

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, February 20, 2021 9:30 AM  
Virtual Meeting  
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. Seifeldin.

**ABSENT:** None.

**ALSO PRESENT:** Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Johnson, Manager, Torpedo Factory Art Center; Mr. Browand, Division Chief, RPCA; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Seau, Division Chief, Office of Housing; Mr. Sharma, Deputy Director, T&ES; Ms. Horowitz, Principal Planner, P&Z; Mr. Garbacz, Division Chief, T&ES; Ms. Ford, Urban Planner, P&Z; Mr. LaColla, Division Chief, P&Z; Ms. Miliaras, Principal Planner, P&Z; Mr. Randall, Urban Planner, P&Z; Ms. Brown, Deputy City Attorney; Mr. Maines, Division Chief, T&ES; Ms. Jovovic, Office of Housing; Mr. Skrabak, Deputy Director, T&ES; Ms. McIlvaine, Director, Office of Housing; Ms. Suehr, Director, Department of Project Implementation; Mr. Keeler, Deputy Director, Office of Housing; Mr. Swidrak, Urban Planner; P&Z; Ms. Contreras, Urban Planner; P&Z; Ms. Oleynik, Urban Planner, T&ES; Mr. Knight, Transportation Planner; T&ES; Ms. Cooper, Urban Planner, P&Z; Mr. Baptiste, Urban Planner, P&Z; Ms. Patton, Relocation Specialist, Office of Housing; Mr. Kerns, Division Chief, P&Z; Mr. Boulden, Civil Engineer, T&ES; Mr. Dofflemeyer, Civil Engineer, T&ES; Mr. Barre, Information Technology Services, and Mr. Smith, Information Technology Services.

**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 the members of Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the February 20, 2021 Public Hearing meeting of the Alexandria City Council is being held electronically

pursuant to Virginia Code Section 2.2-3708.2(A)(3), the Continuity of Government ordinance adopted by the City Council on June 20, 2020 and Section 4.0-00(g) in HB29 and HB30 to undertake essential business. All members of City Council and staff are participating from remote locations through a video conference call on Zoom. The meeting can be accessed by the public through the live broadcast on the government channel 70, streaming on the City's website, and can be accessed via Zoom.

## **2. Public Discussion Period**

The following person participated in the public discussion period:

1. James Rodriguez, Alexandria, spoke in support of the upcoming collective bargaining ordinance for employees.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper 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)**

#### **Planning Commission**

3. Special Use Permit #2020-00080  
300 North Fayette Street (Parcel Address: 1201 Queen Street) - Rooming House  
Public Hearing and consideration of a request for a Special Use Permit to operate a Rooming House; zoned: CL/Commercial Low. Applicant: Hazel Barksdale  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 02/20/21, and is incorporated as part of this record by reference.)

4. Development Special Use Permit #2018-00030  
1000 Saint Stephen's Road - St. Stephen's and St. Agnes School Upper School Expansion  
Public Hearing and consideration of a request for: (A) a Development Special Use Permit with Site Plan to expand an existing private school by constructing a building addition, additional parking and other site improvements, including Special Use Permits to increase enrollment to 520 students and to allow temporary classroom trailers (amending SUP#2016-0103): zoned; R-8/Single-Family and R-12/Single-Family. Applicant: Church Schools in the Diocese of Virginia d/b/a St. Stephen's and St. Agnes School, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 02/20/21, and is incorporated as part of this record by reference.)

## END OF ACTION CONSENT CALENDAR

City Council consider each item under separate motion. The consideration was as follows:

3. Special Use Permit #2020-00080  
300 North Fayette Street (Parcel Address: 1201 Queen Street) - Rooming House  
Public Hearing and consideration of a request for a Special Use Permit to operate a Rooming House; zoned: CL/Commercial Low. Applicant: Hazel Barksdale  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 02/20/21, 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 approved the Planning Commission recommendation with an amendment to condition #11 to read as follows: "Special Use Permit #2020-00080 shall be docketed for review by City Council within five years or will expire on February 19, 2026. If the 5 year limit for rooming house special use permits is deleted from the Zoning Ordinance, then the use may continue in compliance with the Zoning Ordinance." 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.

4. Development Special Use Permit #2018-00030  
1000 Saint Stephen's Road - St. Stephen's and St. Agnes School Upper School Expansion  
Public Hearing and consideration of a request for: (A) a Development Special Use Permit with Site Plan to expand an existing private school by constructing a building addition, additional parking and other site improvements, including Special Use Permits to increase enrollment to 520 students and to allow temporary classroom trailers (amending SUP#2016-0103): zoned; R-8/Single-Family and R-12/Single-Family. Applicant: Church Schools in the Diocese of Virginia d/b/a St. Stephen's and St. Agnes School, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 02/20/21, 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 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 and Consideration of a License Extension, Amendment No. 3, between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk, marked Item No. 5; 02/20/21, 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 proposed License Extension, and authorized the City Manager to execute the ten (10) month License Extension, Amendment No. 3; with the Tall Ship Providence Foundation. 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 a Recommendation from the City Council Naming Committee to Change the Name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 02/20/21, 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 adopted the recommendation from the City Council Naming Committee to change the name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park. 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. Public Hearing and Consideration of an Action Plan for Vibrancy and Sustainability at Torpedo Factory Art Center.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Veronica Barker-Barzel, Alexandria, representing the Torpedo Factory Artists Association, spoke in support of Waterfront Commission recommendation to the City Council allowing artists to have a voice in the planning for the Torpedo Factory Art Center.

2. Ivy Whitlatch, Alexandria, representing the Archaeological Commission, stated that the Commission should play a part in the planning for the future of the Torpedo Factory Art Center.

3. Min Enghauser, Alexandria, spoke for including artists in the future planning for the Torpedo Factory Art Center.

4. Stephen Lally, Alexandria, spoke about ways to integrate the Torpedo Factory Art Center into the larger community and make it more vibrant. Mr. Lally also spoke about preserve the innovation and creators of art that are part of the Center and the preservation of the cooperative galleries are maintained.

5. Nate Macek, Alexandria, representing the Waterfront Commission and highlighted the concerns of the Commission outlined in the letter submitted to City Council. Mr. Macek noted that the Commission requested that the City revisit the approach to management of the Center and reimagine what the Center is considering for a complete use of the facility. Mr. Macek also hoped there would be an additional chance for the community to offer input on the plan.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman 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.

Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities, and City Manager Jinks responded to questions from Council about funding for the Art Center, capital improvements needed for the Center, and the inclusion of the artist community and the Archaeology Department in the future planning of the building.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council received the proposed Action Plan for Vibrancy and Sustainability at Torpedo Factory Art Center and directed staff to develop and implement a stakeholder engagement plan. The plan will be brought back to council for consideration within the next two months. 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)**

8. Special Use Permit #2020-00097  
428 North Pitt Street - Parking Reduction and Lot Modifications  
Public Hearing and consideration of a request for a Special Use Permit for a parking reduction for two compact parking spaces and for modifications to the rear yard setback, open space, parking in a required yard, and vision clearance for the construction of a townhouse dwelling; zoned RB/Townhouse. Applicant: Stephen A. Bannister, represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Elizabeth Mulry, Alexandria, spoke about the process for notification and wanted to ensure that the modifications from the Planning Commission remained part of the plan.
2. Robert Brant, attorney for the application, spoke in support of the proposal and responded to questions from Council and that the applicant will comply with all conditions.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson 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 Vice Mayor Bennett-Parker and carried unanimously, 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.

9. Special Use Permit #2020-00091  
3541 West Braddock Road - Office Building Monument Sign  
Public Hearing and consideration of a request for a Special Use Permit to waive the sign requirements of Article IX of the Zoning Ordinance for the installation of a monument sign; zoned: CG/Commercial General. Applicant: Mohammed Omari  
Planning Commission Action: Recommended Denial 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Mohammed Omari, Arlington, Virginia, applicant, spoke in support of the changes to the sign and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman 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 6-1, City Council upheld the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

\*\*\*\*City Council took at recess at 12:20 p.m. for lunch. The meeting reconvened at 1:00 p.m.\*\*\*\*

10. Rezoning #2020-00006  
Development Special Use Permit #2020-10032  
Transportation Management Plan Special Use Permit 2020-00084  
416 South Alfred Street, 431 South Columbus Street, 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street - Heritage at Old Town  
Public Hearing and consideration of a request for (a) amendment to the official zoning map to change the zone for the site from RB/Townhouse zone and RC/High density apartment zone to RMF/Residential multifamily zone; (b) a Development Special Use Permit and site plan with modifications to construct three mixed-income multifamily buildings on three blocks with 750 units, including Special Use Permits to increase the floor area ratio to 3.0 in the RMF zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, (c) a Special Use Permit for a Transportation Management Plan (tier three); zoned: RB/Townhouse (Blocks 1 and 4) and RC/High Density Apartment (Block 2). Applicant: Heritage at Old Town PropCo LLC, represented by M. Catharine Puskar, attorney Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Betsy Faga, Alexandria, spoke in support of the proposal.
2. Yvonne Callahan, Alexandria, spoke in opposition to the proposal.
3. Stafford Ward, Alexandria, spoke in opposition to the proposal and offered suggestion for changes.
4. Kevin Brady, Alexandria, representing Grassroots Alexandria, spoke in support of the proposal.
5. Martha Raymond, Alexandria, spoke in opposition to the proposal due to the type of construction.
6. Stewart Schwartz, representing the Coalition for Smarter Growth, spoke in support of the proposal.
7. Shelley Murphy, Alexandria, spoke in support of the proposal.
8. Chris Morell, Alexandria, spoke in opposition to the proposal.
9. Rev. Howard-John Wesley, Alexandria, pastor of Alfred Street Baptist Church, spoke in support of the proposal.

10. Jonathan Krall, Alexandria, spoke in support of the proposal.
11. Sammie Mosenberg, Alexandria, spoke in support of the proposal.
12. Shefali Mehta, Alexandria, spoke in opposition of the proposal.
13. Danny Smith, Alexandria, representing the Historic Alexandria Resources Commission, spoke in the letter sent to Council by the Commission for consideration and balancing of public and historic benefits.
14. Jelks Cabaniss, Alexandria, spoke in opposition of the proposal, focusing on the aesthetics of the proposed building.
15. Stephen Joseph Popick, Alexandria, spoke in support of the proposal.
16. Ken Notis, Alexandria, spoke in support of the proposal.
17. Kay Morell, Alexandria, spoke in opposition to the proposal, citing height and density issues.
18. Gail Rothrock, Alexandria, spoke in opposition of the proposal, citing height and density issues.
19. Joe Johnson, Alexandria, spoke in opposition of the proposal, citing garage location issues and traffic concerns.
20. Kevin Harris, Alexandria, spoke in support of the proposal.
21. Zachary DesJardins, Alexandria, spoke in support of the proposal.
22. Mary Morrow Bax, Alexandria, spoke in opposition of the proposal, citing height and density issues.
23. Lisa Kempe, Alexandria, spoke in opposition of the proposal, citing height and density issues.
24. Marta Ali, Alexandria, spoke in support of the proposal.
25. Latrese Thompson, Alexandria, manager of the Heritage at Old Town, spoke in support of the proposal.
26. William Doying, Alexandria, spoke in opposition of the proposal.
27. Ellen Mosher, Alexandria, spoke in opposition of the proposal, citing height and density issues.
28. Tiffany Fishman, Alexandria, spoke in opposition of the proposal, citing height and density issues.



29. Myra Baran, Alexandria, spoke in opposition of the proposal.
30. Rachel Sheedy, Alexandria, spoke in opposition of the proposal.
31. Merrick Malone, Alexandria, spoke in support of the proposal.
32. Brian Scholl, Alexandria, spoke in opposition of the proposal, citing size and scale issues with the project.
33. Megan McConnell, Alexandria, spoke in opposition of the proposal, citing the size of the building.
34. David Gibbs, Alexandria, spoke in opposition of the proposal.
35. Jim Simmons, applicant, spoke in support of the proposal.
36. Stephen Milone, Alexandria, representing the Old Town Civic Association, spoke in opposition of the proposal citing height and density issues with the project.
36. Cathy Puskar, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson 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 Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with the deletion of condition #140. 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.

**\*\*\*\*City Council recessed at 7:00 p.m. and reconvened the meeting at 7:15 p.m.\*\*\*\***

11. Master Plan Amendment #2020-00007  
Rezoning #2020-00003  
Development Special Use Permit #2020-10026  
Transportation Management Plan Special Use Permit #2020-00082  
Coordinated Sign Permit Special Use Permit #2020-00083  
4898 West Braddock Road - Newport Village  
Public Hearing and consideration of requests for: (A) an amendment to the Alexandria West Small Area Plan chapter of the Master Plan to amend the land use designation for a portion of the property from residential medium-density to CRMU-H/Commercial residential mixed use (high) and to amend the height map for a portion of the property from 45 feet to 92 feet; (B) an amendment to the official zoning map to change the zoning designation for a portion of the property from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone; (C) a Development Special

Use Permit with site plan to construct a new multifamily residential building with modifications and Special Use Permits to increase the maximum allowable floor area ratio to 2.3, for a parking reduction, and for more than three mechanical rooftop penthouses; (D) a Special Use Permit for a Transportation Management Plan; and (E) a Special Use Permit for a Coordinated Sign Plan; zoned: RA/Multifamily. Applicant: UDR Newport Village, LLC, represented by Kenneth W Wire, attorney  
Planning Commission Action: Recommended Approval 7-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item 11; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Kenneth Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council about the project.

**WHEREUPON**, motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 5-2, City Council closed the public hearing and approved the Planning Commission recommendation, with the following amendments: delete condition 121 and amendments to condition 122 as follows: a. The applicant shall provide twelve (12) affordable set-aside rental units, consisting of one studio, eight one-bedroom, and three two-bedroom units, or with a mix of units to the satisfaction of the Director of Housing; and b. Rents payable for the set-aside units shall not exceed the maximum rents allowed under the Federal Low Income Housing Tax Credit program for households with incomes at 50 percent of the Washington D.C. Metropolitan Area Median Family Income (taking into account utility allowances and any parking charges) for a period of 40 years from the date of initial occupancy of each affordable unit. The applicant shall re-certify the incomes of resident households annually. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper; Opposed, Councilman Aguirre and Councilman Seifeldein.

12. Master Plan Amendment #2020-00008  
Rezoning #2020-00004  
Development Special Use Permit #2020-10027  
Transportation Management Plan Special Use Permit #2020-00076  
Vacation #2020-00004  
1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction for residential and commercial uses, to allow a restaurant, retail shopping or personal

service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only) Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 02/20/21, and is incorporated as part of this record.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council deferred consideration of this item until the March 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.

## **ORDINANCES AND RESOLUTIONS**

13. Public Hearing, Second Reading, and Final Passage of an Ordinance to increase the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 02/20/21, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 02/20/21, 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 Item No. 13; 02/20/21 and is incorporated as part of this record by reference.)

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

1. Katie Waynick, Alexandria, spoke about ways to enhance the proposal for stormwater fees, the creation of the Ad Hoc Stormwater Group and updating of the City Code.
2. Jessica Cummings, Alexandria, spoke about Council consider ways to fast track ways to solve the City's stormwater problems.
3. Daniel Alderman, Alexandria, spoke in support of increasing the Stormwater Utility fee and considering ways to solve the City stormwater issues.
4. Natalie Engel, Alexandria, spoke about accelerating the timeline for planned

improvements for stormwater issues in the City.

5. Allison Scates, Alexandria, spoke about stormwater issues in her neighborhood and the need of immediately solutions.

6. Dana Lawhorne, Alexandria, spoke in opposition to an increase in the Stormwater Utility Fee.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein 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 Councilman Seifeldein, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted an ordinance to increase the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). Council also requested staff to return with an amendment to Section 5-6-231 reflecting a revised purpose for the fee. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5324

AN ORDINANCE to amend Section 5-6-230 (AUTHORITY AND EFFECTIVE DATE), Section 5-6-233 (STORMWATER UTILITY FEE), and Section 5-6-238 (PETITIONS FOR ADJUSTMENT) of Article C (STORMWATER UTILITY) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-230, Section 5-6-233, and Section 5-6-238 of Article C of Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

#### **ARTICLE C – Stormwater Utility**

##### **Sec. 5-6-230 - Authority and effective date.**

The city is authorized by Virginia Code § 15.2-2114 to establish a utility or enact a system of service charges to support a local stormwater management program consistent with the Virginia Stormwater Management Act (Virginia Code § 62.1-44.15:24 et seq.) or any other state or federal regulation governing stormwater management. ~~This chapter shall be effective January 1, 2018, with the initial stormwater management~~

~~fee bill due and payable on or before June 15, 2018 and the second not later than November 15, 2018 in the same manner prescribed in 3-2-182 of this code, Real Estate Taxes. Notwithstanding, the city manager is authorized to develop policies, procedures and manuals necessary to implement this chapter in accordance with section 5-6-231 and to accept applications for credit in accordance with section 5-6-235.~~

#### **Sec. 5-6-233 - Stormwater utility fee.**

(a) A stormwater utility fee is hereby imposed on every parcel of real property in the city that appears on the real property assessment rolls as of January 1 of each year. All stormwater utility fees and other income from the fees shall be deposited into the stormwater utility enterprise fund for the sole purpose of funding the activities described in section 5-6-236.

~~(b) The stormwater utility shall be in effect starting January 1, 2018.~~

~~(b) (c) The utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$140 annually. The fee shall be reviewed annually and set by the city council to be effective July 1 each year, as follows:~~

(i) For the stormwater utility fee bill due and payable on or before June 15, 2021, the utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$210.

(ii) For the stormwater utility fee bill due and payable on or before November 15, 2021 and all bills thereafter, the utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$280 annually.

~~(c) (d)~~ Except as otherwise provided in this chapter, the impervious surface of a parcel shall be determined by the city, including but not limited to, one or more of the following: aerial photography; as-built drawings; final approved site plans; building permits; field surveys; or other appropriate engineering and mapping analysis tools.

~~(d) (e)~~ The stormwater utility shall be under the administration of the director.

~~(e) (f)~~ Notwithstanding subsection (a), and consistent with Code of Virginia, § 15.2-2114, the stormwater utility fee shall be waived in its entirety for the following:

- (1) a federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system in accordance with Code of Virginia, § 10.1-603.2 et seq.; except that the waiver of charges shall apply only to property covered by any such permit;
- (2) public roads and street rights-of-way that are owned and maintained by state or local agencies, including property rights-of-way acquired through the acquisition process;
- (3) property owned or operated by the city; and
- (4) cemeteries.

