

City of Alexandria
Public Hearing Meeting Minutes
Saturday, April 18, 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 and Justin M. Wilson.

Absent: Councilman Paul C. Smedberg.

Also Present: Mr. Jinks, City Manager; Mr. Banks, City Attorney; Ms. Anderson, Assistant City Attorney; Ms. Baker, Acting Deputy City Manager; Police Captain Wemple; Mr. Moritz, Director, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. McVary, Planning and Zoning; Ms. Collins, Planning and Zoning; Mr. Geratz, Planning and Zoning; Ms. Beach, Planning and Zoning; Mr. Cox, Planning and Zoning; Mr. Canfield, Planning and Zoning; Ms. Ruggiero, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Mr. Lambert, Director, Transportation and Environmental Services; Ms. Sanders, Transportation and Environmental Services; Mr. Skrabak, Transportation and Environmental Services; Ms. McIlvaine, Acting Director, Office of Housing; Ms. Metcalf, Office of Housing; Ms. Garvey, Director, Community and Human Services; Mr. King, Office of Code Administration; 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, with the exception of Councilman Smedberg, who was absent.

2. Public Discussion Period.

The following persons spoke:

1. Bert Ely, 200 S. Pitt Street, co-chair, Friends of the Alexandria Waterfront, spoke of the tour buses in the waterfront area, noting that it still has not been resolved, and he asked that City staff and City Council must address and resolve the issue. He said the buses unload along The Strand and Union Street and then park elsewhere, but the present arrangement cannot continue much longer, as The Strand between Prince and Union is supposed to be closed to all but emergency traffic and the trolley, so a new pick-up and loading location must be established. He asked where will the riverfront buses unload, pick up passengers and idle in the meantime and when will the questions be addressed.

Mayor Euille noted that they would put a small task force together to review the recommendations and the challenges that will be faced, and he invited Mr. Ely to be on the task force.

2. Gary Carr, 216 Aspen Street, spoke for the restoration of the historic running track at George Washington Middle School, noting that the track is used extensively by City programs and is an important community resource and is an asset that deserves the full support of the City government. Mr. Carr said there is one regulation running track in the City that lacks even basic safety lighting and is unavailable to the citizens for the majority of the time. He said there is a proposal to build a competition level swimming pool at Chinquapin Park at the cost of \$60 million, but what if instead of putting it in a site that is unsuitable they build a pool at Braddock field, as parking/transportation issues would be resolved, and with the \$20 million left over, it could build an eight lane competition running track, re-do the two fields, make improvements to the gym at the school and perhaps still have millions left over. He said building a world class sports complex would make Alexandria the preferred destination of anyone visiting the area.

3. Cassandra Ford, 183 E. Reed Avenue, #107, representing the Alexandria chapter of Zeta Phi Beta Sorority, Inc., congratulated Mr. Jinks on his appointment as City Manager, and she spoke about the budget, noting that they are focusing on getting engaged and making sure the citizens are very much involved in what is happening in City government. She said they wish to continue the efforts for civic engagement forum and would like to see a more diverse population at those meetings. She spoke of collaborations with the NAACP and the Alexandria Police Department, and they want to be sure the body camera debate is an inclusive one.

4. Julia Addison, 5743 Leverett Court, an 11th grade student at T.C. Williams High School, spoke of the creation of a youth police academy, noting that it could prepare future Alexandria Police Officers, and she said the program might solve the recent issues going on around the United States. She said the age group should be from 10 through 18 years old and it should go throughout the summer.

Mayor Euille said he would arrange to have a meeting with Ms. Addition and Ms. Ford and the Police Chief to have a conversation about a youth police academy.

5. Bill Goff, 1313 Bishop Lane, spoke of the maintenance performed on the schools, with leaking roofs, no HVAC, classrooms with no windows, books or playgrounds. He said Council has the responsibility to fund the ACPS for their programs and maintenance, and he asked why there was no maintenance program in place for the schools. Mr. Goff said cost figures are \$441 million for 13 schools to be modernized, \$144.3 million for capacity modernization, \$130.6 million to maintain the system, for a total of \$716.2 million for an infrastructure rebuild. He said he holds the School Board and Council responsible for the inaction and fiscal irresponsibility.

6. Katy Cannady, 20 E. Oak Street, spoke of option B for the Potomac Yard Metro, noting that the owners of the shopping center where option B is located let the City know that they are not interested in investing \$32 million at the outset and they don't like the Small Area Plan that covers the shopping center. She said they need to consider that these are the people that own the yard and are supported to profit from the SAP for the shopping center. She said option B is said to cost \$268 million, and option A is said to cost \$209 million, and the difference is there is at most three City blocks difference between A and B.

7. Dak Hardwick, 5181 Brawner Place, representing the Cameron Station Civic Association, spoke about fire station 210 located on Eisenhower Avenue, and he asked that the fire station be brought to full operational capability, which includes the complete staffing by Alexandria firefighters. He noted that in 2009, Norfolk Southern located an ethanol transloading facility immediately adjacent to their community, which is also adjacent to Summers Grove, Samuel Tucker Elementary School, and Armistead Booth Park, and the railroad has been a terrible neighbor. He said that while the City cannot do anything about the transloading operation, it can provide the necessary public safety assets that account for a major railyard operation in an industrial area of the City. He said fire station 210, built to respond to a growing industrial transfer station near a residential community, does not have any firefighters and only has a medic unit. He also noted that the specialized foam unit, which is used to fight ethanol fires, is not located anywhere near fire station 210 and is at the Potomac Yard fire station. Mr. Hardwick asked for a development of a plan that brings the fire station to full firefighting capability by the end of this calendar year, to be delivered at the end of this budget cycle, and the plan be supported by funding identified in the add-delete process or through administrative actions for funding that is already there, and that the complete plan be briefed to his community and the fire chief be directed to immediately staff his fire station with at least three firefighters per apparatus. Mr. Hardwick asked for a continuation of the training program that allows four firefighters per apparatus. He also asked how the foam unit, paid for by Norfolk Southern is going to be moved to fire station 210.

Mayor Euille noted that budget memo #25 provides Council with other alternatives for staffing fire station 210 and will be considered during the add/delete budget process.

8. Kathryn Papp, 504 Cameron Street, spoke about garden week and garden day in Old Town. She said she was inspired by the brochure about the homes that were open for garden week, noting that it is clear that the owners of these gardens have so creatively and responsibly changed their residences not through stacking up or scaling up but through updating of plumbing. She said it was such a stark contrast to what she sees in Robinson Terminal South and Carr, noting that there is a lack of creativity. Ms. Papp said they should have gone to the residents who have restored and changed their properties in Old Town and asked questions and attempted to incorporate some of the features and details into the design, but that didn't happen.

9. Poul Hertel, 3716 Carriage House Court, extended congratulations to both Mr. Jinks, City Manager, and Mr. Moritz, the Planning Director on their recent appointments. Mr. Hertel spoke about the George Washington Memorial Parkway, noting that it is a significant contribution to the American landscape and he has trepidation about the upcoming choice of Metro Stations, which relates to options A or B, noting that if it takes the model and try to put option A and B in simultaneously, it can't, as they overlap. He said the ramp for the option B brings it into the quarter mile radius is because the ramp starts 400 feet away from option B, and when it gets to option B, one has to walk further down to cross the bridge. Mr. Hertel said his concern is that the bridge has to be a certain height in order to cross the CSX lines, and it would be the most visible portion from the George Washington Memorial Parkway. He urged the City to take a theoretical look into it having to be within a quarter mile radius and look at the starting ramp.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-5)

Planning Commission

3. Special Use Permit #2015-0008

617 E-G South Pickett Street (Parcel Address: 504 South Van Dorn Street) - Midas Auto Service and Tire Center

Public Hearing and Consideration of a request to operate a light automobile repair business; zoned CG/Commercial General. Applicant: Trump Inc. dba Midas Auto Service and Tire Center represented by Duncan Blair, attorney

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 4/18/15, and is incorporated as part of this record by reference.)

4. Special Use Permit #2015-0009

2802 Russell Road

Public Hearing and Consideration of a request to construct a new single-family dwelling on a developed substandard lot; zoned R-8/Residential Single-Family. Applicant: Elias Voces

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 4/18/15, and is incorporated as part of this record by reference.)

5. Special Use Permit #2015-0007

3021 Colvin Street - Kera Autocare

Public Hearing and Consideration of a request to operate an automobile sales business and general automobile repair at an existing light automobile repair business; zoned I/Industrial Applicant: Tamrat Gobena dba Kera Autocare represented by Harry P. Hart, attorney

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 4/18/15, 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, as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. 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 and Councilman Wilson; Opposed,

none.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

6. Public Hearing and Consideration of the Draft Fiscal Year (FY) 2016-2020 Consolidated Plan and FY 2016 Action Plan for Housing and Community Development for Submission to the U.S. Department of Housing and Community Development (HUD).

(A copy of the City Manager's memorandum dated April 14, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 4/18/15, and is incorporated as part of this record by reference.)

Ms. Metcalf, Office of Housing, and Ms. McIlvaine, Acting Director, Office of Housing, responded to questions of City Council.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing on the draft FY 2016-2020 five-year consolidated plan for Housing and Community Development, which includes the one-year action plan containing the City's application for City Fiscal Year 2016 funding for \$742,789 in Community Development Block Grant monies, and \$357,258 in Home Investment Partnerships Program monies; and set it for adoption on May 12, 2015. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

Planning Commission

7. Development Special Use Permit #2014-0005

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

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

[This item was deferred from the February 21, 2015 City Council Public Hearing. The public hearing was closed, however, City Council reserves the right to reopen the public hearing.]

This item was deferred due to lack of notice by the applicant.

The following item was heard out of order:

9. Development Special Use Permit #2014-0036

1200 First Street (Parcel Address: 950 North Fayette Street) & 1201 Braddock Place - Braddock Meridian

Public Hearing and Consideration of a request for an amendment to the previously approved Development Special Use Permit #99-0004 for an amenity space and parking reduction; zoned OCH/Office Commercial - High. Applicant: Potomac Club Residence Limited Partnership

represented by Mary Catherine Gibbs, attorney
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman 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 and Councilman Wilson; Opposed, none.

8. Development Special Use Permit #2014-0006
Special Use Permit #2015-0012 - Boat Docking Facility
Special Use Permit #2015-0013 - Retail Shopping Establishment
Special Use Permit #2015-0014 - Restaurant
Transportation Management Plan SUP#2014-0102
2 and 3A Duke Street and 226 Strand Street (The Strand) - Robinson Terminal South
Public Hearing and Consideration of a request for: (A) A Development Special Use Permit, with site plan and modifications, to construct a mixed-use development with an increase in the Floor Area Ratio (FAR), a cluster residential development, an increase in height from 30 feet to 50 feet, an increase in the number of penthouses, land without frontage, a parking reduction, and valet parking; (B) Special Use Permit for a facility used for docking of boats; (C) Special Use Permit for a retail shopping establishment; (D) Special Use Permit for a restaurant; and (E) Special Use Permit for a Transportation Management Plan; zoned W-1/Waterfront Mixed-Use. Applicant: RT South Associates LLC represented by Jonathan P. Rak, attorney
Planning Commission Action: Recommend Approval of Development Special Use Permit #2014-0006 as Amended 7-0; Recommend Approval of Special Use Permit #2015-0012 as Amended 7-0; Recommend Approval of Special Use Permit #2015-0013 as Amended 7-0; Recommend Approval of Special Use Permit #2015-0014 7-0; Recommend Approval of Transportation Management Plan SUP #2014-0102 7-0

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 4/18/15, and is incorporated as part of this record by reference.)

Mr. Geratz, Planning and Zoning, along with Ms. McVary, Planning and Zoning, made a presentation of the staff report and they, along with Mr. Moritz, Director, Planning and Zoning, Mr. Lambert, Director, Transportation and Environmental Services, responded to questions of City Council.

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

1. Jonathan Rak, 1750 Tysons Blvd., McLean, attorney for the applicant, spoke in support of the application.
2. Bob Youngentob, president and co-founder, EYA, 4800 Hampden Lane, #300, Bethesda, Maryland, spoke in support of the application.

3. Susan Askew, 34 Wolfe Street, spoke in support of the request.
4. Brian Buzzell, 650 South Columbus Street, spoke in support of the request.
5. Van Van Fleet, 26 Wolfe Street, president, Old Town Civic Association, spoke in opposition to the request.
6. Phil Muse, 635 S. Henry Street, spoke in support of the request.
7. Pat Miller, 404 Laverne Avenue, spoke in support of the request.
8. Bert Ely, 200 South Pitt Street, co-chair, Friends of the Alexandria Waterfront, spoke about parking for the project and barring the Robinson Terminal South residents from obtaining district I parking permits.
9. Yvonne Weight Callahan, 735 South Lee Street, spoke about the parking process and street parking for Robinson Terminal South.
10. Dick Willett, 6044 Woodmont Road, spoke in support of the request.
11. Daniel Bernstein, 121 Princess Street, spoke in opposition to the request.
12. Robert Dugger, 10 Wolfe Street, spoke in support of the request.
13. Katy Cannady, 20 East Oak Street, spoke about not having a waterfront walkway and the land along the river, and she said the monitoring group talked of need for the City to be involved with the homeowners.
14. John Sullivan, 323 Kentucky Avenue, spoke in support of the request.
15. Robert Atkinson, 1009 Pendleton Street, spoke in support of the request.
16. Michael Jennings, 10 Potomac Court, spoke against the parking reduction.
17. Hank Savitch, 128 Waterford Place, spoke about setbacks and asked for increased setbacks on Union Street and that the nine foot setback be converted to a 15 foot setback.
18. Susan Savitch, 128 Waterford Place, spoke about her concern with the parking issue and asked that it not wait for reexamination in six months.
19. Greg Hudgins, 1128 Colonial Avenue, spoke in support of the request.
20. Peter Kilcullen, 464 South Union Street, spoke in opposition to the request.
21. Bob Wood, 711 Potomac Street, spoke in opposition to the request.
22. Trae Lamond, 4 Kennedy Street, general manager of Chadwick's Restaurant, spoke in support of the request, as long as there is proper parking and asked that there be more parking for the project.

23. Hal Hardaway, 311 South Union Street, spoke in opposition to the request.

24. Tim Morgan, 319 South Union Street, president, Waterford Place HOA, spoke of the issue with the massive scale of the buildings, parking and construction management.

25. Carolyn Merck, 524 North Royal Street, spoke in opposition to the request.

26. Stephen Saperstone, 100½ Duke Street, spoke against the parking for the site and for construction to not allow any loud noise activity done on Saturday.

27. Tina LaMoreaux, 116 Wolfe Street, spoke in opposition to the request.

28. Denise Dunckel, 400 South Lee Street, spoke in opposition to the request.

29. Charlotte Hall, 205 The Strand, Potomac Riverboat Company, spoke in support of the request.

30. Boyd Walker, 1307 King Street, spoke in opposition to the request.

31. Jody Manor, 7 King Street, spoke in support of the request.

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(City Council took a lunch break at 12:37 p.m. and reconvened the meeting at 1:13 p.m.)

