

**City of Alexandria
City Council Public Hearing
Saturday, April 13, 2019 9:30 AM
Meeting Minutes**

Present: Mayor Justin M. Wilson, Vice Mayor Elizabeth Bennett-Parker, Members of Council Canek Aguirre, John Taylor Chapman, Amy B. Jackson, Redella S. Pepper, and Mohamed E. Seifeldein.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney, Ms. Taylor, Director, Finance; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Farner, Deputy Director, P&Z, Ms. Beach, Division Chief, P&Z; Ms. McIlvaine, Director, Office of Housing; Mr. Browand, Division Chief, Recreation, Parks and Cultural Activities; Ms. Contreras, Urban Planner, P&Z; Ms. Collins, Housing Analyst, Office of Housing; Ms. Routt, Director, Office of Management and Budget (OMB); Ms. Henty, Assistant Director, OMB; Mr. Ewart, Urban Planner, P&Z; Ms. Christensen, Zoning Manager, P&Z; Ms. Dietz, Deputy Director, Transportation and Environmental Services (T&ES); Ms. Labadee, Urban Planner, P&Z; Mr. Cooper, Code Enforcement Administration; Mr. Barre, Information Technology Services, and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

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

2. Public Discussion Period.

The following persons participated in the public discussion period:

1. Anne Roberts, 4621 Seminary Road, spoke about profitable and nonprofit hospitals receiving sales/use tax exemption provided by the Commonwealth. Ms. Roberts stated that the hospitals are benefitting from tax exemptions at the expense of other community needs. Ms. Roberts requested that the exemption be revoked for use

for other community needs.

2. Charles Ziegler, 309 N. Langley Street, representing the Friends of Beatley Library, thanked the City Council for adequately funding the public libraries in the proposed budget. Mr. Ziegler noted that the Friends of Beatley Library raised more than \$27,000 this past month from the spring book sales and have donated more than 4000 hours of volunteer time. Mr. Ziegler stated that by working together, the public libraries in the City could present a model for others to emulate.

3. Jack Sullivan, 4300 Ivanhoe Place, spoke about the repaving of Seminary Road from Howard Street, east of Quaker Lane. Mr. Sullivan noted that the prospect of reducing the lanes and there has been strong push back from the impacted community at a public meeting on the issue. Mr. Sullivan reported that the Seminary Hill Association has created a transportation committee as a result of the neighborhood opposition and they met and created an alternative #4 that meets neighborhood concerns for increased safety while keeping Seminary Road at four lanes. Mr. Sullivan also reported that members of Seminary Hill Association will be meeting with Transportation and Environmental Services to discuss this alternative and he hoped a satisfactory compromised could be reached.

4. Kathie Hoekstra, 1310 N. Chambliss Street, spoke about climate change and the discussion with the City's State delegation. Ms. Hoekstra noted that no members of Council asked or talked about the need for their help with work on climate change this session and in upcoming sessions. Ms. Hoekstra stated that the Green New Deal is not a trend and democratic value. Ms. Hoekstra noted that her use of solar panels has provided her with electricity despite power outages. Ms. Hoekstra noted her support of the C-PACE initiative in the Council's preliminary add/delete list.

5. Janice Grenadier, 15 West Spring Street, spoke about the injustices and mistreatment she is experiencing with the court system and with law enforcement.

6. Kendra Martello, 315 N. Fayette Street, representing the Commission for Women, stated that the Commission for Women supported the additional family services specialist position, support additional support for early childhood education and additional support for SNAP benefits and education, and she spoke about ways to elevate gender into City budgeting, planning and decision making.

7. Evelin Urrutia, 3801 Mt. Vernon Avenue, representing Tenants and Workers United, commended City Council for considering funding for legal representation for undocumented immigrants and requested that Council oppose the Sheriff's office cooperating with ICE in immigration matters.

8. Robert Stewart, 6732 Metropolitan Center Drive, representing DASH ATU, spoke about the need for better wages and requested an increase in the City budget to

accommodate the raise.

9. Didier Balagizi, 2300 Scroggins Road, representing DASH ATU, spoke about the need for better wages at the transit system and the working conditions at DASH.

10. Arthur Wright, 6051 Palladium Court, #102, representing DASH ATU, spoke about the need for better wages and the need for a pension at the transit system.

11. Everett Warren, 5380 Holmes Run Parkway, representing DASH ATU, spoke about the need for better wages and working conditions at DASH.

12. Alphonza Clemente, 2710 Douglass Place, SE, representing DASH ATU, spoke about the need for better wages and working conditions at DASH.

13. Tyler Boes, 4561 Struttied Lane, representing DASH ATU, spoke about the need for better wages and working conditions at DASH.

14. Charles Barrette, 6004 Bowden Court, representing DASH ATU, spoke about the need for better wages and working conditions at DASH.

15. Marvin Falwell, representing DASH ATU, spoke about the need for better wages and working conditions at DASH.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (3-4)

3. Vacation #2019-0001
100 East Luray Avenue - Vacation
Public hearing and consideration of a request to vacate a portion of the public right-of-way adjacent to 100 East Luray Avenue to add area to a residential side-yard; zoned: R-2-5/ Single- and two-family. Applicants: Brian and Katherine Bartholomay
Planning Commission Action: Recommended Approval 6-0.

(A copy of the Planning Commission report dated April 2 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 04/13/19, and is incorporated as part of this record by reference.)

4. Text Amendment #2019-0002
Secured Dining Enclosures and Practical Updates for King Street Outdoor Dining
(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a Text Amendment to the Zoning Ordinance to amend the King Street Outdoor Dining Regulations to include adding definitions 2-181.1 (Outdoor dining enclosures) and 2-181.2 (Outdoor dining furniture) and amend Section 6-805 to provide unobstructed clearance for fire department connections, update regulations related to loudspeakers, permit the secured installation of outdoor dining enclosures, update requirements for dining umbrella clearance requirements, and practical updates to the design of the outdoor dining facilities and process requirements.
Staff: City of Alexandria, Department of Planning & Zoning
Planning Commission Action: Recommended Approval 6-0.

(A copy of the Planning Commission report dated April 2, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 04/13/19, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar. The approval were as follows:

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

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

5. Public Hearing on the FY 2020 City Council Preliminary Add/Delete Options. Adoption is scheduled for Wednesday, May 1, 2019 at 7:00pm.

(The City Manager's memorandum dated April 8, 2019, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 5; 04/13/19, and is incorporated as part of this record by reference.)

Mr. Routt, Director, Office of Management and Budget, gave a presentation on the Add/Delete process and items the community could provide comments to Council. Mr. Routt responded to questions from Council about the Add/Delete options.

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

1. Lauren Smith, 2 East Maple Street, spoke about the need for additional funds for expansion of the SNAP program to additional farmers markets in the City to give increased access to healthy food options.
2. Dawn Lucas, 2857 Duke Street, representing the Education Association of Alexandria, spoke about the need for additional funds for ACPS to help fund salaries for the custodial staff.
3. Sharena Hollins, 6845 Radcliffe Drive, spoke about the need for additional funds for the ACPS custodial staff and requested additional funding in the budget.
4. Ernest Ward, 3231 Beaumont Street, Temple Hills, Maryland, spoke about the need for additional funding for ACPS custodial staff in the proposed budget.
5. Jamar Hines, 712 South Payne Street, spoke about the need for additional funding for ACPS custodial staff in the proposed budget.
6. Scott Dicke, 954 North Potomac Street, Arlington, representing Sustainable Real Estate Solutions, spoke in support of the C-PACE program in the proposed budget and responded to questions from Council about the program.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing on the FY 2020 City Council Preliminary Add/Delete Options. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

6. Public Hearing and Consideration of Draft City Fiscal Year (FY) 2020 Action Plan for Housing and Community Development.

(A copy of the City Manager's memorandum dated April 3, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 04/13/19, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the draft City Fiscal Year (FY) 2020 Action Plan for Housing and Community Development. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

7. Consideration of a Proposed Joint City and Alexandria Redevelopment Housing Authority Resolution to Modernize and Replace Resolution 830 (Public Hearing).

(A copy of the City Manager's memorandum dated April 10, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 04/13/19, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing on the proposed Joint City and Alexandria Redevelopment Housing Authority resolution to modernize and replace Resolution 830 and scheduled it for approval on Tuesday, April 23, 2019. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

8. Consideration and Public Hearing of a Short-Term License Agreement between the City of Alexandria and the Tall Ship Providence Foundation to dock and conduct business operations temporarily in the Alexandria City Marina.

(A copy of the City Manager's memorandum dated April 9, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 04/13/19, and is incorporated as part of this record by reference.)

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

1. Clair Sassin, 106 N. Lee Street, representing the Tall Ship Providence Foundation, spoke in support of the license agreement.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the short-term license agreement between the City of Alexandria and the Tall Ship Providence Foundation to dock and conduct business operations temporarily in the Alexandria City Marina. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

9. Special Use Permit #2019-0004
1503 & 1505 Mount Vernon Avenue - Del Ray Gardens Restaurant
Public hearing and consideration of a request for a special use permit to operate a restaurant use with outdoor dining; zoned: CL/ Commercial Low. Applicant: Del

Ray Gardens, LLC., represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 6-0.

(A copy of the Planning Commission report dated April 2, 2019, and is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 04/13/19, and is incorporated as part of this record by reference.)

Mr. Ewart, Urban Planner, Planning and Zoning, gave a presentation on the proposed amendment and he along with Mr. Moritz, Director, Planning and Zoning, Ms. Dietz, Transportation and Environmental Services, and Ms. Christensen, Planning and Zoning, responded to questions about outdoor seating, noise, and parking.

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

1. Jeff Robertson, 224 East Nelson Avenue, spoke in support of the proposed project.
2. Timothy Herzog, 1406 Mt. Vernon Avenue, spoke in support of the original SUP but expressed concern with the increased seating and the process the number was arrived at.
3. Sarah Haut, 228 East Nelson Avenue, expressed concern with the increased seating and she was frustrated that the community was not allowed a chance to speak on the increased capacity.
4. Cathy Puskar, 2200 Clarendon Blvd, Arlington, attorney for the applicant, spoke in support of the amendment and responded to questions from Council about seating, noise, and capacity.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, approved the Planning Commission recommendation with the following amendment to condition #2 stating, "the applicant may increase the number of seated or standing patrons up to 120 in this case through an administrative approval." The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

10. Master Plan Amendment #2019-0001

5701, 5701B, 5701 ½, 5801, 5815, 5901, 6001, and 6003 Duke Street (Parcel Addresses: 5701, 5701B, 5801, 5815, and 5901 Duke Street) - Landmark Mall Master Plan Amendment

A) Initiation of a Master Plan Amendment; and B) Public hearing and consideration of an amendment to the Landmark/Van Dorn Small Area Plan chapter of the Master Plan to amend the Landmark/ Van Dorn Corridor Plan Overlay and add a Landmark Mall Chapter as an addendum. Staff: City of Alexandria, Department of Planning & Zoning
Planning Commission Action: Recommended Approval 5-1.

(A copy of the Planning Commission report dated April 2, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 04/13/19, and is incorporated as part of this record by reference.)

Mr. Farner, Deputy Director, Planning and Zoning and Ms. Labadee, Urban Planner, Planning and Zoning, gave a presentation on the Landmark project and responded to questions from Council.

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

1. Mark Bulmash, 2809 Ryder Court, Texas, representing Landmark Mall, spoke in support of the master plan amendment and responded to questions from Council.
2. Jonathan Rak, 1750 Tysons Blvd, McLean, attorney for the applicant, spoke in support of the master plan amendment and responded to questions from Council.

WHEREUPON, upon motion City Council closed the public hearing and approved the Planning Commission recommendation with an amendment to Section 10.6, changing the language to state establishing instead of considering. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

ORDINANCES AND RESOLUTIONS

11. Public Hearing and Second Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2019 (Fiscal Year 2020).

(A copy of the City Manager's memorandum dated March 6, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 04/13/19, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 04/13/19; 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, marked Exhibit No. 3 of Item No. 11; 04/13/19, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing and scheduled it for final passage on May 1, 2019 (Budget Adoption). The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council approved items 12, 13, 14, 15, 16, and 18 as a block. The approvals were as follows:

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

12. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the Owner and Tenant of the property located at 600 Montgomery Street to construct and maintain an encroachment for outdoor seating at a restaurant at that location (Implementation Ordinance for Encroachment No. 2018-0012 associated with 600 Montgomery Street approved by City Council on March 16, 2019). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 04/13/19; 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, marked Exhibit No. 2 of Item No. 12; 04/13/19, and is incorporated as part of this record by reference.)

City Council closed the public hearing and adopted an ordinance authorizing the

owner and tenant of the property located at 600 Montgomery Street to construct and maintain an encroachment for outdoor seating at a restaurant at that location.

The ordinance reads as follows:

ORDINANCE NO. 5218

AN ORDINANCE authorizing the Owner and Tenant of the property located at 600 Montgomery Street to construct and maintain an encroachment for outdoor seating at a restaurant at that location.

WHEREAS, 600 Montgomery Street, LLC, is the Owner ("Owner") of the property located at 600 Montgomery Street, in the City of Alexandria, Virginia; and

WHEREAS, Hank's Pasta Bar, LLC, is the Tenant ("Tenant") of the property located at 600 Montgomery Street, in the City of Alexandria, Virginia; and

WHEREAS, Owner and Tenant desire to establish and maintain outdoor seating at a restaurant which will encroach into the public sidewalk right-of-way at that location; and

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

WHEREAS, in Encroachment No. 2018-0012 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on March 5, 2019, which recommendation was approved by the City Council at its public hearing on March 16, 2019 and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner and Tenant be, and the same hereby are, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 600 Montgomery Street as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of outdoor seating at a restaurant, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner or Tenant of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner and/or Tenant maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

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

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

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

- (a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owner's or Tenant's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.
- (b) The Owner and Tenant shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.
- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owner or Tenant shall remove any structure

that encroached into the public right-of-way, within 60 days, upon notification by the City.

- (d) The 22-seat outdoor dining area at the restaurant in the area of encroachment shall comply with all requirements and conditions of SUP #2018-0093.
- (e) The tree located within the area of encroachment shall be preserved and protected. If the tree becomes severely damaged by natural causes it shall be replaced to the satisfaction of the Director of Planning and Zoning.
- (f) The applicant shall maintain a minimum 6' wide unobstructed sidewalk.
- (g) The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the owner (and all successors in interest) and the City of Alexandria, as Additional Insured, against claims, demands, suits and all related costs, including attorneys' fees, arising from any bodily injury or property damage which may occur as a result of this encroachment.
Please submit Insurance Certificate:
City of Alexandria
T&ES
ATTN: Heather Diez
301 King Street, Room 4130
Alexandria, VA 22314
- (h) The applicant shall bear all the cost associated with the removal of the encroachments.

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

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

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

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

Section 8. The terms "Owners and "Tenant" shall be deemed to include 600 Montgomery Street, LLC, and Hank's Pasta Bar, LLC, and their respective successors in interest.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

13. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2018-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementation Ordinance for Master Plan Amendment No. 2018-0006 associated with Public Storage/BoatsUS approved by City Council on March 16, 2019). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 04/13/19; 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, marked Exhibit No. 2 of Item No. 13; 04/13/19, and is

incorporated as part of this record by reference.)

City Council closed the public hearing and adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2018-0006 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. 5219

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 Eisenhower West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2018-0006 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. 2018-0006, 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 March 5, 2019 of an amendment to the Eisenhower West Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the land use designation for the site to allow self-storage use and to clarify the definition of “PWR” uses to exclude storage/warehouse uses, which recommendation was approved by the City Council at public hearing on March 16, 2019;

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 West Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending the “Plan Area Land Uses” map on Page 27 to allow self-storage use on the applicable parcels, amend “Neighborhood #1 – Land Use Diagram” on Page 73 to allow self-storage use on the applicable parcels, and revise the definition of PWR uses on

Page 32 to specifically exclude storage/warehouse uses, 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.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 067.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 880 and 890 South Pickett Street and 620 Burnside Place from, I/Industrial zone to CDD No. 26 in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2018-0005 (Implementation Ordinance for Rezoning No. 2018-0005 associated with Public Storage/Boats US approved by City Council on March 16, 2019). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 04/13/19; 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, marked Exhibit No. 2 of Item No. 14; 04/13/19, and is incorporated as part of this record by reference.)

City Council closed the public hearing and adopted an ordinance to amend and reordain Sheet No. 067.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by

Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 880 and 890 South Pickett Street and 620 Burnside Place from, I/Industrial zone to CDD No. 26 in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2018-0005.

The ordinance reads as follows:

ORDINANCE NO. 5220

AN ORDINANCE to amend and reordain Sheet No. 067.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 880 and 890 South Pickett Street and 620 Burnside Place from, I/Industrial zone to CDD No. 26, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2018-0005.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2018-0005, 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 March 5, 2019 of a rezoning of the properties at 880 and 890 South Pickett Street and 620 Burnside Place from, I/Industrial zone to CDD No. 26, which recommendation was approved by the City Council at public hearing on March 16, 2019;
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. 067.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 880 South Pickett Street, Alexandria,
Virginia 22304, 067.03-01-28

From: I/Industrial
To: CDD No. 26

LAND DESCRIPTION: 890 South Pickett Street, Alexandria,
Virginia 22304, 067.03-01-29

From: I/Industrial
To: CDD No. 26

LAND DESCRIPTION: 620 Burnside Place, Alexandria, Virginia
22304, 067.03-01-22

From: I/Industrial
To: CDD No. 26

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. 067.03 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2018-0012 (Implementation Ordinance for Text Amendment No. 2018-0012 associated with Public Storage/Boats US approved by City Council on March 16, 2019). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 04/13/19; 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, marked Exhibit No. 2 of Item No. 15; 04/13/19, and is incorporated as part of this record by reference.)

City Council closed the public hearing and adopted an ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2018-0012.

The ordinance reads as follows:

ORDINANCE NO. 5221

AN ORDINANCE to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2018-0012.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2018-0012, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on March 5, 2019 of a text amendment to the Zoning Ordinance to adopt provisions to establish CDD No. 26, which recommendation was approved by the City Council at public hearing on March 16, 2019;
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

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

CDD #	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum FAR and/or Development Levels	Maximum Height	Uses
26	Public Storage/BoatUS	I / Industrial regulations shall apply	<p><u>Maximum FAR:</u> 2.5</p> <p><u>Minimum open space:</u> A minimum of 10% of the land area occupied by primarily non-residential uses shall be provided as publicly-accessible, ground-level useable open space. A minimum of 30% of the land area within the CDD area occupied by primarily residential uses shall be provided as useable open space, half of which must be publicly-accessible, ground-level useable open space. Publicly-accessible, ground-level useable open space may be provided at any location within the CDD area to meet the open space requirement.</p> <p><u>Minimum yards:</u> None, except as may be applicable pursuant to the supplemental yard and setback regulations of Section 7-1000.</p> <p><u>Area Requirements:</u> There are no lot area or frontage requirements.</p> <p>The height-to-setback ratio required in Section 6-403(A) of the Zoning Ordinance and the zone transition requirements of Section 7-900 do not apply.</p>	The maximum heights shall conform to the Eisenhower West Small Area Plan as may be amended.	Multifamily dwelling; self-storage/warehouse; animal care facility with no overnight accommodation; catering; glass shop; health and athletic club; improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities; light assembly, service and crafts; machine shop; manufacturing; massage establishment; motor vehicle parking or storage; outdoor dining; personal service establishment; printing and publishing services; private school, academic or commercial, with more than 20 students on the premises at any one time; recreational areas consisting of natural and unimproved geographic features; restaurant; retail shopping establishment; valet parking; and wholesale.

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

Section 3. That Section 5-602, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 12-101 (TERMS DEFINED) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-0001 Implementation Ordinance for Text Amendment No. 2019-0001 entitle Commercial to Residential Reversions approved by City Council on March 16, 2019). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 04/13/19; 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, marked Exhibit No. 2 of Item No. 16; 04/13/19, and is incorporated as part of this record by reference.)

City Council closed the public hearing and adopted an ordinance to amend and reordain Section 12-101 (TERMS DEFINED) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-0001.

The ordinance reads as follows:

ORDINANCE NO. 5222

AN ORDINANCE to amend and reordain Section 12-101 (TERMS DEFINED) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-0001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2019-0001, the Planning Commission, having found

that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on March 5, 2019 of a text amendment to the Zoning Ordinance to allow properties that meet certain criteria to revert to residential use if the property was previously residential and is currently a commercial use, which recommendation was approved by the City Council at public hearing on March 16, 2019;

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 12-101 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

12-101. - Terms defined.

(A) Noncomplying structure means any building or structure that existed prior to the effective date of any change in the zoning regulations or restrictions, but which thereafter, by reason of such change, is not in compliance with the zoning regulations or restrictions then in effect.

(B) A building on a lot that does not meet the current zoning requirements for residential use, that was originally constructed or principally used prior to June 24, 1992 as a residence, may be reverted from commercial use to a residential use and shall be a noncomplying structure provided that:

(1) The proposed residential use is permitted in the zone;

(2) The proposed residential use contains a number of dwelling units equal to or less than previously existed on the property;

(3) Since the most recent conversion to a commercial use, there has been no expansion to the structure and no changes to the lot of record that increase the degree of noncompliance for a residential use; and

(4) Since the building was last a residential use, the number of parking spaces has not been reduced notwithstanding the requirements to provide parking in section 8-200.

~~(B)~~ (C) The term noncomplying structure does not include a structure that was grandfathered under prior law.

~~(G)~~ (D) In the event a nonconforming use is located in a noncomplying structure, the provisions of sections, 12-204, 12-205, 12-207, 12-208, and 12-209 shall apply.

~~(D)~~(E) A structure located on a parcel that is reduced in size by virtue of the exercise of eminent domain shall be considered a noncomplying structure if the reduction in parcel size is the cause of such noncompliance and the structure preexisted the reduction in size.

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

Section 3. That Section 12-101, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

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

18. Public Hearing, Second Reading and Final Passage. Consideration. Passage on Second Reading of an Ordinance to amend and reordain Article F (Permit Parking Districts) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as amended, by amending Section 5-8-82 (Restricted Overnight Parking Districts) and Section 5-8-83 (Restricted Daytime Parking District) [ROLL-CALL VOTE]

City Council closed the public hearing and adopted an ordinance to amend and reordain Article F (Permit Parking Districts) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as amended, by amending Section 5-8-82 (Restricted Overnight Parking Districts) and Section 5-8-83 (Restricted Daytime Parking District).

The ordinance reads as follows:

ORDINANCE NO. 5225

AN ORDINANCE to amend and reordain Article F (PERMIT PARKING DISTRICTS) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by amending Section 5-8-82 (Restricted Overnight Parking Districts) and Section 5-8-83 (Restricted Daytime Parking District).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 5, Chapter 8, Article F, Sections 5-8-82 and 83 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended by deleting the language shown in strikethrough and adding the language shown as underlined as follows:

Sec. 5-8-82 – Restricted Overnight Parking District.

- (a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any block face which is posted with one or more restricted overnight parking district signs contrary to any of the conditions set forth on the sign, unless the vehicle ~~displays a valid City of Alexandria license plate, windshield tag or decal issued~~ **is registered with the City of Alexandria** pursuant to section 3-2-321~~229~~, et seq., of this code, or **the vehicle has been issued** a guest or visitor permit ~~issued~~ pursuant to this section.
- (b) *Parking restrictions.* Restricted overnight parking district signs shall prohibit parking by motor vehicles which ~~do not display a valid City of Alexandria license plate, windshield tag or decal issued~~ **are not registered with the City of Alexandria** pursuant to section 3-2-321~~229~~, et seq., of this code, or **the vehicle has been issued** a guest or visitor permit issued pursuant to this section, during the posted overnight hours between 12 midnight and 6:00 a.m. the following morning. As used in this section, parking means the stopping or standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of the vehicle.
- (c) *Establishment of district.* A restricted overnight parking district may be established in accordance with the following criteria and procedures:
- (1) All property within the district must be zoned for residential use.
 - (2) No district shall include property which is included within a residential permit parking district established pursuant to this article F.
 - (3) The district must include a minimum of 200 on street parking spaces.
 - (4) A petition requesting the establishment of a restricted overnight parking district, describing the area proposed to be designated, and signed by **an occupant of** not less than 66 and 2/3 percent of the residents **residential properties** abutting each block face in the proposed district, shall be filed with the city manager.
 - (5) Upon receipt of a petition which meets the minimum criteria, the city manager shall conduct one or more surveys of the on street parking spaces within the proposed district during the restricted parking hours, on an evening other than a Friday, Saturday or Sunday evening. If the surveys reasonably demonstrate to the satisfaction of the city manager that at least 25 percent of the vehicles parked within the proposed district ~~did not display a valid City of Alexandria license plate, windshield tag or decal issued~~ **are not registered with the City of Alexandria** pursuant to section 3-2-321~~229~~, et seq., of this code, the manager shall refer the petition to the traffic and parking board. If the surveys do not so demonstrate, the petition shall be deemed denied.
 - (6) The traffic and parking board shall conduct a public hearing, and make a recommendation to the city council concerning the establishment of the district.
 - (7) Upon receipt of the recommendation of the traffic and parking board, the city council shall determine whether or not to establish the restricted overnight parking district. Prior to making its decision, the city council may elect to hold a public hearing on the proposed designation.
 - (8) The board and council shall consider the following factors: the availability of off street parking in the district, the degree of congestion or utilization of on street parking typical in the district during the restricted hours, such geographic features of the area as may impact access to, or availability of, parking during the restricted hours, the likely effect of establishment of the district on surrounding areas within the city, and such additional factors as the board or council reasonably determine are relevant to its consideration of the matter.

- (9) If the city council approves the establishment of the district, the director of transportation and environmental services shall forthwith post the signs described in subsection (b) within the district, and record the district on the permit parking district map.
- (d) The city manager shall provide for the convenient issuance of guest and visitor permits, as provided in section 5-8-74, for use within a restricted overnight parking district.
- (e) All relevant provisions of this code, including without limitation the provisions of this article F, which are not in conflict with the provisions of this section, shall apply to the establishment, procedures, penalties and enforcement of a restricted overnight parking district established pursuant to this section.

Sec. 5-8-83 - Restricted daytime parking district.

- (a) Prohibited parking. It shall be unlawful for any person to park a motor vehicle within any block face which is posted with one or more restricted daytime parking district signs contrary to any of the conditions set forth on the sign, unless the vehicle ~~displays a valid City of Alexandria license plate, windshield tag or decal issued~~ **is registered with the City of Alexandria** pursuant to section 3-2-321~~229~~, et seq., of this code, or **the vehicle has been issued** a guest or visitor permit issued pursuant to this section.
- (b) Parking restrictions. Restricted daytime parking district signs shall prohibit parking by motor vehicles which ~~do not display a valid City of Alexandria license plate, windshield tag or decal issued~~ **are not registered with the City of Alexandria** pursuant to section 3-2-321~~229~~, et seq., of this code, or **the vehicle has been issued** a guest or visitor pass issued pursuant to this section, during the posted daytime hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays. As used in this section, parking means the stopping or standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of the vehicle.
- (c) Establishment of district. The restricted daytime parking district may be established for any block face or adjoining group of block faces within the boundaries set forth in the Daytime Parking District Map approved by the city council upon passage of the ordinance creating and authorizing this code section. City council may amend the Daytime Parking District Map by resolution. Residents within the district may request that restricted daytime parking district signs be posted on block faces within the district pursuant to the following criteria and procedures:
 - (1) A petition requesting the establishment of a placement of restricted daytime parking district signs, describing the area proposed to be designated, and signed by **an occupant of** not less than 50 percent of the ~~residents~~ **residential properties** abutting each block face in the proposed area, shall be filed with the city manager.
 - (2) Upon receipt of a petition which meets the minimum criteria, the director of transportation and environmental services shall forthwith post the signs described in subsection (b) within the proposed area, and record the area on the Daytime Permit Parking District Map.
- (d) Guest/visitor passes. The city manager shall provide for the issuance of one guest/visitor pass for each residence with any approved area within the restricted

daytime parking district at no cost. Such passes shall be transferable to subsequent occupants of the residence without action by the city. If any issued guest/visitor pass is lost or stolen, the requesting resident may obtain a replacement from the city at a cost of \$100.

- (e) All relevant provisions of this code, including without limitation the provisions of this article F, which are not in conflict with the provisions of this section, shall apply to the establishment, procedures, penalties and enforcement of a restricted daytime parking district established pursuant to this section.

Section 2. That Title 5, Chapter 8, Article F, Sections 5-8-82 and 83, as amended pursuant to Section 1 of this ordinance, be, and the same hereby are, reordained as part of the Code of the City of Alexandria.

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

17. Public Hearing and Second Reading of an Ordinance to repeal Article R (LICENSE TAXES ON MOTOR VEHICLES, TRAILERS AND SEMITRAILERS), Sections 3-2-321 through 3-2-350, of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia.

(A copy of the City Manager's memorandum dated April 3, 2019, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 04/13/19, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 04/13/19; 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, marked Exhibit No. 3 of Item No. 17; 04/13/19, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing and scheduled the final passage for May 1, 2019 (Budget adoption). The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)
DEFERRAL/WITHDRAWAL CONSENT CALENDAR
Planning Commission (continued)

None.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, the public hearing meeting of April 13, 2019 was adjourned at 12:38 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

APPROVED BY:

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk