 5-612 (Beauregard Urban Design Advisory Committee) both of Section 5-600 (CDD/Coordinated Development District) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2014-0008 on January 24, 2015 (Goodwin House)

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2014-0008, 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 6, 2015 of a text amendment to the Zoning Ordinance to add CDD #23 as a new CDD and to expand the scope of the Beauregard Urban Design Advisory Committee to include CDD #23 and other redevelopment sites within the Beauregard Small Area Plan, which recommendation was approved by the City Council at public hearing on January 24, 2015;

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

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language into the CDD Table, as shown:

CDD #	CDD Name	Without a CDD Special	With a CDD Special Use Permit		
			Maximum FAR and/or Development Levels	Maximum Height	Uses
23	Goodwin House	RC/High density and apartment zone RA/Multifamily zone regulations shall apply to	Maximum development levels shall be as depicted in the Development Summary Table in the CDD Conditions.	The maximum heights shall conform to the CDD Concept	Senior housing, Senior affordable housing, home for the elderly,

Section 2. That Section 5-612 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language into the CDD Table, as shown:

*5-612 - Beauregard Urban Design Advisory Committee.*

- (A) There is hereby established by ordinance the Beauregard Urban Design Advisory Committee.
- (B) The Beauregard Urban Design Advisory Committee shall consist of nine members

appointed by city council as follows:

- (1) Four qualified professional members skilled in architecture, planning, landscape architecture and/or urban design;
  - (2) Three citizen members;
  - (3) One member representing the business community; and
  - (4) One at-large member.
- (C) The purpose of the Beauregard Urban Design Advisory Committee is to review applications under this ordinance, within CDD No. 21, CDD No. 22 and **CDD No. 23 and other redevelopment sites within the Beauregard Small Area Plan.** Applications within ~~CDD No. 21 and CDD No. 22~~ **the Beauregard Small Area Plan** are to be reviewed for compliance with the Beauregard Small Area Plan and the Beauregard Urban Design Standards and Guidelines, as adopted by the planning commission. The board will make recommendations on such applications to the planning commission and city council through the director.
- (D) The director shall send to the board a copy of any application subject to its review, and the board shall send its comments to the director in time to be sent to the planning commission together with the staff report on the application. Each applicant shall discuss their application with the board prior to filing.
- (E) The board and director shall establish a regular schedule which provides for meeting at least once per calendar quarter. Additional meetings may be called by the chair of the board and the director.

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

Section 4. That Sections 5-602 and 5-612, as amended pursuant to Section 1 and Section 2 of this ordinance, be, and the same hereby are, 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.

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

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

6. Special Use Permit #2014-0110

815 ½ King Street

Public Hearing and Consideration of a request for an increase in floor area ratio (FAR); zoned KR/King Street Retail. Applicant: Rob Kaufman

Planning Commission Action: Recommend Approval 6-0

THIS ITEM WILL BE DEFERRED AT THE REQUEST OF THE APPLICANT



This item was deferred at the request of the applicant.

**7. Special Use Permit #2014-0115**

1318 King Street - A&B Auto Finance Company

Public Hearing and Consideration of a request for an amendment to previously approved Special Use Permit #2013-0084 to continue operation of a nonconforming automobile sales business; zoned KR/King Street Urban Retail. Applicant: Behrooz Raiszadeh represented by David L. Chamowitz, attorney

Planning Commission Action: Recommend Denial 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/21/15, and is incorporated as part of this record by reference.)

Mr. Randall, 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. Van Van Fleet, 26 Wolfe Street, representing the Old Town Civic Association, spoke in support of allowing the business to operate.
2. Bruce Raiszadeh, owner, A&B Auto Company, spoke in support of allowing the business to operate.
3. Frank Fannon, 1105 Duke Street, spoke in support of allowing the business to operate.
4. David Chamowitz, 118 N. Alfred Street, attorney representing the applicant, spoke in support of allowing the business to operate.

**WHEREUPON**, a motion was made by Councilman Smedberg to close the public hearing and accept the Planning Commission recommendation of denial. The motion failed for lack of a second.

**WHEREUPON**, a motion was made by Vice Mayor Silberberg and seconded by Councilman Chapman, to close the public hearing and reverse the action of the Planning Commission and approve the request for a period of 36 months.

After discussion, Vice Mayor Silberberg amended her motion to be for a time period of 24 months.

Councilman Wilson suggested that Council request staff to check about the progress at the nine month mark and docket it for City Council to provide a status update on the efforts to apply for redevelopment, to be contingent upon a complete submission of a preliminary plan for redevelopment of the property.

Vice Mayor Silberberg further amended the motion to be for a time period of 18 months.

The amendment was acceptable to the seconder of the motion.

The motion, as amended, reads as follows: to close the public hearing and reverse the action of the Planning Commission and approve the request for a period of 18 months, and that Council request staff to check the progress at the nine month mark and docket it for City Council to provide a status update on the efforts to apply for redevelopment, to be contingent upon a complete submission of a preliminary plan for redevelopment of the property.

The voting on the motion carried 6-1 and was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Councilman Smedberg.

8. Master Plan Amendment #2014-0010  
Rezoning #2014-0010  
Development Special Use Permit #2013-0023  
Transportation Management Plan SUP #2014-0105  
Encroachment #2014-0007

513 & 515 North Washington Street - The Mill

Public Hearing and Consideration of requests for: (A) An amendment to Old Town North Small Area Plan chapter of the Master Plan to amend the land use designation from RM to OC; (B) An amendment to the official zoning map for rezoning Lot 502 from RM to OC with proffers; (C) A Development Special Use Permit and Site Plan, with modifications, to construct a residential building, including a special use permit for a parking reduction, per Section 8-100 of the Zoning Ordinance and modifications for a side yard setback, per Section 4-806(A)(2)(a); (D) a special use permit for a transportation management plan; and, and (E) encroachment in the public-right-of-way for a proposed perimeter fence, zoned OC/Office Commercial and RM/Residential Medium. Applicant: CAS Riegler represented by Duncan Blair, attorney  
Planning Commission Action: Adopt Resolution and Recommend Approval of Master Plan Amendment: 6-0; Recommend Approval of Rezoning: 6-0; Recommend Approval of Development Special Use Permit, Transportation Management Plan SUP, and Encroachment: 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/21/15, and is incorporated as part of this record by reference.)

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

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

1. Duncan Blair, attorney representing the applicant, 524 King Street, attorney representing the applicant, spoke in support of the request.
2. Stephen Milone, 907 Prince Street, spoke in opposition to 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.

**9. Rezoning #2014-0009 Development Special Use Permit #2012-0015**

2805, 2807, 2807A and 2809 King Street - Alexandria Memory Care

Public Hearing and Consideration of requests for: (A) An amendment to the official zoning map to change the zone from R-8 to RB with proffers; and (B) A development special use permit and site plan, with modifications, to construct and operate a nursing home building; zoned R-8/Residential Single-Family. Applicant: 2811 King Street LLC represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommend Approval of Rezoning #2014-0009 6-0; Development Special Use Permit #2012-0015 as amended 6-0

(A copy of the Planning Commission report dated February 21, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/21/15, and is incorporated as part of this record by reference.)

Mr. Moritz, Director, Planning and Zoning, made opening remarks on the request. Mr. Roberts, Planning and Zoning, made a presentation of the staff report.

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

1. Martha Harris, 613 Melrose Street, spoke in opposition to the request.
2. Jane King, 118 E. Randolph Avenue, representing the Commission on Aging, spoke in support of the request.
3. Janet Barnett, 1101 N. Howard Street, spoke in support of the request.
4. Timothy Belochl, 4872 W. Braddock Road, spoke in support of the request.
5. Kitty Porterfield, 426 Timber Branch Parkway, spoke in support of the request.
6. Jack Taylor, 3001 Edgehill Drive, spoke in support of the request.
7. Jim Kornick, 930 S. Fairfax Street, spoke in support of the request.
8. Steve Weir, 430 Timber Branch Parkway, spoke in support of the request.
9. Bill Harris, 1106 Tuckahoe Lane, representing the Affordable Housing Advisory Committee, spoke in support of the request. Mr. Harris said that speaking as a private citizen, he was also in support of the request.
10. Alexandra Woodman Johnson, 802 Albany Avenue, spoke in support of the request.
11. Carol Downs, 725 Timber Branch Drive, vice chair, Commission on Aging, spoke in support of the request.
12. Alan Dubow, 601 Little Street, spoke in support of the request.
13. Sarah Drexler, 706 Braxton Place, spoke in support of the request.

14. Carolyn Griglione, 1416 N. Ivanhoe Street, spoke in support of the request.
15. Anne Gray Haynes, 204 Elm Street, spoke in support of the request.
16. Bruce Miller, 410 Hanson Lane, spoke in support of the request.
17. Ann Marie Hay, 212 West Windsor Avenue, spoke in support of the request.
18. Pamela Kicak, 1104 Cross Drive, spoke in opposition to the request.
19. Charlotte Hall, 9350 Union Farm Road, spoke in support of the request.
20. John Harley, 2722 King Street, spoke in opposition to the request.
21. Dan Cotter, 620 Kings Cloister Circle, spoke in opposition to the request.
22. Leon Turkevich, 501 Ivy Circle, spoke in opposition to the request.
23. Kyle Rogers, 2802 King Street, spoke in opposition to the request.
24. Mark McLeod, 640 Kings Cloister Circle, spoke in opposition to the request.
25. Sean Drumheller, 504 Ivy Circle, spoke in opposition to the request.
26. Andy Krakowski, 506 Ivy Circle, spoke in opposition to the request.
27. Jan Turkevich, 501 Ivy Circle, spoke in opposition to the request.
28. Stan Gryskiewicz, 626 Kings Cloister Circle, spoke in opposition to the request.
29. Jim Morrell, 606 Melrose Street, spoke in opposition to the request.
30. Matt Morris, 638 Kings Cloister Circle, spoke in opposition to the request.
31. Whitney Patton, 603 Janneys Lane, spoke in opposition to the request.
32. Shelby Olson, 638 Kings Cloister Circle, spoke in opposition to the request.
33. Michelle Cook, 2724 King Street, spoke in opposition to the request.
34. John Salmon, 642 Kings Cloister Circle, spoke in opposition to the request.
35. Alina Eldred, 616 Melrose Street, spoke in opposition to the request.
36. Alan Harwood, 608 Melrose Street, spoke in opposition to the request.
37. Michael Cook, 2724 King Street, spoke in opposition to the request.
38. Neeraj Vohra, 636 Kings Cloister Circle, spoke in opposition to the request.

39. Jeanne Harley, 2722 King Street, spoke in opposition to the request.

40. H. Lindsey Parris, 616 Kings Cloister Circle, president, Kings Cloister Circle Homeowners Association, spoke in opposition to the request.

41. Peter Benavage, 5066 Fairbanks Avenue, spoke in support of the request.

42. Lynn Hampton, 215 Park Road, spoke in support of the request.

43. Dennis Auld, 215 Park Road, spoke in support of the request.

44. Jack Sullivan, 4300 Ivanhoe Place, representing the Seminary Hill Civic Association, spoke in opposition to the request.

45. Michael J. Oliver, 3113 Circle Hill Road, spoke in support of the request.

46. Annabelle Fisher, 5001 Seminary Road, spoke in opposition to the request.

47. Sean Dunbar, 508 S. Columbus Street, member of the Commission on Aging, spoke in support of the request.

48. M. Catharine Puskar, 2200 Clarendon Blvd., Arlington, attorney representing the applicant, using a power point presentation, spoke in support of the request and responded to questions of City Council.

**WHEREUPON**, a motion was made by Councilwoman Pepper and seconded by Councilmember Lovain, to close the public hearing and approve the Planning Commission recommendation.

Mr. Moritz, Planning Director, stated that a protest petition was filed with the City Clerk on Thursday, a copy of which was sent to City Council, and the staff has determined that the petition meets the requirements of the Zoning Ordinance, so a super-majority of the City Council, six affirmative votes, are required.

Questions were asked by City Council regarding: stormwater; traffic/repaving; zoning of properties; precedent for the rezoning; further expansion on the site; the master plan; tree preservation; housing qualifications of residents and the use of Medicaid; historical and previous use of the parcel; traffic and stormwater studies; the architecture and design of the building; emergency response radius; parking; staffing requirements; the public art component; floor area ratio; and the use of fire and ambulance services. The following City staff members responded to the questions: Mr. Roberts, Planning and Zoning; Mr. Lambert, Acting Director, Transportation and Environmental Services; Mr. Wagner, Planning and Zoning; Mr. Moritz, Director, Planning and Zoning; Mr. Keeler, Office of Housing; Ms. Lynch, Department of Community and Human Services; Mr. Kearns, Planning and Zoning; and Ms. Ruggiero, Parks, Recreation and Cultural Activities.

Ms. Puskar, attorney for the applicant, stated the following for the record, for the motion: the following are amendments and conditions to the DSUP: revising the affordability conditions to take off the 20 year limit for the life of the facility; adding a condition to make the standard

affordable unit contribution for the basic project at \$117,504; and provide priority to Alexandria residents on the wait list. With two representations: the applicant will not seek redevelopment or additional development on the Woodbine site or on the adjacent church; and the owner of Woodbine would seek a tree preservation easement on the cul-de-sac at Woodbine subject to HUD approval in concert with the final site plan; and with a notation that the two proffers put in by the Planning Commission remain in place.

The motion reads as follows: City Council approved the Planning Commission recommendation, with the following amendments and conditions to the DSUP: revising the affordability conditions to take off the 20 year limit for the life of the facility; adding a condition to make the standard affordable unit contribution for the basic project at \$117,504; provide priority to Alexandria residents on the wait list. With two representations: the applicant will not seek redevelopment or additional development on the Woodbine site or on the adjacent church; and the owner of Woodbine would seek a tree preservation easement on the cul-de-sac at Woodbine subject to HUD approval in concert with the final site plan; and with a notation that the two proffers put in by the Planning Commission remain in place.

The motion carried by a vote of 6-1 and was recorded as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

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

### **DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

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

16. Special Use Permit #2014-0120  
1575 Kenwood Avenue (Parcel Address: 1603 Peach Street) - Hertz Local Edition  
Public Hearing and Consideration of a request to operate an automobile rental business; zoned CSL/Commercial Service Low with Proffer. Applicant: Hertz Local Edition  
Planning Commission Action: Deferred Without Objection

City Council noted the deferral.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, the public hearing meeting of February 21, 2015, was adjourned at 5:17 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