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32. Holly Hull, 305 South Union Street, spoke in support of the request.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilmember Lovain 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 and Councilman Wilson; Opposed, none.

Questions were asked by City Council on the following: parking; valet parking; OTAPS concerns; parking garage monitoring; solid waste and trash pick-up responsibilities; mass transit subsidization; flag poles; open space and funding of on-site activities; maintenance operations programming of the public improvement area, including the pier and commencement of the payments; mass and scale of building 3; boundary of the pre and post construction surveys; construction work on Saturday and Sundays; and the restaurant SUP requiring employees to use commercial garage parking. The questions were responded to by Planning and Zoning staff: Mr. Geratz, Ms. McVary, Mr. Moritz, Mr. Cox, as well as Mr. Lambert, Director, Transportation and Environmental Quality, Ms. Sanders, Transportation and Environmental Services, Mr. Skrabak, Transportation and Environmental Services, Ms. Ruggiero, Recreation, Parks and Cultural Activities, Mr. Jinks, City Manager, Mr. Rak, attorney for the applicant, and Mr. Youngentob, president, EYA.

Mayor Euille stated that he had in the past received contributions from the companies

and individuals associated with the proposed project, he feels he is not in a conflict of interest situation and does not benefit financially from them, so he would participate and vote on the item.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 5-1, City Council approved the Planning Commission recommendation, with the following amendments:

1. Condition 145H: to make the change to address issues concerning unbundled parking.
2. For the residential permit parking district permits: residential portions shall not have access to permanent district permits until such time as a comprehensive recommendation from the Old Town Area Parking Study (OTAPS) is adopted by the Council.
3. Condition 92: on page 71, to amend the language to propose alternate language to ensure the City is not providing any solid waste or recycling service to the site, as the applicant agrees to provide all solid waste and recycling services to all uses on site.
4. Remove condition 22H.
5. Condition 138 to delete the last sentence.
6. Condition 136 to change the commencement of the payments so the first annual contribution shall be provided to the City upon the acceptance of the pier by the City, which is five years out, and to change the amount in the second line of condition 136 from \$100,000 to \$75,000.
7. Condition 76: change 200 to 250 feet being the outer limit.
8. For valet parking, staff is to draft language that mimics language as is for other restaurants for the restaurant to provide incentives for valet parking.

The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Vice Mayor Silberberg.

10. Text Amendment #2015-0002

Public Hearing and Consideration of a text amendment to various sections of the Zoning Ordinance to implement new parking regulations for multifamily residential uses as recommended by the Parking Standards for New Development Projects Study. Staff: City of Alexandria - Department of Planning and Zoning

Planning Commission Action: Initiate and Recommend Approval as Amended 6-1

(A copy of the Planning Commission report dated April 18, 2015, is file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 4/18/15, and is incorporated as part of this record by reference.)

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

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

1. Karen Devlin, 20 Wolfe Street, spoke in opposition to the text amendment.
2. Nathan Macek, 724 Franklin Street, said he is chair of the parking standards for new development task force, member of the Planning Commission, and chair of the Transportation Commission and noted that all the groups voted in favor of this, and he spoke

in support of the text amendment.

3. Susan Askew, 34 Wolfe Street, asked that the historic district be carved out of the amendment.

4. Van Van Fleet, 26 Wolfe Street, president, Old Town Civic Association, spoke in opposition to the text amendment.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilmember Lovain 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 and Councilman Wilson; Opposed, none.

Questions were asked by City Council on the text amendment, whether staff looked at the text amendment on a regional or district area, and market rate vs. affordable housing units, which were responded to by Ms. Collins, Ms. Beach, Mr. Moritz, Director, Planning and Zoning, and Ms. Sanders, Transportation and Environmental Services.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 5-1, City Council approved the Planning Commission recommendation, with the following amendment: subject to the staff direction that until the comprehensive Old Town Area Parking Study (OTAPS) proposal comes forward that it not bring forward development that has access to the off-street residential parking districts; and to include the revised definition of bedroom as proposed by City staff in the memorandum dated April 16, 2015. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Vice Mayor Silberberg.

ORDINANCES AND RESOLUTIONS

11. Public Hearing, Second Reading, and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2015. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 13, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 4/18/15, 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. 11; 4/18/15, 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. 11; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council closed the public hearing and adopted the ordinance for a supplemental appropriation for the support of the government for FY 2015. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman,

Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4934

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 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:

Housing	1,204,834
Community and Human Services	<u>474,656</u>
Total Estimated Revenue	<u><u>1,679,490</u></u>

SPECIAL REVENUE FUND

APPROPRIATION:

Housing	1,204,834
Community and Human Services	<u>474,656</u>
Total Estimated Revenue	<u><u>\$ 1,679,490</u></u>

Section 2. 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:

GENERAL FUND

APPROPRIATION:

Finance	\$ (300,000)
City Manager's Office	<u>300,000</u>
Total Appropriation	<u><u>\$ 0</u></u>

Section 3. 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 of the city for fiscal year 2015 the source of such amount being undesignated General Fund Balance, and further that the Council does hereby

allot the amount so appropriated to the several city departments, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Spendable General Fund Balance	\$ 1,015,000
Total Estimated Revenue	<u>\$ 1,015,000</u>

APPROPRIATION:

Non-Departmental	\$ 915,000
General Services	<u>\$ 100,000</u>
Total Appropriation	<u>\$ 1,015,000</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 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:

Transportation and Environmental Services	\$ 52,000
Clerk of the Circuit Court	20,000
Historic Alexandria	<u>5,900</u>
Total Estimated Revenue	<u>\$ 77,900</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Transportation and Environmental Services	\$ 52,000
Clerk of the Circuit Court	20,000
Historic Alexandria	<u>5,900</u>
Total Appropriation	<u>\$ 77,900</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 in fiscal year 2015 the source of such amount being other special revenues, specifically seized assets, 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:

Commonwealth's Attorney	\$ 50,183
Total Estimated Revenue	<u>\$ 50,183</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Commonwealth's Attorney	\$ 50,183
Total Estimated Revenue	<u>\$ 50,183</u>

Section 6. 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 donations and other activities, 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:

Historic Alexandria	\$ 26,500
Total Estimated Revenue	<u>\$ 26,500</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Historic Alexandria	\$ 26,500
Total Estimated Revenue	<u>\$ 26,500</u>

Section 7. That this ordinance shall be effective upon the date and at the time of its final passage.

12. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owners of the property located at 511, 513 and 515 Oronoco Street to construct and maintain an encroachment for window wells, stoops, bay windows and roofline architectural elements along Oronoco Street and Pitt Street at that location as part of the project known as the redevelopment of the City of Alexandria Health Department approved by the City Council as DSUP 2013-0006 on February 22, 2014. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 4/18/15, 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; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4935

AN ORDINANCE authorizing the owners of the property located at 511, 513 and 515 Oronoco Street to construct and maintain an encroachment for window wells, stoops, bay windows and roofline architectural elements along Oronoco Street and Pitt Street at that location as part of the project known as the redevelopment of the City of Alexandria Health Department approved by the City Council as DSUP 2013-0006 on February 22, 2014.

WHEREAS, OHD Partners, LLC is the Owner ("Owner") of the property located at 511, 513 and 515 Oronoco Street in the City of Alexandria, Virginia; and

WHEREAS, Owner desire to establish and maintain window wells, stoops, bay windows and roofline architectural features which will encroach into the public right-of-way at that location; and

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

WHEREAS, in Encroachment No. 2014-0001, the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on February 4, 2014 which recommendation was approved by the City Council at its public hearing on February 22, 2014 and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public right-of-way at 511, 513 and 515 Oronoco Street in the City of Alexandria, as shown in Exhibit A titled Encroachment Exhibit Redevelopment of 509 Saint Asaph St and 511, 513 and 515 Oronoco St prepared by Walter Phillips, Inc. dated January 14, 2014 attached hereto and made a part hereof by this reference, said encroachment consisting of window wells, stoops, bay windows and roofline architectural elements, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner maintaining, at all times and at

their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

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

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

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

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

- (a) Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment.
- (b) The Owner shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.
- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owners or Tenant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City.

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

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

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

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

Section 8. The terms "Owner shall be deemed to include Owner and its respective successors in interest.

Section 9. That this ordinance shall be effective upon 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 Sheet No. 052.02 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 2805, 2807, 2807A and 2809 King Street from, R-8/Single Family Zone to RB/Townhouse Zone with Proffers in accordance with the said zoning map amendment heretofore approved by city council on February 21, 2015 as Rezoning No. 2014-0009. (Implementation Ordinance for the map amendment related to the Alexandria Memory Care Project) [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; 4/18/15, 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; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 5-1 by roll-call vote, City Council closed the public hearing and adopted the ordinance. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilwoman Pepper and Councilman Wilson; Opposed, Vice Mayor Silberberg.

The ordinance reads as follows:

ORDINANCE NO. 4936

AN ORDINANCE to amend and reordain Sheet No. 052.02 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 2805, 2807, 2807A and 2809 King Street from, R-8/Single Family Zone to RB/Townhouse Zone with Proffers in accordance with the said zoning map amendment heretofore approved by city council on February 21, 2015 as Rezoning No. 2014-0009. (Implementation Ordinance for the map amendment related to the Alexandria Memory Care Project)

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0009, 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 February 3, 2015 of a rezoning of the property at 2805, 2807, 2807A and 2809 King Street from, R-8/Single Family Zone to RB/Townhouse Zone with Proffers, which recommendation was approved by the City Council at public hearing on February 21, 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. 052.02 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:

2805 King Street, Tax Map # 052.02-06-53
2807 King Street, Tax Map # 052.02-06-52
2807A King Street, Tax Map # 052.02-06-51
2809 King Street, Tax Map # 052.02-06-50

From: R-8/Single Family Zone

To: RB/Townhouse Zone with the Proffers made in the written proffer statement dated January 9, 2015 labeled as Attachment 1 to the Ordinance, attached hereto and made a part hereof.

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. 052.02 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.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to vacate a portion

of the public right-of-way known as West Uhler Avenue immediately adjacent to 2500 Sanford Street (VAC No. 2014-0005 approved by the City Council on January 24, 2015) [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; 4/18/15, 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; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4937

AN ORDINANCE to vacate a portion of the public right-of-way known as West Uhler Avenue immediately adjacent to 2500 Sanford Street (VAC No. 2014-0005 approved by the City Council on January 24, 2015)

WHEREAS, Joe Salama (Owner) has applied for the vacation of a portion of the public right-of-way known as West Uhler Avenue immediately adjacent to 2500 Sanford Street in the City of Alexandria, Virginia; and

In Vacation No2014-0005 the Planning Commission recommended approval to the City Council on January 6, 2015 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on January 24, 2015 and

WHEREAS, viewers, Michael Porterfield, Joseph La Mountain and Benjamin Klein have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

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

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

1. The Owner shall prepare a plat of consolidation, showing the property vacated and all easements therein, and consolidating such property with their abutting property, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

2. Easements shall be reserved for all existing public and private utilities within the area vacated including the storm sewer. The Owner shall show all easements on the plat of consolidation.

3. The Owner may not construct any buildings, or improvements, including driveways and parking spaces, on the vacated area and may not use the vacated land area to derive any increased development rights for the lands adjacent to the vacated area, including increased floor area, subdivision rights or additional dwelling units. This restriction shall appear as part of the deed of vacation and shall also appear as a note on the consolidated plat, both of which shall be approved by the Director of Planning and Zoning prior to recordation.

4. Owners shall pay the sum of \$13,400 to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include the Joe Salama, Laurie Salama and their respective successors in interest.

Section 4. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

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

15. 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 to Map #11 of the Old Town North chapter of such master plan heretofore approved by city council on February 21, 2015 as Master Plan Amendment No.

2014-0010 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (513 North Washington Street, The Mill)
[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; 4/18/15, 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; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4938

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment to Map #11 of the Old Town North chapter of such master plan heretofore approved by city council on February 21, 2015 as Master Plan Amendment No. 2014-0010 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (513 North Washington Street, The Mill)

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

1. In Master Plan Amendment No. 2014-0010 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 February 3, 2015 of an amendment to the Old Town North Chapter of the Master Plan of the City of Alexandria to modify the land use designation for 513 and 515 North Washington Street from RM/Residential Medium to OC/Office Commercial, which recommendation was approved by the City Council at public hearing on February 21, 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 the Old Town North Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending the land use designation for

513 North Washington and 515 North Washington Street on Map #11 from RM/Residential Medium to OC/Office Commercial.

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.

16. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zone Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 513 North Washington Street from, RM/Townhouse Zone with proffers to OC/Office Commercial Zone with proffers and 515 North Washington Street from OC/Office Commercial Zone with proffers to OC/Office Commercial Zone with amended proffers in accordance with the said zoning map amendment heretofore approved by city council on February 21, 2015 as Rezoning No. 2014-0010. [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. 16; 4/18/15, 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. 16; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4939

AN ORDINANCE to amend and reordain Sheet No. 064.02 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 513 North Washington Street from, RM/Townhouse Zone with proffers to OC/Office Commercial Zone with proffers and 515 North Washington Street from OC/Office Commercial Zone with proffers to OC/Office Commercial Zone with amended proffers in accordance with the said zoning map amendment heretofore approved by city council on February 21, 2015 as Rezoning No. 2014-0010.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0010, 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 February 3, 2015 of a rezoning of the property at 513 North Washington Street from RM/Townhouse Zone with proffer to OC/Office Commercial zone with proffers and 515 North Washington Street from OC/Office Commercial Zone with amended proffers which recommendation was approved by the City Council at public hearing on February 21, 2015;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 064.02 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: 513 North Washington Street,
Tax Map #064.02-04-06

From: RM/Townhouse Zone with proffers
To: OC/Office Commercial Zone with the proffers made in the written proffer statement dated January 27, 2015, labeled as Attachment 1 to the Ordinance, attached hereto and made a part hereof by this reference.

LAND DESCRIPTION: 515 North Washington Street,
Tax Map #064.02-04-01

From: OC/Office Commercial Zone with proffers
To: OC/Office Commercial Zone with the amended proffers made in the written proffer statement dated January 27, 2015, labeled as Attachment 1 to the Ordinance, attached hereto and made a part hereof by this reference.

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. 064.02 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.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 051.02 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 1101 Janney's Lane from R-12/Single Family Zone to R-8/Single Family Zone and POS/Public Open Space Zone and a portion of the property at 1099 Francis Hammond Parkway from POS/Public Open Space to R-8/Single Family Zone in accordance with the said zoning map amendment heretofore approved by city council on March 14, 2015 as Rezoning No. 2014-0014 for the Douglas MacArthur School. [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. 17; 4/18/15, 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. 17; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4940

AN ORDINANCE to amend and reordain Sheet No. 051.02 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 1101 Janney's Lane from R-12/Single Family Zone to R-8/Single Family Zone and POS/Public Open Space Zone and a portion of the property at 1099 Francis Hammond Parkway from POS/Public Open Space to R-8/Single Family Zone in accordance with the said zoning map amendment heretofore approved by city council on March 14, 2015 as Rezoning No. 2014-0014 for the Douglas MacArthur School.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0014, 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 March 3, 2015 of a rezoning of the property at

1101 Janney's Lane from R-12/Single Family Zone to R-8/Single Family Zone and POS/Public Open Space Zone and a portion of the property at 1099 Francis Hammond Parkway from POS/Public Open Space to R-8/Single Family Zone, which recommendation was approved by the City Council at public hearing on March 14, 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. 051.02 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: 1101 Janney's Lane, Tax Map #051.02-03-16

From: R-12/Single Family Zone

To: R-8/Single Family Zone in the location shown with a "1" and POS/Public Open Space zone in the location shown with a "2" on the attached plat labeled Attachment 1, incorporated herein and made a part hereof by this reference.

LAND DESCRIPTION: the portion of 1099 Francis Hammond Py, Tax Map #051.02-03-15 shown with a "3" on the attached plat labeled Attachment 1, incorporated herein and made a part hereof by this reference.

From: POS/Public Open Space

To: R-8/Single Family Zone

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. 051.02 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.

18. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Section 4-1300 (UT/Utilities and Transportation) of Article IV (Office, Commercial and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council on March 14, 2015 as Text Amendment No. 2015-0001 regarding substations in the UT Zone. [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. 18; 4/18/15, 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. 18; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4941

AN ORDINANCE to amend and reordain Section 4-1300 (UT/Utilities and Transportation) of Article IV (Office, Commercial and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council on March 14, 2015 as Text Amendment No. 2015-0001 regarding substations in the UT Zone.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2015-0001, 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 March 3, 2015 of a text amendment to the Zoning Ordinance to require a special use permit for substations 10,000 square feet and larger and to address substations that become non complying because of the change, which recommendation was approved by the City Council at public hearing on March 14, 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 4-1300 of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

Sec. 4-1300 - UT/Utilities and transportation.

4-1301 - Purpose.

The UT zone is established to provide land areas in the city for utility and transportation uses.

4-1302 - Permitted uses.

The following uses are permitted in the UT zone:

- (A) Electrical substation and/or switching stations that covers a land area of less than 10,000 square feet including all land enclosed by fence, wall, or other structure;
- (B) Railroad, bus and rail transit passenger stations;
- (C) Railroad switching yard;
- (D) Railroad tracks;
- (E) Telephone company dial center;
- (F) Utilities, as permitted by section 7-1200
- (G) Utility company office;
- (H) Washington Metropolitan Area Transportation Authority stations and associated facilities and operations;
- (I) Water pumping station, tower and reservoir;
- (J) Accessory uses, as permitted by section 7-100

4-1303 - Special uses.

The following uses may be allowed in the UT zone pursuant to a special use permit:

- (A) Bus shelter on private property;
- (B) Electrical power generating plant;
- (B-1) Electrical substation and/or switching station that covers a land area of 10,000 square feet or more including all land enclosed by fence, wall, or other structure;
- (C) Helistop;
- (D) Public utility service yard;
- (E) Railroad, bus and rail transit maintenance, repair and operating facilities;
- (F) Railroad car assembly operations;
- (G) Railroad engine service operations;
- (H) Railroad repair yards;
- (I) Utility and transportation equipment and outdoor storage yards.

4-1304 - Prohibited uses.

Any use which is not a permitted, special or accessory use pursuant to this section 4-1300 is prohibited.

4-1305 - Area and bulk regulations.

- (A) *Yards.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 and the zone transition requirements of section 7-900
- (B) *Floor area ratio.* The maximum permitted floor area ratio is .25, except that the floor area ratio may be increased to an amount not to exceed .5 with a special use permit.
- (C) *Height.* The maximum permitted height of a building is 35 feet, except that the height may be increased to an amount not to exceed 50 feet with a special use permit.

4-1306 - Use limitations.

(A) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.

(B) All uses and operations shall take place within a completely enclosed structure or an area enclosed on all sides with screening or buffering adequate and reasonable to protect adjacent nearby uses, as determined by the director.

4-1307 – Noncomplying Use.

Notwithstanding the language of section 12-301 regarding the definition of noncomplying uses, Electrical substation and switching stations that cover a land area of 10,000 square feet or more including all land enclosed by fence, wall, or other structure that legally existed immediately before April 18, 2015 shall be deemed a noncomplying use and allowed to continue subject to the rules for noncomplying uses in section 12-302 of this ordinance.

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

Section 3. That Section 4-1300 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

19. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 075.03 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 200 Strand Street (Lot 600 of Subdivision dated November 12, 2014 recorded in the Land Records for the City of Alexandria as Instrument #140046494) from W-1/Waterfront Mixed Use Zone to WPR/Waterfront Parks and Recreation Zone with proffer in accordance with the said zoning map amendment heretofore approved by city council on March 14, 2015 as Rezoning No. 2014-0013 for the Old Dominion Boat Club Clubhouse project. [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. 19; 4/18/15, 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. 19; 4/18/15, and is

incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4942

AN ORDINANCE to amend and reordain Sheet No. 075.03 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 200 Strand Street (Lot 600 of Subdivision dated November 12, 2014 recorded in the Land Records for the City of Alexandria as Instrument #140046494) from W-1/Waterfront Mixed Use Zone to WPR/Waterfront Parks and Recreation Zone with proffer in accordance with the said zoning map amendment heretofore approved by city council on March 14, 2015 as Rezoning No. 2014-0013 for the Old Dominion Boat Club Clubhouse project.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0013, 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 March 3, 2015 of a rezoning of the property at 200 Strand Street (Lot 600 of Subdivision dated November 12, 2014 recorded in the Land Records for the City of Alexandria as Instrument #140046494) from W-1/Waterfront Mixed Use Zone to WPR/Waterfront Parks and Recreation Zone with proffer, which recommendation was approved by the City Council at public hearing on March 14, 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. 075.03 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: 200 Strand Street, Tax Map #075.03-03-18, also known as Lot 600 of the Subdivision dated November 12, 2014 and recorded in the land records for the City of Alexandria as Instrument #140046494

From: W-1/Waterfront Mixed Use Zone

To: WPR/Waterfront Parks and Recreation Zone with the proffer as stated in the Proffer Statement dated February 25, 2015 attached hereto and made a part hereof by this reference.

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. 075.03 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.

20. Public Hearing, Second Reading and Final Passage of an Ordinance to list and designate the Charles M. Goodman House, located at 510 North Quaker Lane, for preservation and protection in accordance with the provisions of Section 10-300 (Preservation of Certain Buildings and Structures over 100 Years Old Outside the Old and Historic Alexandria District and the Parker-Gray District) of Article X (Historic Districts and Buildings) of the City of Alexandria Zoning Ordinance, and to provide for the listing of this ordinance in Section 10-315 of the City of Alexandria Zoning Ordinance. [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. 20; 4/18/15, 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. 20; 4/18/15, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0 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, Councilwoman Pepper and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4943

AN ORDINANCE to list and designate the Charles M. Goodman House, located at 510 North Quaker Lane, for preservation and protection in accordance with the provisions of Section 10-300 (Preservation of Certain Buildings and Structures over 100 Years Old Outside the Old and Historic Alexandria District and the Parker-Gray District) of Article X (Historic Districts and Buildings) of the City of Alexandria Zoning Ordinance, and to provide for the listing of this ordinance in Section 10-315 of the City of Alexandria Zoning Ordinance.

WHEREAS, Section 10-300 of the City of Alexandria Zoning Ordinance provides for the preservation of certain buildings and structures over 100 years old outside of the Old and Historic Alexandria District and the Parker-Gray District; and

WHEREAS, the Charles M. Goodman House has been nominated for inclusion on the list of buildings and structures protected under Section 10-300 of the City of Alexandria Zoning Ordinance, and the nomination has been approved by the planning commission and city council at their respective duly advertised public hearings; and

WHEREAS, the city council has determined that the Charles M. Goodman House is over 100 years old and is of significant historical, cultural and architectural interest; and

WHEREAS, in Rezoning No. 2014-0009 and Text Amendment No. 2014-0009, 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 February 3, 2015 of a rezoning of the property at 510 North Quaker Lane from R-20/Single Family Zone to R-20/Single Family Zone with the 100 year old building designation pursuant to Section 10-300 and a text amendment to add this ordinance to the listing of 100 year old building designation ordinances in Section 10-315 of the zoning ordinance, which recommendation was approved by the City Council at public hearing on February 21, 2015; and

WHEREAS, the city council has determined that it is in the best interest of the city to adopt an ordinance to preserve and protect the Goodman House; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Charles M. Goodman House described in Exhibit A, attached hereto and made a part hereof, be, and the same hereby is, listed as a structure in the city outside of the Old and Historic Alexandria District and the Parker-Gray District which is over 100 years old and is of historical, cultural and architectural interest.

Section 2. That the Charles M. Goodman House be, and the same hereby is, designated for preservation and protection in accordance with the provisions of Section 10-300 of the City of Alexandria Zoning Ordinance.

Section 3. That Sheet No. 051.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 510 North Quaker Lane
Tax Map #051.01-01-33

From: R-20/Single Family Zone
To: R-20/Single Family Zone with 100 Year Old Building Designation pursuant to Section 10-300 of the Zoning Ordinance.

Section 4. That this ordinance be listed in Section 10-315 of the City of Alexandria Zoning Ordinance.

Section 5. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 6. That Sheet No. 051.01 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 7. That the city clerk shall transmit a certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria for recordation among the land records.

Section 8. That this ordinance shall become effective upon the date 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 are on such date pending before any city department, agency or board, or before city council, or on judicial review; shall apply to all such applications 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.

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Vice Mayor Silberberg and carried unanimously, the public hearing meeting of April 18, 2015, was adjourned at 5:04 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council