

City of Alexandria

*301 King St., Room 2400
Alexandria, VA 22314*



Action Docket - Final

Tuesday, July 9, 2019

5:30 PM

Council Chambers

City Council Public Hearing

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, except for Councilman Chapman who arrived at 6:15 p.m.

2. Public Discussion Period

The following persons participated in the public discussion period:

1. Jack Sullivan, 4300 Ivanhoe Place, spoke about the possible changes to Seminary Road and the decision made by the Traffic and Parking Board.

2. Robert Eiffert, 1418 Juliana Place, spoke about the safety of Seminary Road and the decision made by the Traffic and Parking Board.

3. Michael Curry, 1418 Juliana Place, spoke about the safety of Seminary Road and the decision made by the Traffic and Parking Board.

4. Fran Vogel, 41 North Early Street, representing Strawberry Hill Civic Association, spoke about the safety of traffic on Seminary Road.

5. Tom Fulton, 4020 Ellicott Street, representing Seminary Hill Association, spoke about the safety of the traffic on Seminary Road. (spoke)

6. Susan Keightley, 501 Slaters Lane, representing MOMS Demand Action, spoke about the need for gun safety and in support of legislation on tonight's docket.

7. James Durham, 622 Fort William Pkwy, spoke about the safety on Seminary Road.

8. Lauren Jenkins, 45 Carriage House Circle, spoke about the safety on Seminary Road.

9. Carolyn Griglione, 1416 Ivanhoe Street, Seminary Rd, reported that she had filed an appeal of the Traffic and Parking decision and requested more information from City staff on Alternative 3 for changes to Seminary Road.

10. Jim Mathis, 3737 Seminary Road, spoke about the safety of the traffic on Seminary Road.

11. Michael Michaelis, 3976 Seminary Road, spoke about the traffic on Seminary Road and the need for more safety measures and he requested that Council review Alternative #3 for changes to road.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-12)

Planning Commission

3. [19-2263](#) Special Use Permit #2019-0034
3830 Seminary Road - Hahu Language Center
Public hearing and consideration of a request for a special use permit to operate a commercial private school; zoned: R-20/ Single-family.
Applicant: Eyoel Tesfaye
Planning Commission Action: Recommended Approval 7-0

4. [19-2264](#) Special Use Permit #2019-0035
413 West Windsor Avenue - Single-Family Residence
Public hearing and consideration of a request for a special use permit to construct a single-family dwelling on a developed substandard lot; zoned: R-8/ Single-family.
Applicant: Daryl and Carolyn Andrews, represented by Gaver Nichols, architect
Planning Commission Action: Recommended Approval 7-0

5. [19-2265](#) Special Use Permit #2019-0038
1 Cameron Street (Parcel Address: 5 Cameron Street) - Chart House
Public hearing and consideration of a request for a special use permit for outdoor speakers at an existing restaurant (amending SUP #1944); zoned: CD/ Commercial Downtown.
Applicant: Alexandria Waterfront Associates Limited Partnership, represented by Duncan W. Blair, attorney
Planning Commission Action: Recommended Approval 7-0

6. [19-2266](#) Special Use Permit #2019-0040
3540 Wheeler Avenue - ACPS School Bus Facility
Public hearing and consideration of a request for a special use permit to expand a breakroom at the existing noncomplying use for general automotive repair and motor vehicle storage uses; zoned: I/ Industrial and POS/ Public Open Space and Community Recreation.
Applicant: Alexandria City Public Schools, represented by H. (Skip) Maginniss, architect
Planning Commission Action: Recommended Approval 7-0

7. [19-2267](#) Special Use Permit #2019-0041
200 Stovall Street - Stovall Street Food Hall
Public hearing and consideration of a request for a special use permit to operate a restaurant with live entertainment; zoned: CDD #2/ Coordinated Development

District #2.

Applicant: Scott Shaw

Planning Commission Action: Recommended Approval 7-0

8. [19-2268](#)

Encroachment #2019-0001

500 Wolfe Street - Encroachment

Public hearing and consideration of a request for an encroachment into the public right-of-way to install a fence; zoned: RM/ Townhouse.

Applicant: Elena and Amanda Delle Donne

Planning Commission Action: Recommended Approval 7-0

9. [19-2269](#)

Development Special Use Permit #2019-0018

2410 and 2460 Mill Road - Hoffman Blocks 4 & 5 Amendment

Public hearing and consideration of a request for a development special use permit and site plan with modifications to reduce the height of the West Tower Building of the mixed-use retail and residential complex approved in DSUP#2017-0023, including special use permit requests to increase the height of mechanical penthouses and the number of penthouses requested; zoned: CDD #2/Coordinated

Development District #2.

Applicant: HTC 4/5 Project Owner LLC, represented by Duncan W. Blair, attorney

Planning Commission Action: Recommended Approval 6-0

10. [19-2274](#)

FOR INFORMATION ONLY

City Charter Section 9.06 Case #2019-0001

1201 & 1203 Janney's Lane Public

Receipt of a Report from the Planning Commission in regard to the proposed purchase of property and the resulting change in use of that property is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.

Applicant: Alexandria City Public Schools

Planning Commission: Approved 7-0

11. [19-2222](#)

Release of Capital Improvement Program Contingency Funds for Land Acquisition of 1201 and 1203 Janney's Lane for Public School (MacArthur Elementary) Purposes.

12. [19-2282](#)

Appointment of a Member of Council to the Douglas MacArthur Elementary School Project Advisory Committee.

END OF ACTION CONSENT CALENDAR

City Council approved the consent calendar, with the exception of docket item #8, which was approved under a separate motion. The approvals were as follows:

3. *City Council approved the Planning Commission recommendation.*
4. *City Council approved the Planning Commission recommendation.*
5. *City Council approved the Planning Commission recommendation.*
6. *City Council approved the Planning Commission recommendation.*
7. *City Council approved the Planning Commission recommendation.*
8. *City Council approved the Planning Commission recommendation, including the clause to reevaluate the use of the encroachment for public use in 10 years (consistent with the CIP). The reevaluation would be administrative. (separate motion)*
9. *City Council approved the Planning Commission recommendation.*
10. *City Council received the Planning Commission approval as information.*
11. *City Council allocated Capital Improvement Program Contingency Funds in the amount of \$1,015,000 for the purchase of the 1201 and 1203 Janney's Lane properties as part of the Douglas MacArthur Elementary School modernization project.*
12. *City Council appointed Councilwoman Amy Jackson to the Douglas MacArthur Elementary School Project Advisory Committee ("Committee").*

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

13. [19-2270](#) Environmental Action Plan Phase 2 Green Building and Land Use and Open Space Chapters
Public hearing and consideration of the Phase 2 updates to the Green Building and Land Use and Open Space chapters of the City's Environmental Action Plan.
Staff: City of Alexandria, Departments of Planning & Zoning, Transportation & Environmental Services, General Services, and Recreation, Parks, and Cultural Activities.
Planning Commission Action: Recommended Approval 6-1
City Council approved the Planning Commission recommendation.
14. [19-2237](#) Second Reading, and Final Passage of the Environmental Action Plan (EAP) 2040. (Public Hearing Completed)
City Council adopted the Environmental Action Plan 2040.
15. [19-2253](#) Consideration of a Contingent Contract to Sell City-Owned Property at 912, 916,

920 King Street and 116 South Henry Street.

City Council authorized the City Manager to enter into a contract with Galena Capital Partners, LLC to sell the City-owned surplus properties located at 912, 916, 920 King Street and 116 South Henry Street for \$5,300,000 contingent upon (1) approval of the DSUP for these sites by the Planning Commission and City Council; and (2) approval of the sale of these properties by the Planning Commission per Section 9.06 of the City Code.

16. [19-2262](#) Public Hearing and Consideration of a One (1) Year Lease Agreement Renewal with Child and Family Network Centers at Leonard Chick Armstrong Recreation Center Located At 25 West Reed Avenue.

City Council authorized the City Manager to execute the lease agreement for a one-year lease agreement renewal between Child and Family Network Centers and the City of Alexandria for the use of one (1) classroom to conduct a pre-school program for children from low-income families.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

17. [19-2271](#) Text Amendment #2019-0004
Rezoning #2019-0005
Coordinated Development District Conceptual Design Plan #2019-0002
600 South Pickett Street - Greenhill South CDD
Public hearing and consideration of requests for: (A) the initiation of and a text amendment to the Zoning Ordinance to amend the provisions of Section 5-602(A) to establish Coordinated Development District (CDD) #28; (B) an amendment to the official zoning map to change the zone from I/ Industrial zone to CDD#28/ Coordinated Development District #28; and (C) a request for a Coordinated Development District Conceptual Design Plan; zoned I/ Industrial.
Applicants: City of Alexandria (Text Amendment only) and Greenhill Capital Corp., represented by Mary Catherine Gibbs, attorney
Planning Commission Action: Recommended Approval 6-0
City Council approved the Planning Commission recommendation.
18. [19-2272](#) Development Special Use Permit #2018-0020
100 Madison Street, 501 North Union Street, 100 Jones Point Drive, 1460 & 1500 Duke Street, 370, 500, 590, 600, & 800 Holland Lane, and 1500 & 1600 Eisenhower Avenue - RiverRenew Combined Sewer Remediation Project
Public hearing and consideration of a request for a development special use permit and site plan for a utility consisting of three outfall locations that include construction for above-grade development and equipment access points for the combined sewer

outfall project; zoned: W-1/ Waterfront Mixed Use, WPR/ Waterfront Park and Recreation, CDD #1/ Coordinated Development District #1, RB/ Townhouse, UT/ Utilities and Transportation, OCH/ Office Commercial High, CD/ Commercial Downtown, OCM(100)/ Office Commercial Medium (100).

Applicant: Alexandria Renew Enterprises, represented by Jonathan P. Rak, attorney

Planning Commission Action: Recommended Approval 7-0

City Council approved the Planning Commission recommendation.

19. [19-2273](#)

Master Plan Amendment #2019-0002

Rezoning #2019-0003

Coordinated Development District Conceptual Design Plan #2019-0003

Development Special Use Permit #2018-0028

Transportation Management Plan Special Use Permit #2019-0033

2393, 2395, 2403, 2415, and 2421 Mill Road - Eisenhower East Small Area Plan Amendment and WMATA Office Building - Block 15A

Public hearing and consideration of requests for: (A) Initiation of a Master Plan Amendment; (B) Public hearing and consideration of an amendment to the Eisenhower East Small Area Plan Chapter of the Master Plan to divide Block 15 into Blocks 15 and 15A; (C) amendments to the official zoning map to change the zoning for a portion of 2393 Mill Road from UT/ Utilities and Transportation zone to CDD #2/ Coordinated Development District #2, for 2395 Mill Road from OCM(100)/ Office Commercial Medium (100) zone to CDD #2/ Coordinated Development District #2 and UT/ Utilities and Transportation, for a portion of 2403 Mill Road from OCM(100) /Office Commercial Medium (100) zone and UT/ Utilities and Transportation to CDD #2/Coordinated Development District #2, for a portion of 2415 Mill Road from OCM(100)/ Office Commercial Medium (100) zone to CDD #2/ Coordinated Development District #2, and for a portion of 2421 Mill Road from OCM(100)/ Office Commercial Medium and UT/ Utilities and Transportation zone to CDD #2/ Coordinated Development District #2 and UT/ Utilities and Transportation; (D) an amendment to Coordinated Development District #2 to add Block 15A; (E) a Development Special Use Permit and site plan to construct a new office building with above-grade parking; (F) a Transportation Management Plan Special Use Permit for the proposed construction; zoned: OCM(100)/ Office Commercial Medium (100) & UT/Utilities and Transportation. Applicant: City of Alexandria (Master Plan Amendment only) and Washington Metropolitan Area Transit Authority (WMATA), represented by Jonathan P. Rak, attorney

Planning Commission Action: Recommended Approval 4-0

City Council approved the Planning Commission recommendation with the following amendments: delete conditions #90 and #91 and revise condition 13(e) to read as follows: Failure to achieve LEED Certification (or equivalent) for the residential project and /or LEED gold (or equivalent) for the commercial project will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of Final Site Plan will apply.

ORDINANCES AND RESOLUTIONS

20. [19-2276](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Prohibit Firearms on City Property. (Second Reading, Public Hearing and Final Passage Scheduled for Saturday, September 14, 2019.)(This item is not a public hearing)
- City Council approved the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, September 14, 2019.*
- *****
- City Council adopted the ordinances for docket items 21 -24 as a block by roll-call vote.*
21. [19-2138](#) Public Hearing, Second Reading and Final Passage of an Ordinance to authorize the owner of the property located at 901 and 901 A North Fairfax Street to construct and maintain an encroachment for a garage vent on Montgomery Street at that location (Implementation Ordinance for Encroachment No. 2018-0013 associated with 901 and 901 A North Fairfax Street approved by City Council on January 12, 2019).
- City Council closed the public hearing and approved the ordinance to authorize the owner of the property located at 901 and 901 A North Fairfax Street to construct and maintain an encroachment for a garage vent on Montgomery Street at that location. (ORD. NO. 5232)*
22. [19-2229](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 034.04 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 property at 101 East Windsor Avenue, from RB/Residential Townhouse to R-2-5/Residential Single and Two-Family in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2019-0004 (Implementation Ordinance for Rezoning No. 2019-0004 associated with the 101 East Windsor Avenue Residential Rezoning approved by City Council on June 22, 2019).
- City Council closed the public hearing and adopted an ordinance to amend and reordain Sheet No. 034-04 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 property at 101 East Windsor Avenue, from RB/Residential Townhouse to R-2-5/Residential Single and Two-Family in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2019-0004. (ORD. NO. 5233)

23. [19-2231](#)

Public Hearing, Second Reading and Final Passage of an Ordinance to delete Section 2-103 (Accessory Building) of Article II (DEFINITIONS) and Section 7-2505; to add Section 2-125.1 (BUILDING WALL, FRONT), Section 2-197.4 (SUBDIVISION), Section 2-197.5 (TITLE LOAN BUSINESS) of Article II (DEFINITIONS), Section 7-2505 (FREE STANDING GARAGES TO THE REAR OF THE MAIN BUILDING), Section 7-2506 (ATTACHED GARAGES), Section 7-2507 (TREE COVERAGE REQUIREMENTS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); to amend and reordain Section 2-145 (FLOOR AREA), Section 2-149 (GARAGE, PRIVATE), Section 2-197.1 (STRUCTURE, ACCESSORY), Section 2-197.2 (STRUCTURE, ORNAMENTAL), Section 2-197.3 (STRUCTURE, SUBORDINATE) of Article II (DEFINITIONS), Section 7-103 (USE LIMITATIONS), 7-2200 (TREE COVERAGE REQUIREMENTS), 7-2501 (FREESTANDING PRIVATE GARAGES TO THE REAR OF THE MAIN BUILDING) and 7-2502 (ATTACHED PRIVATE GARAGES) of Article VII (SUPPLEMENTAL ZONE REGULATIONS), and Section 11-1302 (SPECIAL EXCEPTIONS ESTABLISHED) of Division C (BOARD OF ZONING APPEALS) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-0003 (Implementation Ordinance for Text Amendment No. 2019-0003 approved by City Council on June 22, 2019).

City Council closed the public hearing and adopted an ordinance to delete Section 2-103 (Accessory Building) of Article II (DEFINITIONS) and Section 7-2505; to add Section 2-125.1 (BUILDING WALL, FRONT), Section 2.197.4 (SUBDIVISION), Section 2.197.5 (TITLE LOAN BUSINESS) of Article II (Definitions), Section 7-2505 (FREE STANDING GARAGES TO THE REAR OF THE MAIN BUILDING), Section 7-2506 (ATTACHED GARAGES), Section 7-2507 (TREE COVERAGE REQUIREMENTS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); to amend and reordain Section 2-145 (FLOOR AREA), Section 2-149 (GARAGE, PRIVATE), Section 2-197.1 (STRUCTURE, ACCESSORY), Section 2-197.2 (STRUCTURE ORNAMENTAL), Section 2-197.3 (STRUCTURE, SUBORDINATE) of Article II (DEFINITIONS), Section 7-103 (USE LIMITATIONS), 7-2200 (TREE COVERAGE REQUIREMENTS), 7-2501 (FREESTANDING PRIVATE GARAGES TO THE REAR OF THE MAIN BUILDING) and 7-2502 (ATTACHED PRIVATE GARAGES) of Article VII (SUPPLEMENTAL ZONE REGULATIONS), and Section 11-1302 (SPECIAL EXCEPTIONS ESTABLISHED) of Division C (BOARD OF ZONING APPEALS) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-0003. (ORD. NO. 5234)

24. [19-2261](#)

Public Hearing and Second Reading. Consideration. Final passage on Second Reading of an Ordinance Soliciting Franchise Proposals to Use the Alexandria City

Marina Area to Dock an Historic or a Replica Historic Tall Ship Consistent with the Waterfront Small Area Plan.

City Council closed the public hearing and adopted an ordinance soliciting franchise proposals to use the Alexandria City Marina Area to Dock an historic or a replica historic tall ship consistent with the Waterfront Small Area Plan. (ORD. NO. 5235)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

Closed meeting.

25. [19-2281](#) Consideration of a closed executive session for consultation with legal counsel regarding actual or probable litigation.
- City Council convened in closed executive session at 10:56 p.m., to consult with legal counsel and staff regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiation or litigating posture of the public body; specifically, the settlement of a lawsuit involving a personal injury claim against the City; pursuant to Sections 2.2-3711(A)(7) of the Code of Virginia.*
- City Council reconvened in open session at 11:25 p.m.*
- City Council adopted the resolution regarding the closed executive session previously circulated to Council. (RES. NO. 2895)*
- City Council authorized the City Attorney to enter into settlement agreements to resolve the litigation in the following case against the City: Nicole Borland v. City of Alexandria and the Commonwealth of Virginia.*
- *****
- The meeting was adjourned at 11:26 p.m.*
- *****
- NOTE: The action docket is a summary of Council's meeting deliberations prepared largely for staff follow-up. Formal minutes of the meeting, when approved by Council become the official record of the meeting and of Council decisions made at the meeting.*