#### **Sec. 5-6-238 - Petitions for adjustment.**

(a) Any property owner subject to the stormwater utility fee may request an adjustment to the fee by submitting a request in writing to the director within 30 calendar days after the date the bill mailed or otherwise issued to the property owner. Grounds for adjustment of the stormwater utility fee are limited to the following:

- (1) an error was made regarding the square footage of impervious area on the non-residential or multi-family property, or the large single family residential detached property;

- (2) an error was made regarding the type of single family residential property;
  - (3) the property is entitled to a full waiver under section 5-6-233~~(f)~~(e);
  - (4) there is a mathematical error in calculating the stormwater utility fee;
  - (5) the identification of the property owner invoiced is in error; or
  - (6) an approved credit was incorrectly applied.
- (b) The property owner shall complete a stormwater utility fee adjustment application form in a format approved by the director.
- (c) If the application alleges an error in the amount of impervious area for a non-residential or multi-family property, or for large single family residential detached property, the city will provide a plan view of the property's impervious area to the applicant. If the property owner contends that the amount of impervious area is in error, the owner may:
- (1) request a meeting with the director; and/or
  - (2) submit an appeal with a revised plan signed and sealed by a professional engineer or professional land surveyor licensed to practice in the Commonwealth of Virginia attesting to the accuracy of the impervious area measurements.
- (d) the requirement for a plan view of the parcel's impervious area required in subsection (c) above may be waived by the director, if at the sole discretion of the director the error is obvious and is the result of a technical error or oversight by the city. In such case, the city shall be responsible for recalculating the impervious area of the property.
- (e) The director shall make a determination within 30 calendar days of receipt of a complete submittal for the request for adjustment. In the event that the director finds that the submittal is deficient or incomplete, the director will notify the applicant with an offer of 30 calendar days to supply the missing information. The 30-calendar day time for a decision will begin at such time as the requested information is provided. If the information requested is not provided to the director within 45 calendar days of the original request, the petition will be deemed withdrawn.
- (f) A decision by the director on a petition for adjustment is a final decision from which an aggrieved party may appeal to the Circuit Court of Alexandria, Virginia.

Section 2. That Title 5, Chapter 6, Article C, Section 5-6-230, Section 5-6-233, and Section 5-6-238 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

Section 3. That this ordinance shall become effective 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 Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010 (Implementation Ordinance for Text Amendment No. 2020-0010 associated with RT Zone Setbacks approved by City Council on January 23, 2021).[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked of Item No. 14; 02/20/21, 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 Item No. 14; 02/20/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010. 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5325

AN ORDINANCE to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-0010, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on January 5, 2021 of a text amendment to the Zoning Ordinance to adopt amendments to the side and rear yard setback requirements in the RT/Townhouse zone, which recommendation was approved by the City Council at public hearing on January 23, 2021;

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 3-1306 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:

3-1306 - Bulk and open space regulations.

(A) Yards.

\*\*\*

- (2) *Side yards.* Each end lot in a group of townhouses shall provide a side yard setback ratio of at least 20 feet. 1:2 with a minimum of 12 feet.
- (3) *Rear yard.* Each dwelling shall provide a rear yard setback ratio of at least 35 feet. 1:1 with a minimum of 12 feet.

\*\*\*

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

Section 3. That Section 3-1306, 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.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005 (Implementation Ordinance for Street Name Case No. 2020-00005 associated with the street name change from Swamp Fox Road to Hoffman Street approved by City Council on January 23, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 02/20/21, 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 of Item No. 15; 02/20/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005. 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.

The ordinance reads as follows:

ORDINANCE NO. 5326

AN ORDINANCE to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-2-62 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new subsection (17) to read as follows:

\*\*\*

(17) Change of name as of February 20, 2021:

<u>New Name</u>	<u>Old Name</u>	<u>General Location</u>
Hoffman Street	Swamp Fox Road	Eisenhower East

\*\*\*

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

**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 Councilman Chapman and carried unanimously, City Council adjourned the public hearing meeting of February 20, 2021 at 8:54 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

Approved: May 11, 2021

Ratified: