

**City of Alexandria  
Meeting Minutes  
City Council Public Hearing Meeting  
Saturday, October 14, 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, Timothy B. Lovain, Redella S. Pepper, and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Baker, 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. Randall, Urban Planner, Planning and Zoning; Mr. Skrabak, Deputy Director, T&ES; Mr. Garbacz, Division Chief, T&ES; Mr. Dambach, Division Chief, P&Z; Ms. Sims, Urban Planner, P&Z; Mr. Kerns, Division Chief, P&Z; Mr. Wagner, Principal Planner, P&Z; Ms. Jaatinan, Division Chief, T&ES; 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.

**OPENING**

1. Calling the Roll.

Mayor Silberberg called the meeting to order and the City Clerk called the roll. All the members of Council were present, with Councilman Chapman arriving at 9:45 a.m.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Thomas Belli, 125 South Reynolds Street, Apt. 1513, spoke about the resolution passed by the Alexandria Democratic Committee regarding an increase in City Council salaries, noting that an increased salary would more accurately reflect the workload that members have and be consistent with neighboring jurisdictions. Mr. Belli requested that Council conduct a study as soon as possible regarding a Council salary increase. Mr. Belli also stated that the Alexandria Democratic Committee passed a resolution requesting that the next school in Alexandria be named in honor of Ferdinand Day, the first African-American to serve on the school board

2. Marta Schantz, 557 East Nelson Avenue, spoke about the resolution passed by the Alexandria Democratic Committee regarding an increase in the City Council salaries. Ms. Schantz noted that the resolution contains data and statistics about salary increases for City

Council and how they compare to neighboring jurisdictions. Ms. Schantz requested that Council conduct a study regarding salary increase as soon as possible.

City Council requested that City Manager Jinks docket for discussion for salary increases for further discussion.

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

4. Oscar Gonzalez, 404 South Saint Asaph Street, Apt. 8, representing Alexandria Families for Safe Streets, spoke in support of the City's Vision Zero plan. Mr. Gonzalez requested that Council direct City staff to identify low-cost safety measures that can be easily implemented to increase pedestrian safety throughout the City.

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

### **ACTION CONSENT CALENDAR (3-8)**

#### **Planning Commission**

3. Special Use Permit #2017-0048  
1132 Prince Street (Parcel Address: 1130 Prince Street) - Harambee Books & Artworks  
Public Hearing and Consideration of a Request to Continue Operation of a Non-Conforming Use; zoned: RM/Townhouse. Applicant: Bernard Reaves  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 10/14/17, and is incorporated as part of this record by reference.)

4. Special Use Permit #2017-0088  
405 North Alfred Street  
Public Hearing and Consideration of a Request for Additional Building Height and for a Front Yard Setback Modification to add a Dormer to the Roof of an Existing Semi-Detached, Two-Family Dwelling; zoned: CL/Commercial Low. Applicant: Wayne A. Neale and Sherrill Neale  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/14/17, and is incorporated as part of this record by reference.)

5. Special Use Permit #2017-0090  
618-622 North Washington Street - Great Beginnings Early Learning Center  
Public Hearing and Consideration of a Request for a Parking Reduction for Parking Located Over 500 feet from a Business; zoned: OC/Office Commercial.  
Applicant: Great Beginnings Early Learning Center, LLC represented by Mary Catherine Gibbs  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/14/17, and is incorporated as part of this record by reference.)

6. Text Amendment #2017-0008 - Small Cell Facilities  
(A) Initiation of a Text Amendment; and (B) Public Hearing and Consideration of a Text Amendment to Section 6-403 and Section 7-1200 of the Zoning Ordinance to Integrate Regulations Enacted by the State for Small Cell Facilities for Wireless Communications into the Zoning Ordinance. Staff: City of Alexandria Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/14/17, and is incorporated as part of this record by reference.)

7. Vacation #2017-0005  
116 West Alexandria Avenue  
Public Hearing and Consideration of a Request to Vacate Public Right-of-Way of an Alley to Add Side Yard Area to an Adjacent Lot; zoned: R-5/Residential. Applicant: Robert Hargis, represented by Alexandria Avenue, LLC  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/14/17, and is incorporated as part of this record by reference.)

8. Vacation #2017-0006  
118 West Alexandria Avenue  
Public Hearing and Consideration of a Request to Vacate Public Right-of-Way of an Alley to add Land Area to an Adjacent lot; zoned: R-5/Residential. Applicant: Gina Maria Dinicolo, represented by Alexandria Avenue, LLC  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/14/17, 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, City Council closed the public hearing and approved the action consent calendar, with docket items 5, 6, and 8, considered under separate motions. The approval was as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.

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.

5. Special Use Permit #2017-0090  
618-622 North Washington Street - Great Beginnings Early Learning Center  
Public Hearing and Consideration of a Request for a Parking Reduction for Parking Located Over 500 feet from a Business; zoned: OC/Office Commercial.  
Applicant: Great Beginnings Early Learning Center, LLC represented by Mary Catherine Gibbs  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/14/17, and is incorporated as part of this record by reference.)

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

1. Dr. Charles Varipapa, 624 North Washington Street, spoke in opposition to the changing in the parking in the area and the establishment of a loading zones for the daycare center.

Mr. Dambach, Division Chief, Planning and Zoning, gave an overview of the proposed parking reduction and responded to questions from Council about the parking reduction and the location and signage for the loading zone for the daycare. Mr. Garbacz, Division Chief, explained the reasoning for the hours and location of the loading zone along Wythe Street and Washington Street.

2. Bud Hard, 700 North Fairfax Street, Suite 600, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg, 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, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

6. Text Amendment #2017-0008 - Small Cell Facilities  
(A) Initiation of a Text Amendment; and (B) Public Hearing and Consideration of a Text Amendment to Section 6-403 and Section 7-1200 of the Zoning Ordinance to Integrate Regulations Enacted by the State for Small Cell Facilities for Wireless Communications into the Zoning Ordinance. Staff: City of Alexandria Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/14/17, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, responded to questions about the types of antennas that will be allowed to install and how the City will be impacted the changes

in this text amendment. City Council requested that City staff contact Virginia Beach for information on how they have implemented the regulations for their City.

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

8. Vacation #2017-0006  
118 West Alexandria Avenue  
Public Hearing and Consideration of a Request to Vacate Public Right-of-Way of an Alley to add Land Area to an Adjacent lot; zoned: R-5/Residential. Applicant: Gina Maria Dinicolo, represented by Alexandria Avenue, LLC  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/14/17, and is incorporated as part of this record by reference.)

Ms. Sims, Urban Planner, Planning and Zoning responded to questions from Council about the vacation how the right-of-way will change the property.

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

1. Mike Dameon, 2401 Mount Vernon Avenue, Unit B, spoke in support of the vacation and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg, 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, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

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

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

9. Master Plan Amendment #2017-0004  
Text Amendment #2017-0006  
Coordinated Development District Concept Plan #2017-0001  
Development Special Use Permit #2016-0022  
2551 Main Line Boulevard - Potomac Yard Landbay H/I East Multifamily  
Public Hearing and Consideration of Requests for: (A) a Resolution to amend the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan to Amend the Maximum Number of Allowable Dwelling Units in Landbays H and I of Potomac Yard and to Amend the Maximum Allowable Building Height at the Site; (B) Initiation of a Text Amendment; (C) Text Amendment to the Zoning Ordinance to Amend the Provisions of Section 5-602 to Increase the Maximum Number of Allowable Residential Dwelling Units in Coordinated Development District #10; (D) Amendment to Coordinated Development District #10 Concept Plan to Increase the Maximum Number

of Allowable Residential Dwelling Units in Landbays H and I; and (E) Development Special Use Permit, with Modifications, to Construct Two Multifamily Residential Buildings Containing a Total of 142 Residential Units; zoned: CDD #10 / Coordinated Development District #10. Applicant: City of Alexandria (Text Amendment only) and Potomac Yard Development, LLC, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval of all requests 6-1

(A copy of the Planning Commission report dated October 3, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. (; 10/14/17, and is incorporated as part of this record by reference.)

Mr. Randall, Urban Planner, Planning and Zoning, gave presentation on the proposed project and he, along with Mr. Garbacz, Division Chief, Transportation and Environmental Services, Mr. Kerns, Division Chief, Planning and Zoning, Mr. Skrabak, Deputy Director, Transportation and Environmental Services, responded to questions about the garage entrance and door types, trash pickup time, location of garage entrance, outreach to the neighborhood about the proposed project, building height, density and number of units, affordable housing contributions, environment conditions of the site, the special use permit process, and updating information in Master Plans.

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

1. Daniel Roth, 2503 Main Line Boulevard, spoke in opposition to the current proposal and he noted that the community was willing to work to reach a compromise.
2. Jesse Wuertz, 2503 Main Line Boulevard, spoke in opposition to the current proposal.
3. Emily Verwee, 725 Watson Street, spoke in opposition to the current proposal.
4. Brian Verwee, 725 Watson Street, spoke in opposition to the current proposal.
5. Mila Yochum, spoke in the opposition to the current proposal.
6. Juni Zhu, 727 Watson Street, spoke in opposition to the current proposal.
7. Susan Richards, 715 Watson Street, spoke in opposition to the current proposal.
8. Shawn Brooks, 1314 Main Line Boulevard, 101, spoke in opposition to the current proposal.
9. Alexandra Smith, 713 Watson Street, spoke in opposition to the current proposal.
10. Pinaki Vaidya, 701 Watson Street, spoke in opposition to the current proposal.
11. Kalishal Jhall, 701 Watson Street, spoke in opposition to the current proposal and he requested a deferral of the project.
12. Carolyn Lyle, 1552 Mt. Eagle Place, spoke about the environmental impact of the proposed project on the community.



13. Cathy Puskar, 2200 Clarendon Boulevard, Ste. 1300, Arlington, spoke in support of the proposal responded to questions from Council about the proposed project, including questions about building height and density, community engagement process, affordable housing contribution, garage location, trash pickup, and changes to the proposal in response to the neighborhood concerns.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg 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, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

A MOTION was made by Councilmember Lovain, seconded by Councilman Chapman for City Council to adopt the Planning Commission recommendation with the following amendments:

- Condition #1 was amended to read as follows: The Final Site Plan shall be in substantial conformance with the preliminary plan dated July 10, 2017, as amended by the exhibits submitted on and dated October 13, 2017, and comply with the following conditions of approval. The parking garage entrance shall be located on Swann Avenue and the applicant will work with staff and the community during the final site plan process with potential minor height changes of up to three feet to construct the garage opening. The applicant will also work with staff on a low-noise, attractive garage door.

- Condition #10 was amended as follows: The building design, including the quality of materials and final detailing, shall be consistent with the elevations dated July 10, 2017 as amended by Exhibit A dated October 13, 2017 consisting of three pages and all approved conditions.

The Master Plan Amendment and the Coordinated Development District will be adjusted accordingly. The revised Master Plan Amendment will include: (1) 2,239 total residential units maximum (instead of 2,241); and 70-foot maximum building height except that up to 73-foot maximum building height, only if necessary to accommodate a parking garage entrance on Swann Avenue, is permitted on the eastern half of the site (instead of 70-foot maximum building height without exception). The revised Text Amendment will include 2,239 total residential units maximum (instead of 2,241). The Coordinated Development District Plan will include 93-unit increase in Landbay H and nine-unit increase in Landbay I.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried 6-1, City Council amended condition #28 was amended as follows: One parking space shall be reserved as a limited common element for each condominium unit and sold to the purchaser of said unit. The remaining parking spaces may be unbundled from the sale of the units, and purchased or leased separately by the residents if desired. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, Councilmember Lovain. The amendment becomes part of the main motion.

**The main motion** reads as follows: City Council adopted the Planning Commission recommendation with the following amendments:

- Condition #1 was amended to read as follows: The Final Site Plan shall be in substantial conformance with the preliminary plan dated July 10, 2017, as amended by the exhibits submitted on and dated October 13, 2017, and comply with the following conditions of approval. The parking garage entrance shall be located on Swann Avenue and the applicant will work with staff and the community during the final site plan process with potential minor height changes of up to three feet to construct the garage opening. The applicant will also work with staff on a low-noise, attractive garage door.

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The Master Plan Amendment and the Coordinated Development District will be adjusted accordingly. The revised Master Plan Amendment will include: (1) 2,239 total residential units maximum (instead of 2,241); and 70-foot maximum building height except that up to 73-foot maximum building height, only if necessary to accommodate a parking garage entrance on Swann Avenue, is permitted on the eastern half of the site (instead of 70-foot maximum building height without exception). The revised Text Amendment will include 2,239 total residential units maximum (instead of 2,241). The Coordinated Development District Plan will include 93-unit increase in Landbay H and nine-unit increase in Landbay I.

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

## **ORDINANCES AND RESOLUTIONS**

**\*\*Please note that docket items 10-13 were approved as a block by 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 approved docket items 10 -13 as a block. 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.

The approvals were as follows:

10. Public Hearing, Second Reading, and Final Passage of an Ordinance Abolishing the Alexandria Marketing Committee and Coordinating Council.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/14/17, 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. 10; 10/14/17, and is incorporated as part of this record by reference.)

City Council adopted an ordinance abolishing the Alexandria Marketing Committee and Coordinating Council.

The ordinance reads as follows:

#### ORDINANCE NO. 5084

AN ORDINANCE to repeal Article G.1 (ALEXANDRIA MARKETING COMMITTEE AND COORDINATING COUNCIL) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) and 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 CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article G.1, Chapter 4, Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, repealed in its entirety, and the Alexandria Marketing Committee and Coordinating Council therein established is abolished.

Section 2. That Section 2-5-11 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

- (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 2.2-3113 *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 prescribed by the 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 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. human rights commission; and
  - j. building code board of appeals; ~~and~~
  - 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 3. That this ordinance shall become effective upon the date and at the time of its final passage.

- 11. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 4-702 (Permitted Uses) of Section 4-700 (CR/Commercial Regional Zone) of Article IV (Commercial Office and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the Text Amendment heretofore approved by city council on September 16, 2017 as Text Amendment No. 2017-0007.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/14/17, 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. 11; 10/14/17, and is incorporated as part of this record by reference.)

City Council adopted an ordinance to amend and reordain Section 4-702 (Permitted Uses) of Section 4-700 (CR/Commercial Regional Zone) of Article IV (Commercial Office and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the Text Amendment heretofore approved by City Council on September 16, 2017 as Text Amendment

No. 2017-0007.

The ordinance reads as follows:

#### ORDINANCE NO. 5085

AN ORDINANCE to amend and reordain Section 4-702 (Permitted Uses) of Section 4-700 (CR/Commercial Regional Zone) of Article IV (Commercial Office and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council on September 16, 2017 as Text Amendment No. 2017-0007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2017-0007, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on September 5, 2017 of a text amendment to the Zoning Ordinance to add homeless shelters a temporary use in the CR Zone, which recommendation was approved by the City Council at public hearing on September 16, 2017;

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 4-702 of the Zoning Ordinance be, and the same hereby are, amended by deleting the current sections in their entirety and inserting new language, as shown:

#### **Sec. 4-700 CR/Commercial regional**

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4-702 - Permitted uses.

(A) Amusement enterprise;

(A.1) Animal care facility with no overnight accommodation;

(A.2) Day care center;

(B) Health and athletic club;

(B.1) Homeless shelter. This subsection shall expire on March 1, 2021. Any homeless shelters permitted under the authority of this subsection shall be removed by that date;

(C) Light auto repair or drive through facility located in a freestanding building not part of an integrated and connected complex of structures;

(D) Motor vehicle parking or storage;

(E) Personal service establishment;

(E.1) Reserved;

(E.2) Private school, commercial;

(E.3) Public school;

(F) Restaurant;

- (G) Retail shopping establishment;
- (H) Utilities, as permitted by section 7-1200;
- (I) Accessory uses, as permitted by section 7-100.

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

Section 3. That Section 4-702 (Permitted Uses) of Article IV (Commercial Office and Industrial Zones) of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

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

12. Public Hearing, Second Reading, Final Passage of an Ordinance Amendment to Allow for the Appointment of Alternate Members to the Alexandria Board of Building Code Appeals.

City Council adopted an ordinance amendment to allow for the appointment of alternate members to the Alexandria Board of Building Code of Appeals.

The ordinance reads as follows:

#### ORDINANCE NO. 5086

AN ORDINANCE to amend and reordain Section 8-1-37 (BOARD OF BUILDING CODE APPEALS) of Article C (REMEDIES AND APPEALS), Chapter 1 (BUILDING CODE), Title 8 (BUILDING CODE REGULATIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

WHEREAS, Section 119.2 of Part I, and Section 106.2 of Part III, of the Virginia Uniform Statewide Building Code, authorize the appointment of both regular and alternate members to the Alexandria Board of Building Code Appeals (the "Board"); and

WHEREAS City Code Section 8-1-37 entitled "Board of building code appeals" currently allows for the appointment of "six members" to the Board, but makes no mention of the appointment of alternate members; and

WHEREAS the appointment of two alternate members to the Board would assist in the orderly and efficient operation of the Board;

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

Section 1. That Section 8-1-37 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding the underlined language and eliminating the language that is struck-through.

## **Sec. 8-1-37 – Board of building code appeals.**

There is hereby created within the department of code administration a board of appeals to be known as the Alexandria Board of Building Code Appeals. This board shall hear appeals of the Virginia Uniform Statewide Building Code ("VUSBC"), including, but not limited to, the Virginia Construction Code and the Virginia Maintenance Code, and their referenced documents and standards. The board shall consist of six members appointed by the city council in accordance with the appeal provisions of the VUSBC. The city council may also appoint two alternate members to the board to serve in the absence of any regular members. While serving, alternate members shall have the full power and authority of regular members. All Mmembers shall be selected on the basis of their ability to render fair, competent, and VUSBC code based decisions regarding application of the VUSBC.

Section 2. That Section 8-1-37 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

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

13. Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend and Reordain Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) Of Article 1 (ALEXANDRIA ARCHAEOLOGICAL COMMISSION), 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. 13; 10/14/17, 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. 13; 10/14/17, and is incorporated as part of this record by reference.)

City Council adopted an ordinance to amend and reordain Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) of Article I (ALEXANDRIA ARCHAEOLOGICAL COMMISSION) 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. 5087**

AN ORDINANCE to amend and reordain Section 2-4-80 (CREATION, COMPOSITION AND ORGANIZATION) of Article 1 (ALEXANDRIA ARCHAEOLOGICAL COMMISSION), 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 Title 2, Chapter 4, Article 1, Section 2-4-80 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and same hereby is amended by deleting the sections shown in strikethrough and adding the language shown as underlined:

**ARTICLE I - Alexandria Archaeological Commission**

**Sec. 2-4-80 - Creation, composition and organization.**

(a) There is hereby established a standing commission known as the Alexandria Archaeological Commission.

(b) The commission shall consist of 15 members to be appointed by the city council. The composition of the commission shall be as follows:

- (1) five members at large;
- (2) one citizen member from each of the three planning districts;
- (3) one member from the Alexandria Association;
- (4) one member from the Alexandria ~~Chamber of Commerce~~ business community;
- (5) one member from the Alexandria Convention and Visitors Bureau Board of Directors;
- (6) one member from the Alexandria Historical Society;
- (7) one member from the Alexandria Society for the Preservation of Black Heritage;
- (8) one member from the Friends of Alexandria Archaeology; and
- (9) one member from the Historic Alexandria Foundation.

(c) Members of the commission shall be appointed in the manner prescribed in title 2, chapter 4, article A of the city code; provided that members who are the representative of an organization shall be nominated by the organization and confirmed by city council. The members shall serve for a term of four years; provided, that the members of the commission in office as of January 21, 1995, shall continue to serve the unexpired portion of their term of office; and, provided further, that the members who are the representative of an organization shall cease to be a member at such time as they shall cease to be a member, in good standing, of the organization for which they serve as representative.

Section 2. That Section 2-4-80, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

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



14. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (WATER AND SEWER) of Division 1 (GENERAL Provision) of the Code of the City of Alexandria, Virginia, 1981, as amended (THIS AMENDMENT IS NOT RECOMMENDED)

(A copy of the City Manager's memorandum dated October 4, 2017, and is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 10/14/17, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 10/14/17, 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. 3 of Item No. 14; 10/14/17, and is incorporated as part of this record by reference.)

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

1. Adam Peters, 1794 Lanier Place, NW, Washington, D.C., representing Perseus, spoke in support of the ordinance amendment.
2. Kenneth Wire, 1750 Tysons Boulevard, Ste. 1800, Tysons, VA, attorney representing the applicant, spoke in support of the ordinance amendment.
3. Mark Rivers, 1300 Connecticut Avenue, NW, Ste. 900, Washington, DC, spoke in support of the ordinance amendment.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS) of Division 1 (GENERAL PROVISION) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended. (1) Applicants are responsible for 60 percent of the increased fee if the final site plan is approved, or if such site plan is not required, the building permit is granted, prior to June 30, 2018; and (2) applicants are responsible for 80 percent of the increased fee if the final site plan is approved, or if such site plan is not required, the building permit is granted, prior to June 30, 2019. 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.

The ordinance reads as follows:

## ORDINANCE NO. 5088

AN ORDINANCE to amend and reordain Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (WATER AND SEWER) of Division 1 (GENERAL PROVISION) of the Code of the City of Alexandria, Virginia, 1981, as amended.

### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-25.1 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. 5-6-25.1 - Sewer connection permits and service fees; construction costs; constructing sewers by owners rather than city; additional connections.**

- (a) Any person who is required, or who desires, to provide a connection for sewer service from his property, through any sewer constructed by or belonging to the city or any sewer serving the area annexed to the city in 1952, but belonging to a county, by direct connection at a city sewer main, trunk or lateral, shall, before starting to make such connection, apply to the director for a permit to make the connection, and the director shall issue a permit for the sewer connection when and after the person shall have paid to the department of finance the sum hereinafter provided.
- (1) For each single family dwelling, townhouse dwelling, or townhouse type dwelling irrespective of classification for other purposes, or for each dwelling unit in a two-family dwelling, the amount of \$8,404.
- (2) For each multifamily dwelling, an amount equal to the product of the number of dwelling units in the multifamily dwelling, multiplied by \$4,201. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 90 percent of the single family dwelling amount.
- (3) For each hotel room, an amount equal to the product of the number of dwelling units in the hotel multiplied by \$4,201. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 70 percent of the single family dwelling amount, and for all final site plans submitted on or after July 1, 2014, the amount shall be increased to 90 percent of the single family dwelling amount.
- (4) For each nonresidential property, an amount determined in accordance with the following fee schedule based on the size of each water meter which serves such nonresidential property:

Meter Size (inches)	Max. Capacity (GPM)	¾" Meter Equiv.	Fee
¾ or smaller	30	1.00	\$8,404
1	50	1.67	\$14,034

1½	100	3.33	\$27,985
2	160	5.33	\$44,793
3	320	10.76	\$90,425
4	500	16.67	\$140,092
6	1000	33.33	\$280,101
8	1600	53.33	\$448,178
10	2300	76.67	\$644,323

- (5) For each mixed use property, where such property includes both residential and nonresidential uses, an amount equal to the sum of the fee determined for the residential portion of such property, in accordance with this section, plus the fee determined for the nonresidential portion of such property, in accordance with this section; provided, however, if the residential portion and nonresidential portion of such property are served by a single water meter, the fee shall be an amount determined by the director in his reasonable discretion.
- (6) For connections that involve the removal of an existing structure with an existing tap, a credit for the existing tap shall be applied towards the total connection fee otherwise due in accordance with this section for final site plans submitted on or after September 1, 2013. The amount of the credit shall be estimated by the director and shall be based on the previous use. The credit shall only apply to properties removed or demolished not longer than three years prior to the submission of the final site plan for the new structure. The credit shall be equal to 50 percent of the current fee that would be applied to the structure or structures being removed. For mixed use properties, the credit will be based on the sum of the residential credit and nonresidential credit, in accordance with this section. If the previous use was served by a single water meter, the credit shall be an amount determined by the director in his reasonable discretion.
- (7) For an existing property that changes its use, such as from non-residential to residential (or vice versa), increases the number of residential units or hotel rooms, or adds or increases the water meter size to account for the change in use, the amount shall be calculated as follows:
- (i) If the same sewer connection (tap) is utilized, then the fee shall be based on the net increase in units (or usage) between the existing and proposed uses.
  - (ii) If a new sewer tap is required, then the fee shall be set in accordance with the fees for new construction set forth in this section, net of any credits due pursuant to section (6) above.
  - (iii) With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted between May 18, 2013 and June 30, 2018, the connection fee shall be 60 percent of the amount calculated pursuant to section (a)(7)(i) or (a)(7)(ii) above.
  - (iv) With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2018 through June 30, 2019, the connection fee shall be 80 percent of the amount calculated pursuant to section (a)(7)(i) or (a)(7)(ii) above.

(v) With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2019 and later, the connection fee shall be full amount calculated pursuant to section (a)(7)(i) or (a)(7)(ii) above, without any adjustment.

(8) In cases where a DSP/DSUP extension is filed after the connection fees have been established for a development project (following final plan submission), the connection fee rate shall be revised to reflect the current fee structure in effect at the time the extension is approved. For all final site plans submitted prior to April 1, 2013, one DSP/DSUP extension may be granted without revising the connection fee rate previously established at the time of the final site plan submission.

(9) Sections (1) through (4) reflect the fees for final site plans submitted before July 1, 2013. Beginning in fiscal year 2014 and going forward, the foregoing fees shall increase each year at the rate of inflation as determined by the annual CPI-U for the Washington-Baltimore-Northern Virginia, DC-MD-VA-WVA Combined Statistical Area and shall apply to all final plans filed submitted between July 1 of that year and June 30 of the subsequent year.

(b) Extension of service; credits for such extension.

(1) A person required or desiring to provide extension of sewer service to his property shall construct or have constructed such extension at his own expense. The person shall execute a satisfactory agreement with the city, as prescribed by the city manager, agreeing to construct such sewer or sewers in accordance with plans and specifications approved by the director and the person shall in addition furnish such guarantee of performance and maintenance to the city as the city manager may require. Such sewers shall become the property of the city upon completion and acceptance of the work.

(2) If, pursuant to a written requirement of the director, the person constructs such extension in a manner that exceeds the requirements to provide service to the property of such person, a credit shall be available to be applied to the fees otherwise due under this section, in an amount equal to the difference between the cost of such extension, constructed in accordance with the written requirement of the director, and the cost of such extension, constructed as originally proposed by the person, such amount to be determined by the director. The amount of the credit shall be estimated by the director prior to commencement of construction, and an interim fee shall be paid by the person in an amount equal to the fees otherwise due under this section minus the estimated credit; provided, the minimum interim fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or \$0.08 per square foot of floor space, whichever is greater.

(3) Upon satisfactory completion of the work, the actual amount of the credit shall be determined by the director based on certified bills submitted to and approved by him. The final fee to the person shall be an amount equal to the fees otherwise due under this section minus the amount of the actual credit; provided, the minimum final fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or \$0.08 per square foot of floor space, whichever is greater. Any difference between the interim fee and the final fee shall immediately be paid to or refunded by the department of finance.

- (4) If the amount of the credit estimated under subsection (b)(2) above exceeds the amount of the fees otherwise due under this section without regard to the minimum fee calculated under subsection (b)(2) of this section, prior to the commencement of construction, the city shall agree to pay the person an amount equal to such excess or shall withdraw the written requirement of the director for construction of such extension in a manner that exceeds the requirements to provide service to the property of such person.
- (c) Exclusions and exemptions.
- (1) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves exclusively a fire sprinkler system, installed pursuant to section 906.0 of the Virginia Uniform Statewide Building Code, as amended, a fire standpipe system, installed pursuant to section 915.0 of the Virginia Uniform Statewide Building Code, as amended, or a yard hydrant, installed pursuant to section 917.0 of the Virginia Uniform Statewide Building Code, as amended.
- (2) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves property owned by the Alexandria City Public Schools, the Alexandria Redevelopment and Housing Authority, or an entity in which the Alexandria Redevelopment and Housing Authority holds an ownership interest and the purpose of such entity is to develop property using federal low income tax housing credits.
- (3) The fees established and imposed by this section shall not apply to a connection where (i) such connection is within the limits of a coordinated development district approved by city council, (ii) the main or trunk line to which such connection will be made extends from such coordinated development district directly to the publicly owned treatment works of the Alexandria Sanitation Authority, without connection at the time of its construction to any city sewer, unless such a connection is made pursuant to a written requirement of the director and exceeds the requirements to provide service to the coordinated development district, (iii) such main or trunk line was constructed totally at private expense, and (iv) the application for such connection is submitted within 22 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district. Upon satisfaction of the foregoing criteria, a permit for the sewer connection shall be issued upon payment of a fee for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, of \$100, for each dwelling unit in a multifamily dwelling, of \$100, and for each floor of a nonresidential property, of \$100 or \$0.08 per square foot of floor space, whichever is greater; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced within 23 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed generally by this section shall apply.
- (d) If the city manager finds that construction of an extension by a person would constitute a hardship on such person, by reason of his inability to secure a satisfactory contract, or otherwise, the city manager may direct that the construction be done by or for the city; provided, however, that the cost to the city shall not exceed the fees paid by such person less for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or \$0.08 per square foot of floor space, whichever is greater. Costs in excess of such fees shall be paid by the person prior to making any connection to such sewer.



- (e) The total sum to be paid to the department of finance for sewer service at the city sewer main, trunk or lateral for any property in the city, the sewage of which will be transported from such property through sewers constructed previously by private parties into sewers constructed or belonging to the city, except for such sewers as may have been constructed by private parties under the control or supervision of the city or other public authority, shall be as provided generally in this section for each such property so connected.
- (f) Any person desiring additional sewer service connection to any property shall make application to the director for permission to construct such connection and shall pay to the department of finance the sum as provided generally in this section for each additional connection prior to the issuance of the permit for the sewer connection.
- (g) Nothing in this chapter shall be construed to prevent the city sanitation authority from making a service charge for collecting and treating sewage. (Ord. No. 4257, 6/15/02, Sec. 1; Ord. No. 4394, 5/2/05, Sec. 1; Ord. No. 4536, 5/5/08, Sec. 1; Ord. No. 4682, 10/16/10, Sec. 1; Ord. No. 4730, 6/25/11, Sec. 1; Ord. No. 4808, 5/18/13, Sec. 1)

Section 2. That Section 5-6-25.1 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.

- 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 Heretofore Approved by City Council to Amend Blocks 6 and 20 of the Eisenhower East Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2017-0006 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan As May Be Inconsistent with Such Amendment.

(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; 10/14/17, 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. 15; 10/14/17, 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 approved 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 amend Blocks 6 and 20 of the Eisenhower East Small Area Plan Chapter of such Master Plan as Master Plan Amendment No. 2017-0006 and no other amendments, and to repeal all provisions of the said Master Plan as may be inconsistent with such amendment. 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.

The ordinance reads as follows:

ORDINANCE NO. 5089



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 amend Blocks 6 and 20 of the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2017-0006 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. 2017-0006, 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 September 7, 2017 of an amendment to the Eisenhower East Small Area Plan Chapter of the City of Alexandria Master plan to make updates to Block 6 and Block 20, which recommendation was approved by the City Council at public hearing on September 16, 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 Eisenhower East Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended as shown in the document titled "Eisenhower East Master Plan Amendment MPA 2017-0006, Amendments to Blocks 6 and 20," attached to this ordinance as Exhibit A 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.

16. 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

Consideration of:(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  
(The Public Hearing for this item is closed.)

(The Planning Commission report dated September 7, 2017, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 16; 10/14/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Bailey, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation with the following addition: The developer has agreed to provide three units at 80% AMI and two units at 60% AMI (set aside rental units) within the development with the unit mix to be proportional to the overall building mix. All standard housing conditions for set aside rental units shall apply. The units shall remain affordable at the stated levels for forty years. 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.

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

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

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

None.

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**THERE BEING NO FUTHER BUSINESS TO BE CONSIDERED**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the public hearing meeting of October 14, 2017 at 3:49 p.m. 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.

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APPROVED BY:

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ALLISON SILBERBERG   MAYOR

ATTEST:

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Gloria A. Sitton, CMC   City Clerk