

**City of Alexandria
Meeting Minutes
City Council Public Hearing
Saturday, December 16, 2017, 9:30 a.m.
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; Mr. Banks, City Attorney; Ms. Baker, Deputy City Manager; Yon Lambert, Director, Department of Transportation & Environmental Services; Hillary Orr, Deputy Director Transportation & Environmental Services; Ms. Anderson, Deputy City Attorney; Mr. Spengler, Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Browand, Division Chief, RPCA; Ms. Wieldes, Planner, RPCA; Police Captain Andreas; 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 the members of Council were present.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Jonas Nihardt, 611 South Fairfax Street, requested that the City designate land in the City for the creation of a parkour park and he noted that he would like to see the property below the Woodrow Wilson Bridge developed for that use.

2. Bert Ely, 200 South Pitt Street, requested that Council preserve the Old Dominion Boat Club building rather than demolishing it and he urged Council to suspend demolition plans and reconsider how it can utilize the building until such time as the City is ready to move forward with constructing a permanent Fitzgerald Square Park.

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

4. Daniela Ochoa Gonzalez, 602B King Street, spoke about the City encouraging the use of UPCYCLING and recycling throughout the community and how she hoped more small businesses and green businesses would begin to employ the practices.

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

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR

Planning Commission

None.

END OF ACTION CONSENT CALENDAR

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

3. Public Hearing and Consideration of the Vision Zero Action Plan.

(A copy of the City Manager's memorandum dated December 6, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 12/16/17, and is incorporated as part of this record by reference.)

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

1. Alan Dinsmore, representing the Commission on Aging, spoke in support of implementing the Vision Zero Action Plan.

2. Deyhim Behzadi, 6101 Edsall Road, Apt. 1107, spoke in support of implementing the Vision Zero Action Plan.

3. Michael Doyle, 124 Princess Street, representing Alexandria Families for Safe Streets, spoke in support of implementing the Vision Zero Action Plan.

4. James Durham, 622 Fort Williams Parkway, representing the Alexandria Bicycle and Pedestrian Advisory Committee, spoke in support of implementing the Vision Zero Action Plan.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper City Council and carried unanimously, City Council closed the public hearing and approved the Vision Zero Action Plan. 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.

4. Public Hearing on Cameron Run Park Planning and Conceptual Design Final Report and

Consideration of the Interim and Long-Term Use of Cameron Run Park (Amended).

(A copy of the City Manager's memorandum dated December 12, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 12/16/17, and is incorporated as part of this record by reference.)

Mr. Spengler, Director, Recreation, Parks, and Cultural Activities, and Mr. Browand, Division Chief, Recreation, Parks, and Cultural Activities, gave a presentation on the Cameron Run Park Plan and Design and the potential lease agreement with NOVA Parks for use of the park. Mr. Browand responded to questions from Council about the community input and plan for the park area and the current use of Cameron Run Park.

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

1. Janice Magnuson, 905 Peele Place, spoke about the condition of the Carlyle House and how NOVA Parks has maintained the property. Ms. Magnuson spoke about the partnership with NOVA Parks and the parking at the Cameron Run Park.

2. Stella Koch, 5400 Ox Road, Fairfax Station, representing the NOVA Parks Board, spoke about the partnership that NOVA Parks has with the City of Alexandria and requested time for working out a deal with the NOVA Parks to continue use of the space for regional recreational purposes. Ms. Koch responded to questions from Council.

3. Daniel Beason, 3855 Watkins Mill Drive, representing the Eisenhower Partnership, spoke about other possible uses and potential partnerships to develop the land for uses desired by the City residents.

4. Torger Anderson, 109 Colville Drive, spoke in support of the continue partnership and use of the Cameron Run Park area by NOVA Parks.

5. Molly Kaiman, 702 South Lee Street, spoke in support of exploring other uses for the Cameron Run Park land.

6. Bill Dickinson, spoke in support of the relationship of the City with NOVA Parks and requested that Council examine the need for the use for the region.

