

**City of Alexandria  
Meeting Minutes  
City Council Public Hearing Meeting  
Saturday, September 16, 2017, 9:30 AM  
Council Chambers**

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Present: Mayor Allison Silberberg, Vice Mayor Justin M. Wilson, Members of Council Willie F. Bailey, Sr., John Taylor Chapman, Redella S. Pepper, and Paul C. Smedberg.

Absent: Timothy B. Lovain.

Also Present: Mr. Jinks, City Manager; Ms. Triggs, Deputy City Manager; Mr. Banks, City Attorney; Ms. Anderson, Deputy City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Dambach, Division Chief, P&Z; Ms. Sims, Urban Planner, P&Z; Ms. Horowitz, Urban Planner, P&Z; Mr. Smith, Urban Planner, P&Z; Ms. Contreras, Urban Planner, P&Z; Mr. Kerns, Division Chief, P&Z; Ms. Free, Urban Planner, P&Z; Ms. Vu, Urban Planner, P&Z; Mr. Ayala, Urban Planner, P&Z; Mr. Farner, Deputy Director, P&Z; Ms. McIlvaine, Director, Office of Housing; Mr. Wagner, Principal Planner, P&Z; Mr. Sharma, Division Chief, T&ES; Mr. Browand, Division Chief, Recreation, Parks, and Cultural Activities; Police Captain Andreas; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

Recorded by: Gloria Sitton, City Clerk and Clerk of Council.

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## **OPENING**

### **1. Calling the Roll.**

Mayor Silberberg called the meeting to order and the City Clerk called the roll. All members of Council were present except Councilmember Lovain, who had an excused absence. Councilwoman Pepper arrived at the meeting at 9:45 a.m.

### **2. Public Discussion Period**

The following persons participated in the public discussion period:

1. Janice Grenadier, 15 West Spring Street, spoke about issues with City government, the judicial system and injustices against her.

2. Gary Carr, 216 Aspen Street, representing the Northern Virginia Urban League Guild, reported on upcoming events sponsored by the Northern Virginia Urban League including its upcoming holiday ball on December 8 at the Springfield Hilton, its annual meeting on October 5 at the Charles Houston Recreation Center, a PSAT Workshop on October 7 on Kings Highway in Fairfax County, and ASTEM workshop on October 14. Mr. Carr mentioned his continued advocacy for restoration of the running track at George Washington Middle

School and the need for running tracks in the community.

3. Zachary DesJardins, 1 West Maple Street, Apt. 102, spoke in support of capital investment in the City streets, specifically making streets safe for everyone. Mr. DesJardins requested that the City invest in a bold plan for bicycle and pedestrian safety that eliminates fatalities and serious injuries, making investments in curb extensions and pedestrian islands, narrowing traffic lanes and reducing excess speed on City streets through policy decisions.

4. Victoria Goebel, 114 West Taylor Run Parkway, spoke about the need for clean and renewable energy in the City and she requested that the City makes the switch to such energy sources by 2030. Ms. Goebel thanked the Mayor for signing on to the Mayor's for 100% Clean Energy and she thanked the Environmental Policy Commission for its proposal to have the City and residents run on renewable energy sources.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Chapman and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

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

### **ACTION CONSENT CALENDAR (3-10)**

#### **Planning Commission**

3. Special Use Permit #2017-0038  
919 Duke Street  
Public Hearing and Consideration of a request for a Parking Reduction and for Setback and Open Space Modifications to Convert a Building used for Office to Residential Use; zoned: CL/Commercial Low.  
Applicant: Katie Detweiler, represented by David Chamowitz, attorney  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 09/16/17, and is incorporated as part of this record by reference.)

4. Special Use Permit #2017-0064  
44 Canal Center Plaza, Suite 401 - Café 44  
Public Hearing and Consideration of a request to Operate a Restaurant; zoned: W1/Waterfront Mixed Used.  
Applicant: Café 44, Inc.  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 09/16/17, and is incorporated as part of this record by reference.)

5. Special Use Permit #2017-0069  
725 South Pickett Street  
Public Hearing and Consideration of a request for a Parking Reduction for an Existing Building used as a Laundry Facility; zoned: I/Industrial.

Applicant: ALSCO

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 09/16/17, and is incorporated as part of this record by reference.)

6. Text Amendment #2017-0007

CR Zone

(A) Initiation of a Text Amendment; and (B) Public Hearing and Consideration of a request for an Amendment to Section 4-702 of the Zoning Ordinance to Permit Homeless Shelters in the CR Zone.

Staff: City of Alexandria Department of Planning & Zoning

Planning Commission Action: Initiated and Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 09/16/17, and is incorporated as part of this record by reference.)

7. Special Use Permit #2017-0068

1504 A Mount Vernon Avenue (Parcel Address: 1502 Mount Vernon Avenue) - Hairy Situations Dog Grooming

Public Hearing and Consideration of a Request for a Parking Reduction; zoned: CL/Commercial Low. Applicant: Michael & Samira Hadeed

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/16/17, and is incorporated as part of this record by reference.)

8. Special Use Permit #2017-0071

Encroachment #2017-0002

728 North Henry Street - Mason Social

Public Hearing and Consideration of requests for: (A) a Special Use Permit for Outdoor Dining and for a Parking Reduction; and (B) an Encroachment into the Public Right-of-Way for Outdoor Dining; zoned: CRMU-M/Commercial Residential Mixed Use.

Applicant: Mason Social, LLC

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/16/17, and is incorporated as part of this record by reference.)

9. Special Use Permit #2017-0083

10 East Glebe Road (Parcel Address: 2 East Glebe Road) - Northside 10

Public Hearing and Consideration of a request to add Outdoor Dining, Extend Hours, and add Off-Premises Alcohol Sales to an Existing Restaurant; zoned: CL/Commercial Low.

Applicant: Meridian Place Foods Group, LLC

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/16/17, and is incorporated as part of this record by reference.)

10. Special Use Permit #2017-0072  
801 North Fairfax Street  
Public Hearing and Consideration of a request for Additional Building Height to Accommodate Rooftop Appurtenances Associated with Mechanical Equipment and Rooftop Open Space; zoned: OCM(50)/Office Commercial Medium (50). Applicants: MFS-ABS WF, LLC and MFS WF, LLC, ABS WF, LLC and SFLP WF, LLC represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 09/16/17, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with items #3, #4, #7, and #9 considered under separate motions. The approval was as follows:

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

The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

3. Special Use Permit #2017-0038  
919 Duke Street  
Public Hearing and Consideration of a request for a Parking Reduction and for Setback and Open Space Modifications to Convert a Building used for Office to Residential Use; zoned: CL/Commercial Low.  
Applicant: Katie Detweiler, represented by David Chamowitz, attorney  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 09/16/17, and is incorporated as part of this record by reference.)

Mr. Moritz, Director, Planning and Zoning, and Ms. Vu, Urban Planner, Planning and Zoning, responded to questions from Council about appropriate zoning for converting properties and parking for the proposed property.

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

4. Special Use Permit #2017-0064  
44 Canal Center Plaza, Suite 401 - Café 44  
Public Hearing and Consideration of a request to Operate a Restaurant; zoned:  
W1/Waterfront Mixed Used.  
Applicant: Café 44, Inc.  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with the following amendment: The hours of operation for the restaurant shall be limited to between 7 a.m. and 11 p.m., daily for both the indoor and outdoor portions of the restaurant. Meals ordered before 11 p.m. may be served, but no new patrons may be admitted and all patrons must leave by 12 a.m., daily. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

7. Special Use Permit #2017-0068  
1504 A Mount Vernon Avenue (Parcel Address: 1502 Mount Vernon Avenue) - Hairy Situations Dog Grooming  
Public Hearing and Consideration of a Request for a Parking Reduction; zoned:  
CL/Commercial Low. Applicant: Michael & Samira Hadeed  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with the removal of condition #4. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

9. Special Use Permit #2017-0083  
10 East Glebe Road (Parcel Address: 2 East Glebe Road) - Northside 10  
Public Hearing and Consideration of a request to add Outdoor Dining, Extend Hours, and add Off-Premises Alcohol Sales to an Existing Restaurant; zoned: CL/Commercial Low.  
Applicant: Meridian Place Foods Group, LLC

## Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/16/17, and is incorporated as part of this record by reference.)

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

1. Ben Benson, 2304 North Glebe Road, spoke in support of the proposal and responded to questions from Council about the proposal and about past violations.
2. Greg Dushaw, 10 East Glebe Road, applicant, spoke in support of the proposal.
3. Barbara Draughon, 140 Lynhaven Drive, representing the Lynhaven Citizens Association, spoke in support of staff's position on the proposal regarding seating, off-site alcohol sales and hours of operation.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded Vice Mayor Wilson and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation with the following amendment to the staff recommendation for condition #2: The indoor hours of operation of the restaurant shall be limited to between 6:00 a.m. and 12 midnight, daily, The outdoor hours of operation shall be limited to between 6 a.m. and 11 p.m., Sunday through Thursday and between 6 a.m. and 12 a.m., Friday and Saturday. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

11. City Council Public Hearing and Consideration to Name the Four Mile Run Park Edison Street Entrance in Honor of Betty King.

(A copy of the City Manager's report dated September 13, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Bailey and carried unanimously, City Council closed the public hearing and adopted the recommendation of the City Naming Committee to name the Four Mile Run Park Edison Street Entrance in honor of Betty King. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

12. City Council Public Hearing and Consideration to Rename the Cora Kelly Recreation Center the Leonard "Chick" Armstrong Recreation Center.



(A copy of the City Manager's report dated September 13, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 09/16/17, and is incorporated as part of this record by reference.)

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

1. David Curtis, 217 East Oxford Avenue, spoke in support of the renaming proposal.
2. Keith Burns, 13572 Heritage Farms Drive, spoke in support of the renaming proposal.

Councilman Bailey read a letter of support into the record from Frank Smith for the renaming proposal.

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Councilman Bailey and carried unanimously, City Council closed the public hearing and adopted the recommendation of the City Naming Committee to rename the Cora Kelly Recreation Center the Leonard "Chick" Armstrong Recreation Center. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

13. City Council Public Hearing and Consideration of an Amendment to the Water Taxi License Agreement between the City of Alexandria and the Potomac Riverboat Company.

(The City Manager's report dated September 13, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried 5-0-1, City Council closed the public hearing and authorized the City Manager to amend the Water Taxi License Agreement between the City of Alexandria and the Potomac Riverboat Company. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none; Absent, Councilman Bailey.

14. City Council Public Hearing and Consideration of a Renewal of a Three-Year License Agreement with the Alexandria Seaport Foundation for Docking the Maritime Heritage Center at its Present Location at the Alexandria City Marina.

(A copy of the City Manager's report dated September 13, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 5-0-1, City Council closed the public hearing and authorized the City Manager to enter into a three-year license agreement with the Alexandria Seaport Foundation for docking the Maritime Heritage Center at its present location at the Alexandria City Marina.

The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none; Absent, Councilman Bailey.

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

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

15. Special Use Permit #2017-0079  
1008, 1010, & 1012 Madison Street & 727 North Henry Street (Parcel Address: 727 North Henry Street)  
Public Hearing and Consideration of a request for a Parking Reduction for the Change of Use of the Existing Buildings on site. Currently Proposed New Uses include a Fitness Facility, Juice Bar, Restaurant, and Personal Service Business; zoned: CSL/Commercial Service Low. Applicant: Iacone/Henry Street, LLC represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 09/16/17, and is incorporated as part of this record by reference.)

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

16. Rezoning #2017-0001  
Development Special Use Permit #2014-0029  
201 Cambridge Road - Bishop Ireton High School Modernization  
Public Hearing and Consideration of requests for: (A) a Rezoning Request to Rezone a portion of 201 Cambridge Road from RC to R-8; and (B) a Development Special Use Permit, with Site Plan and Modifications, to Demolish the Existing Three Story Faculty Residential Structure and Build a new Three Story Classroom and Cafeteria Addition; zoned: R-8/Single-Family & RC/High Density Apartment. Applicant: Catholic Diocese of Arlington, represented by Mary Catherine Gibbs, attorney  
Planning Commission Action: Recommend Approval 5-0 for both REZ & DSUP

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 09/16/17, and is incorporated as part of this record by reference.)

Mr. Smith, Urban Planner, Planning and Zoning, gave a presentation on the proposal and responded to questions from Council about the project.

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

1. Lisa Porter, 1100 Janneys Lane, representing Clover/College Park Civic Association, support in of the proposed amendments from the applicant and responded to



questions from Council.

2. Mary Catharine Gibbs, 700 North Fairfax Street, attorney for the applicant, spoke in support of the proposal, reviewed the amendments to the proposal and responded to questions from Council.

City Council closed the public hearing and approved the Planning Commission recommendation with the following modifications: (1) delete condition #30 as it is a duplication; (2) amend condition #34 regarding TDM model posting to the school's website; (3) amend condition #36 regarding posting of annual reports, transportation counts and modes of transportation surveys to the school's website; (4) amend condition #96 regarding limiting student enrollment to 925; (5) amend condition #98 regarding activities on Fannon Field ending at 9 p.m., or dusk; and (5) amend condition #104 regarding picking up trash with 75ft of the property line. Conditions 100, 101, and 107 will be reinstated to the DSUP. Bishop Ireton and the Clover/College Park Civic Association have agreed to a memorandum of understanding for the other conditions. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

17. Development Special Use Permit #2016-0039  
1701 & 1705 North Beauregard Street - New West End Elementary School  
Public Hearing and Consideration of a request for a Development Special Use Permit with Site Plan to Amend SUP #96-103 to add a Public School Use to the Site and a Special Use Permit for more than one Mechanical Penthouse; zoned: CDD#4/ Coordinated Development District #4. Applicant: Alexandria City Public Schools  
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 09/16/17, and is incorporated as part of this record by reference.)

Ms. Contreras, Urban Planner, Planning and Zoning, gave presentation of the proposal for the new school and responded to questions from Council about the proposal, including questions about barriers between neighboring buildings, traffic patterns around the building, garage use and space designation and the final site plan.

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

1. Bill Pfister, 3718 Templeton Place, spoke in support of the proposal.

2. Richard Newman, 1717 K. Street NW, Washington, D.C., attorney representing neighboring landowner ASCD, requested some assurances from the applicant about common elements that would be shared with school. Mr. Newman requested a series of conditions to assure good neighborly relations including the inclusion of a berm, an interior gate in the garage to segregate spaces for their employees, no parking and no standing signs around their building and the routing of the buses to the service lanes to mitigate traffic impact in front of their building. Mr. Newman stated that ASCD was not opposed to use of the building as a school.

3. Craig Gary, 103 Cahill Drive, representing Alexandria City Public Schools

Redistricting Committee, spoke in support of the proposal.

4. J-Lyn Van Pelt, 1340 Braddock Place, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

5. Bryan Bender, 1340 Braddock Place, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

6. Amanda Kelley, 1340 Braddock Place, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

7. Mark Huddle, 141 North Grayson Street, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

8. Joyce Rawlings, 327 Wesmond Drive, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

9. Janese Bechtol, 1340 Braddock Place, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

10. Carly Robb, 1340 Braddock Place, representing Alexandria City Public Schools Redistricting Committee, spoke in support of the proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Wilson and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Vice Mayor Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with an amendment to the following condition: Condition 4d should read, "Prior to submittal of the Final Site Plan, coordination with the adjacent property owner should occur to finalize a design incorporating a means of physical separation between the two properties, such as a landscaped hedge, fence, or berm." The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

At 1:45 p.m.. City Council took a recess for lunch and the meeting reconvened at 2:15 p.m.

**\*\* Please note: Docket item #18 and Docket item #19 were read into the record together.\*\***

18. Master Plan Amendment #2017-0006  
Eisenhower East Small Area Plan Amendment  
(A) Initiation of a Master Plan Amendment; and (B) Public Hearing and Consideration of a Resolution to Amend Blocks 4, 5, 6A, and 20 within the Eisenhower East Small Area Plan Chapter of the Master Plan. Applicant: City of Alexandria Department of Planning & Zoning Planning Commission Action: Initiated and Adopted Resolution to Recommend Approval 6-0

(The Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 09/16/17, and is incorporated as part of this record by reference.)

Mr. Ayala, Urban Planner, Planning and Zoning, gave a presentation of the proposal and responded to questions from Council about the amendment.

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

1. Mary Catharine Gibbs, 700 North Fairfax Street, Suite 600, spoke in support of the amendment and responded to questions from Council.

2. Clarke Ewart, 14417 Cantrell Road, spoke in support of the amendment and responded to questions from Council.

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

19. Development Special Use Permit #2017-0015  
Coordinated Development District Concept Plan #2017-0002  
Encroachment #2017-0003  
Special Use Permit #2017-0092  
Transportation Management Plan SUP #2017-0097  
200 Stovall Street - Hoffman Block 6A  
Public Hearing and Consideration of requests for: (A) an Amendment to previously-approved CDD Concept Plan #2016-0001; (B) Amendment to previously-approved Development Special Use Permit #2000-0028, with modifications; (C) an Encroachment for Residential Balconies into the Public Right-of-Way; (D) a Special Use Permit for Increased Penthouse Height; and (E) an Amendment to previously-approved Transportation Management Plan SUP #1998-0043; zoned CDD #2/Coordinated Development District #2. Applicant: Perseus Realty, LLC, represented by Ken Wire, attorney  
Planning Commission Action: Recommend Approval of All Requests 6-0

(A copy of the Planning Commission report dated September 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 09/16/17, and is incorporated as part of this record by reference.)

Ms. Free, Urban Planner, Planning and Zoning, gave a presentation on the DSUP and responded to questions from Council.

Mr. Lambert, Director, Transportation and Environmental Services, responded to questions from Council about the fees for sewer in conversion projects and notification to industry of the changes to the fees.

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

1. Kenneth Wire, 1350 Tysons Blvd, Tysons, Virginia, attorney for the applicant, spoke about the fees changes and how the amount would affect the viability of the project. Mr. Wire responded to questions from Council about the fees and the impact on his proposed project.

2. Adam Peters, 1850 M Street, Washington, D.C., applicant, spoke about the proposed development and requested that Council revise the Code on the sewer fees on conversion. Mr. Peters stated that if there was not a change in the Code, the project would have to be deferred.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and deferred docket item 19 until the October 14 public hearing meeting. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

## **ORDINANCES AND RESOLUTIONS**

20. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 2-5-11 (FINANCIAL DISCLOSURE STATEMENT REQUIRED) of Article B (FINANCIAL DISCLOSURE) of Chapter 5 (OFFICERS AND EMPLOYERS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 2-5-11 (FINANCIAL DISCLOSURE STATEMENT REQUIRED) of Article B (FINANCIAL DISCLOSURE) of Chapter 5 (OFFICERS AND EMPLOYERS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

### **ORDINANCE NO. 5078**

AN ORDINANCE to amend and reordain Section 2-5-11 (FINANCIAL DISCLOSURE STATEMENT REQUIRED) of Article B (FINANCIAL DISCLOSURE) of Chapter 5 (OFFICERS AND EMPLOYEES) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Article B of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

**Sec. 2-5-11 - Financial disclosure statement required.**

- (a) In addition to those public officials and employees who may be required by Article 5 of the State and Local Government Conflict of Interests Act, Va. Code section 2.1-639.1 2.2-3113 et seq., to file annual financial disclosure statements, all persons holding the following offices or positions in the city shall file an annual financial disclosure statement on a form ~~prepared~~ prescribed by the ~~secretary of the commonwealth~~ Virginia Conflict of Interest and Ethics Advisory Council in accordance with the provisions of the State and Local Government Conflict of Interests Act. Such forms shall be filed in the office of the city clerk on or before ~~December 15 and June 15~~ January 15 annually.
- (1) Mayor and members of city council;
  - (2) City manager, deputy city managers, assistant city managers, and special assistants and assistants to the city manager;
  - (3) City attorney and deputy city attorney;
  - (4) City clerk and deputy city clerk;
  - (5) City treasurer and purchasing agent;
  - (6) All directors and deputy directors of all city departments and offices, as well as all additional key leadership personnel as may be designated or required from time to time by the city manager;
  - (7) Director and deputy director of the department of health;
  - (8) Director and deputy director of the Alexandria library;
  - (9) Members of the following boards and commissions of the city:
    - a. planning commission;
    - b. school board;
    - c. Alexandria Redevelopment and Housing Authority;
    - d. board of zoning appeals;
    - e. board of architectural review;
    - f. board of equalization and assessment review;
    - g. Alexandria Industrial Development Authority;
    - h. Alexandria Sanitation Authority;
    - ~~i. community development block grant advisory committee;~~
    - ~~j. i.~~ i. human rights commission;
    - ~~k. home improvement panel; and~~
    - ~~l. j.~~ j. building code board of appeals; and
    - ~~m. k.~~ k. Alexandria Marketing Committee and Alexandria Marketing Coordinating Council.
  - (10) Administrative assistants employed by the mayor and members of council pursuant to section 3.06.1 of the city charter.
  - (11) Members of the community policy and management team created by section 12-12-1 of this code.

(b) A person required to file a financial disclosure statement shall verify in writing, under oath, that to the best of his or her knowledge the information in the financial disclosure statement is true and complete.

Section 2. That Article B as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

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**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and approved docket items 21-25 as a block. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

21. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 2-4-7 (APPOINTMENT TO COMMITTEES) of Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(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. 21; 09/16/17, 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. 21; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 2-4-7 (APPOINTMENT TO COMMITTEES) of Article A (GENERAL PROVISION) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

#### ORDINANCE NO. 5079

AN ORDINANCE to amend and reordain Section 2-4-7 (APPOINTMENT TO COMMITTEES) of Article A (FINANCIAL DISCLOSURE) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:



Section 1. That Article A of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

**Sec. 2-5-4-7 – Appointment to Committees.**

- (a) Unless an appointment or reappointment to a committee is expressly vested by law in the courts or in ~~some~~ some other body, all appointments shall be made by the city council. No person shall be appointed to any committee without the affirmative votes of at least four members of the council.
- (b) Before appointing or reappointing any person to a committee, the executive secretary shall give public notice of the impending appointment and cause the same to be advertised in the form and manner prescribed by law for public notices at least 21 days prior to consideration by the city council of the appointment or reappointment. Insofar as practicable, the notice shall indicate the name of the committee, the number of positions to be filled, any special occupational, professional or other qualifications that may be required for a particular position and the time within which the application required by subsection (c) of this section must be filed. Where a position can be filled only by a designated member, the notice shall also include the name of the organization, group or committee from which such member must be designated.
- (c) No person shall be appointed or reappointed by the city council to any committee until there is first submitted and filed with the executive secretary an application form. No person shall submit an application for membership for more than one committee position at any city council meeting at which appointments to committees are considered. Such application shall include personal data with respect to the applicant's name, address, age, educational background, practical experience, length of residency, employment of the applicant or any relative by the city and any special qualifications that the applicant possesses for a particular position. Applications must be filed with the executive secretary not less than seven days prior to the date that the appointment will be considered by the city council.
- (d) Unless its enabling legislation expressly so provides, or unless waived by a majority of the city council when it deems such waiver in the best interest of the city and such waiver is not prohibited by any provision of law, no person shall be appointed to a committee unless at the time of the appointment the person is a resident of and residing in the city, and the person shall cease to be a member of a committee upon becoming a resident of any other jurisdiction.
- (e) No person who holds any office or position in the city for compensation shall be appointed to any committee which is involved in, responsible for, oversees or regulates the subject matter, policy or rules of the city department or agency by which the person is employed. The executive secretary shall review all applications for appointments to committees. The executive secretary shall advise the council whether, in his or her opinion, the appointment of the person to the committee for which application has been made would result in such a situation.
- (f) No person shall be appointed by the city council to more than one standing committee, or to more than one standing committee and one temporary committee, at the same time except as a designated member; provided, that, for the purposes of this subsection, a regional committee shall not be considered a standing or a temporary committee.
- (g) Any person appointed to a committee shall, upon appointment, agree to comply with the provisions of chapter 5 of this title, concerning ethics, conflicts of interest and ownership

of real property and, where applicable, the provisions of sections 2-5-11 to 2-5-16 of this code.

- (h) Every person appointed by the city council to any committee shall, on or before undertaking a position on such committee, qualify by taking the following oath or affirmation either: i) verbally before the clerk of the circuit court, or other officer authorized to administer oaths or affirmations, or ii) in writing on a form provided by the Office of the City Clerk and Clerk of Council:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as (insert title of office) according to the best of my ability (so help me God).

- (i)(1) The head of each committee shall keep or cause to be kept a record of each appointee's attendance at meetings of the committee, and shall, on or before July 1 of each year, forward to the executive secretary in writing, a copy of each attendance record for the immediately preceding 12 months. Appointees to committees shall attend at least 75 percent of the meetings of the bodies on which they serve each year. If the attendance record reflects that any appointee does not attend at least 75 percent of the meetings, the executive secretary shall advertise a vacancy so that city council can proceed to fill the vacancy at the first regular council meeting held in September, following any year during which an appointee has not attended at least 75 percent of the meetings. The executive secretary shall also forthwith notify the appointee of this action. The office of any appointee who has not attended the required number of meetings shall be automatically deemed vacant on the date of the abovementioned council meeting in September. If at any time during a year, a majority of the committee concludes that an appointee will be, based upon the appointee's attendance record, unable to meet the 75 percent attendance requirement, it may immediately direct the committee head to request the city council to declare the position vacant. If council determines that sufficient meetings have already been missed such that the 75 percent attendance requirement will not be met, it may declare the position vacant and may make an appointment to fill the vacancy for the remainder of the existing term of office of the appointee whose position was declared vacant.
- (2) The committee head may excuse the absence of an appointee from a meeting or meetings if informed by the appointee of the absence within a reasonable period of time in advance of the meeting. Such excused absences shall not be considered by the committee head when preparing the appointee's attendance record but shall be noted as "excused absences" on the record.
- (j) Any person appointed to a committee by the city council may be removed by the city council for neglect of duty or violations of this article or any other provision of law.
- (k) Notwithstanding any contrary provision of this chapter, a member of city council, who serves a member of a committee established pursuant to this code, may appoint another person to represent the council member as an alternate member of such committee. Any such alternate member shall be appointed in writing, filed with the executive secretary and city clerk. Any such alternate member shall serve at the pleasure of the council member making the appointment, and, in the absence of the council member, may exercise any or all of the rights, privileges and duties of the council member on such committee.

- 22. Public Hearing. Second Reading and Final Passage of an Ordinance to Repeal Section

13-1-25 (MINORS PROHIBITED IN PUBLIC POOLROOMS) of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) 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. 22; 09/16/17, 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. 22; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and adopted an ordinance to repeal Section 13-1-25 (MINORS PROHIBITED IN PUBLIC POOLROOMS) of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

#### ORDINANCE NO. 5080

AN ORDINANCE to repeal Section 13-1-25 (MINORS PROHIBITED IN PUBLIC POOLROOMS) of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Section 13-1-25, Chapter 1, Title 13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, repealed in its entirety, as follows:

#### **~~Sec. 13-1-25 -- Minors prohibited in public poolrooms.~~**

~~(a) It shall be unlawful for any person under the age of 18 years to frequent, play in or loiter in any public poolroom or billiard room in the city or be permitted by the proprietor thereof or his agent to frequent, play in or loiter in any public poolroom or billiard room in the city.~~

~~(b) Any person under the age of 18 years and any proprietor or his agent violating the provisions of this section shall, upon conviction, thereof, be guilty of a class 3 misdemeanor.~~

~~(c) Nothing in this section shall apply, however, to military or naval personnel in uniform in any poolroom or billiard room.~~

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

23. 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 to Replace the North Potomac Yard Small Area Plan Chapter of Such Master Plan with an Updated Small Area Plan as Master Plan Amendment No. 2017-0003 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent with Such Amendment. [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. 23; 09/16/17, 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. 23; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted 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 to replace the North Potomac Yard Small Area Plan Chapter of such Master Plan with an updated small area plan as Master Plan Amendment No. 2017-0003 and no other amendments, and to repeal all provisions of the said Master Plan as may be inconsistent with such amendment.

The ordinance reads as follows:

#### ORDINANCE NO. 5081

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 to replace the North Potomac Yard Small Area Plan Chapter of such master plan with an updated small area plan as Master Plan Amendment No. 2017-0003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

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

1. In Master Plan Amendment No. 2017-0003, 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 June 6, 2017 of an amendment to the Master Plan of the City of Alexandria to replace the North Potomac Yard Small Area Plan Chapter with an updated small area plan, which recommendation was approved by the City Council at public hearing on June 13, 2017;

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 North Potomac Yard Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by replacing the existing chapter with the document titled NPY Small Area Plan, dated June 6, 2017, attached hereto and incorporated fully herein by reference.

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.

24. 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 to Replace the Old Town North Small Area Plan Chapter of Such Master Plan with an Updated Small Area Plan Including the Old Town North Urban Design Standards and Guidelines as Master Plan Amendment No. 2017-0002 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May be Inconsistent with Such Amendment.[ROLL-CALLVOTE]

(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. 24; 09/16/17, 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. 24; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted 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 to replace the Old Town North Small Area Plan Chapter of such master plan with an updated small area plan including the Old Town North Urban Design Standards and Guideline as Master Plan Amendment No. 2017-0002 and no other amendments, and to repeal all provisions of the said

master plan as may be inconsistent with such amendment.

The ordinance reads as follows:

#### ORDINANCE NO. 5082

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 to replace the Old Town North Small Area Plan Chapter of such master plan with an updated small area plan including the Old Town North Urban Design Standards and Guidelines as Master Plan Amendment No. 2017-0002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

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

1. In Master Plan Amendment No. 2017-0002, 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 June 14, 2017 of an amendment to the Master Plan of the City of Alexandria to replace the Old Town North Small Area Plan Chapter with an updated small area plan that includes the Old Town North Urban Design Standards and Guidelines, which recommendation was approved by the City Council at public hearing on June 24, 2017;
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 Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by replacing the existing chapter with the document titled Old Town North Small Area Plan, dated June 24, 2017, and the document titled Urban Design Standards and Guidelines for Old Town North, dated June 24, 2017, attached hereto and incorporated fully herein by reference.

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.

25. Public Hearing, Second Reading, and Final Passage of an Ordinance to Vacate a Portion of the Public Right-of-Way Adjacent to the Property at 700 South Pitt Street (VAC No. 2017-0001). [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. 25; 09/16/17, 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. 25; 09/16/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adopted an ordinance to vacate a portion of the public right-of-way adjacent to the property at 700 South Pitt Street (VAC. No. 2017-0001).

The ordinance reads as follows:

#### ORDINANCE NO. 5083

AN ORDINANCE to vacate a portion of the public right-of-way adjacent to the property at 700 South Pitt Street (VAC No. 2017-0001).

WHEREAS, Thomas J. Campbell (Owner) is the owner of the property located at 700 South Pitt Street in the City of Alexandria, Virginia; and

WHEREAS, Owner has applied for the vacation of a 739 square foot rectangular portion of the public right-of-way, located at the intersection of South Pitt Street and Franklin Street, immediately adjacent to the property at 700 South Pitt Street, in the City of Alexandria, Virginia; and

WHEREAS, In Vacation No. 2017-0001, the planning commission recommended approval to the City Council on June 14, 2017 of a vacation of public right of way, which recommendation was approved by the City Council at its public hearing on June 24, 2017; and

WHEREAS, viewers, Shelli Vasser Gilliam, Michael Porterfield, and Ann Tucker, 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 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. The approved 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. The Owner shall show all easements on the plat of consolidation.

3. The Owner shall be responsible for perpetual ownership, development, and maintenance of the improvements constructed in the vacated area and may not use the vacated land area to derive any increased above-grade development rights for 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. Owner shall pay the sum of five thousand five hundred dollars (\$5,500.00) to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include the Thomas J. Campbell and his 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.

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

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

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

None.

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**THERE BEING NO FURTHER BUSINESS TO CONSIDER**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the public hearing meeting of September 16, 2017 at 3:00 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

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APPROVED BY:

\_\_\_\_\_  
ALLISON SILBERBERG      MAYOR

ATTEST:

\_\_\_\_\_  
Gloria Sitton, CMC      City Clerk