7. Rashmi Pappu, 3811 Watkins Mills Drive, spoke in support of exploring other uses for the Cameron Run Park land.

8. Jennifer Atkins, 2503 Dewitt Avenue, representing the Park and Recreation Commission, spoke in support of the Park and Recreation Commission recommendations. Ms. Atkins spoke of desired uses for the space and the relationship with NOVA Parks.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and endorsed the seven priorities identified by residents and stakeholders as the future vision for Cameron Run Park. Based on the community input provided in the Cameron Run Park Planning and Conceptual Design Final Report, future negotiations and planning based on all options stated would address the seven priorities. The priorities are as follows:

(1) A park that serves the needs of City of Alexandria residents; (2) A space that provides year-round activities through creative uses of the existing infrastructure including the parking area such as festivals, temporary ice skating, temporary sports fields, sports "Bubble" structures, and community program; (3) A park that provides natural paths with environmental signage that are also suitable for recreational/fitness biking, walking and running; (4) A park that provides family entertainment for a reasonable cost, and some amenities for no cost; (5) A park that is well maintained; (6) A park that contains an aquatic facility which could include the existing facilities or new indoor facilities; and (7) A park that provides these amenities without undue burden on the City's resources, and/or generates revenue to offset operating and capital.

City Council also: (A) directed the City Manager to further explore partnership opportunities with NOVA Park and possible other entities in cooperation with the Alexandria Park and Recreation Commission and would include, but not be limited to: (1) redefine the property leased to 14.6 acres to exclude Lake Cook, the largely undeveloped land east of Lake Cook and the Wards Woods Natural Area; (2) provide the City with the use of designated areas of the NOVA Parks leased are for City purposes in the off-season; (3) establish a shared Capital Improvement Program (CIP) and financial plan to cooperatively fund certain park improvement initiatives; and (4) draft new proposed key replacement lease terms (length of lease to be determined) consistent with the to-be-developed partnership plan and capital investments; and (B) declared that if partnership negotiations based upon the above proposed terms are unsuccessful by September 30, 2018, then the existing lease would expire on July 1, 2021 and the Cameron Run parkland would revert to City control and custody for use for public park and recreation purposes with the goal that it become a recreational complex providing year-round active and passive uses including but not limited to natural areas, walking trails, aquatics, indoor or outdoor fields, multi-use courts, and community gathering spaces by January 1, 2028. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg.

5. Coordinated Development District #2017-0003

Development Special Use Permit #2017-0005

Transportation Management Plan Special Use Permit #2017-0103

Encroachment #2017-0004

Encroachment #2017-0005

2200 Mill Road - Eisenhower East Block 20

Public hearing and Consideration of Requests for: (A) a Coordinated Development District Concept Plan Amendment to reflect a change in land use and an increase in the maximum allowed building height; (B) a Development Special Use Permit for development of a high-rise residential apartment building and associated site improvements; (C) a Transportation Management Plan Special Use Permit Amendment to include all land uses and associated rates; (D) an Encroachment for residential balcony overhangs into the public right-of-way; and (E) an Encroachment for below-grade transformer vaults within the public right-of-way; zoned: CDD 2/Coordinated Development District #2. Applicant: Paradigm Development Company, represented by Mary Catherine Gibbs, attorney Planning Commission Action: Recommended Approval of All Requests 7-0.

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

1. Mary Catherine Gibbs, 700 North Fairfax Street, attorney for the applicant, spoke in support of the proposed project and development special use permit.

(A copy of the Planning Commission report dated December 5, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 12/16/17, 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. 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.

****Please note that items 6, 7, and 8 were approved as a block.****

6. Public Hearing and Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment at the Alexandria Courthouse Located at 520 King Street.

(A copy of the City Manager's memorandum dated December 16, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 12/16/17, 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 City Council authorized the lease amendment between the City of Alexandria and Verizon Wireless to modify and install updated antennas and equipment located on the roof of 520 King Street. 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.

7. Public Hearing and Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment on the Torpedo Factory, the City Owned Building Located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated December 16, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 12/16/17, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council authorizes the lease amendment between the City of Alexandria and Verizon Wireless to modify and install updated antennas and equipment located on the roof of 105 N. Union Street. 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. Public Hearing and Consideration of a Request for an Amendment to City Charter by Adding in Chapter 9 a Section Numbered 9.35.

(A copy of the informal memorandum explaining the amendment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 12/16/17, 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 request for an amendment to City Charter by adding in Chapter 9 a Section Numbered 9.35. 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

****Please note that docket items 9-11 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 9-11 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:

9. 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 the Braddock Road Metro Station Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2017-0005 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. 9; 12/16/17, 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. 9; 12/16/17, and is incorporated as part of this record by reference.)

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 the Braddock Road Metro Station Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2017-0005 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. 5096

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 the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2017-0005 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. 2017-0005, 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 November 9, 2017 of an amendment to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend map 10 to change the land use designation for the properties located at 413 and 417 Columbus Street from RM/Residential to CD/ Commercial Downtown, which recommendation was approved by the City Council at public hearing on November 18, 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 Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending map 10 to change the land use designation for the properties located at 413 and 417 Columbus Street from RM/Residential to CD/ Commercial Downtown, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

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.

10. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 413 and 417 North Columbus Street from, RM/Residential Medium to CD/Commercial Downtown in accordance with the said Zoning Map Amendment heretofore approved by city council as Rezoning No.

2017-0002.

(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; 12/16/17, 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. 10; 12/16/17, and is incorporated as part of this record by reference.)

City Council adopted an ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 413 and 417 North Columbus Street from, RM/Residential Medium to CD/Commercial Downtown in accordance with the said Zoning Map Amendment heretofore approved by city council as Rezoning No. 2017-0002.

The ordinance reads as follows:

ORDINANCE NO. 5097

AN ORDINANCE to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 413 and 417 North Columbus Street from, RM/Residential Medium to CD/Commercial Downtown in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2017-0002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning 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 November 9, 2017 of a rezoning of the properties at 413 and 417 North Columbus Street from RM/Residential Medium to CD/Commercial Downtown, which recommendation was approved by the City Council at public hearing on November 18, 2017;

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

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby

is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION:

413 North Columbus Street, 064.02-08-12

417 North Columbus Street, 064.02-08-13

From: RM/Residential Medium

To: CD/Commercial Downtown

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

Section 3. That Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

11. Public Hearing, Second Reading and Final Passage of an Ordinance to Vacate a Portion of the Public Right-of-Way at 116 West Alexandria Avenue (VAC No. 2017-0005).

(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; 12/16/17, 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. 11; 12/16/17, and is incorporated as part of this record by reference.)

City Council adopted an ordinance to vacate a portion of the public right-of-way at 116 West Alexandria Avenue (VAC No. 2017-0005).

The ordinance reads as follows:

ORDINANCE NO. 5098

AN ORDINANCE to vacate a portion of the public right-of-way at 116 West Alexandria Avenue (VAC No. 2017-0005).

WHEREAS, Robert Hargis (Owner) has applied for the vacation of a portion of the public right-of-way at 116 West Alexandria Avenue, adjacent to the property at 116 West Alexandria Avenue in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2017-0005, the planning commission recommended approval to the City Council on October 3, 2017 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on October 14, 2017; and

WHEREAS, viewers, Ann Tucker, David Kaplan, and Jeanette Ankoma-Sey 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, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

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

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

4. Owners shall pay the sum of \$11,000 to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include Robert Hargis, 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.

12. Public Hearing, Second Reading and Final Passage of an Ordinance to Vacate a Portion of the Public Right-of-Way at 118 West Alexandria Avenue (VAC No. 2017-0006).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No.1 of Item No. 12; 12/16/17, 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. 12; 12/16/17, 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 the ordinance to vacate a portion of the public right-of-way at 118 West Alexandria Avenue, while stating that it is subject to revision in evaluations. 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. 5099

AN ORDINANCE to vacate a portion of the public right-of-way at 118 West Alexandria Avenue (VAC No. 2017-0006).

WHEREAS, Gina Maria Dinicolo (Owner) has applied for the vacation of a portion of the public right-of-way at 118 West Alexandria Avenue, adjacent to the property at 118 West Alexandria Avenue in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2017-0006, the planning commission recommended approval to the City Council on October 3, 2017 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on October 14, 2017; and

WHEREAS, viewers, Ann Tucker, David Kaplan, and Jeanette Ankoma-Sey 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, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

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

3. Owners shall pay the sum of \$52,680 to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include Gina Maria Dinicolo, and her 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.

THERE BEING NO FURTHER BUSINESS TO CONSIDER, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the public hearing at 1:23 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.

APPROVED BY:

ALLISON SILBERBERG MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk