

City of Alexandria

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



Action Docket - Final

Saturday, September 12, 2020

9:30 AM

Virtual Meeting

City Council Public Hearing

Due to the COVID-19 pandemic emergency, the September 12, 2020 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, 202 and/or Section 4.0-00(g) in HB29 and HB30 to undertake essential business. All the members of the 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 Zoon by the following link:

URL: https://zoom.us/webinar/register/WN_wFMTDnUHT22ysjppnoAJAQ
Webinar ID: 975 9178 4491
Webinar Passcode: 348732
Dial-in number: 301-715-8592

PLEASE LOG-IN EARLY IF POSSIBLE.

Links

Meeting agenda and Live Webcast

The meeting will be webcast live and video and audio recordings will be available a few days after the meeting.

Zoom registration form

If you wish to use Zoom to watch this meeting or to address Council, you must register first. Those wishing to address Council should also submit a Speaker's Form using the link below.

Speaker's Form

<https://survey.alexandriava.gov/s3/VIRTUAL-City-Council-Speakers-Form>

Those wishing to address Council should submit a Speaker's Form.

Submission of written statements is encouraged. Please sign up after the docket is created, you are able verify on the City's website. If the docket is not posted, you will have to return at a later date to complete the speaker's form in order to speak at a Council meeting.

Public Comment will be received at this meeting.

All persons wishing to speak before City Council must complete a Speaker's Form. If you have a prepared statement, you may email it to the City Clerk at gloria.sitton@alexandriava.gov. Speakers are encouraged to submit their

written comments to the City Clerk.

When your name is called to speak, the Zoom host will prompt you to unmute your microphone. If you are participating via smartphone, press *6 to mute/unmute your microphone. You will be called on by name or the last 4 digits of your phone number when it is your turn to speak. When you are finished speaking or at 3 minutes (whichever comes first), you will be muted again.

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 via video conference.

Mayor Wilson noted that due to the COVID-19, pandemic emergency , the September 12, 2020 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/or Section 4.0-00(g) in HB29 and HB30 to undertake essential business. All the members of the 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.

City Council received an updated on the flooding event that occurred in the City this week from Mr. Lambert, Director of Transportation and Environmental Services and gave him a list of questions and concerns that they would liked reviewed during a scheduled work session on flood mitigation and stormwater investments on September 22 at the Legislative meeting.

2. Public Discussion Period

[This period is restricted to items not listed on the docket. The first 15 speakers will be heard under item #2 at the beginning of the meeting. Any remaining speakers will be heard at the conclusion of the docketed items.]

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR

Planning Commission (3-6)

3. [21-0196](#) Special Use Permit #2019-00107
300 King Street (Parcel Address: 302 King Street) - KISSO Asian Bistro
Public Hearing and consideration of a request for a Special Use Permit to increase the hours of operation and to add delivery vehicles at an existing grandfathered restaurant; zoned: KR/King Street Urban Retail.
Applicant: Ren Yong Cai
Planning Commission Action: Recommended Approval 6-0

4. [21-0197](#) Special Use Permit #2020-00039
2050 Ballenger Avenue - Catholic University of America
Public Hearing and consideration of a request for a Special Use Permit for a private academic school; zoned: CDD#1/Coordinated Development District #1.
Applicant: The Catholic University of America, represented by David S. Houston, agent
Planning Commission Action: Recommended Approval 6-0

5. [21-0198](#) Encroachment #2020-00003
1217 Colonial Avenue - Residential Encroachment
Public Hearing and consideration of a request for an Encroachment into the public right-of-way on Colonial Avenue for a retaining wall; zoned: RB/Townhouse.
Applicant: John D. Bullington, represented by Minturn Wright, attorney
Planning Commission Action: Recommended Approval 6-0

6. [21-0199](#) Zoning Text Amendment #2020-00005
Zoning Ordinance Practical Updates
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 1-700 to add to the list of zones the RMF Zone; to amend definitions for floor area (Section 2-145(A) (11) and (12)), medical care facilities (Section 2-174) and townhouse dwelling and two-family dwelling (Sections 2-138 and 2-140); to amend the RB and RM zone grandfathering provisions (Section 3-707(B) and 3-1108 (B)); to amend Section 3-1406 to add the effective date of the ordinance; to allow open porches meeting specific criteria in required side yards (Sections 7-202 and 11-302); to add Section 7-202(E) to allow fences taller than 6 feet between residential properties and certain other uses; to clarify provisions regarding fences on corner lots (Sections 7-1700, 7-1701 and 7-1702); to add Section 7-2600 to limit the percentage of a

window that may be blocked by art, signs or other materials; to amend Section 11-804 to remove reference to a repealed law; to amend various provisions related to the Board of Zoning Appeals to comply with the Code of Virginia (Sections 11-1008, 11-1103, 11-1104, and 11-1207); to amend Section 12-101(B)(3) to expand the applicability of the residential reversion criteria; to amend Section 12-102(D) to correctly reference the KR zone and apply residential reuse to specific blocks along King Street.

Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 6-0

END OF ACTION CONSENT CALENDAR

City Council approved the consent calendar, with the exception of item #6, which was considered under separate motion. The approval was 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, with the following proposed amendment to read as:*

12-102 - Noncomplying structures.

Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

(D) Residential reuse. A building which faces the unit through 1400 1500 block of King Street and which is a noncomplying structure because it exceeds the floor area ratio of the CD zone, may be converted from nonresidential to same residential use, notwithstanding any requirement of the CD zone applicable to residential uses, provided that a special use permit is approved to allow such conversion. (separate motion)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

7. [21-0211](#) Public Hearing and Consideration of a Form Lease for Renewing and Issuing Leases to Artists and Arts Organizations through March 31, 2022 at the Torpedo Factory Art Center located at 105 N. Union Street.

City Council closed the public hearing and authorized the City Manager to renew current leases and issue new leases to artists and arts organizations.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

8. [21-0200](#) Zoning Text Amendment #2019-00007

Increased Density for Public School Sites

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 7-2100 to allow for an increase in density for public school use.

Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation.

9. [21-0201](#)

Rezoning #2020-00002

Development Special Use Permit #2020-00010

1009, 1101, 1201 & 1203 Janney's Lane and 1099 Francis Hammond Parkway - Douglas MacArthur Elementary School

Public Hearing and consideration of requests for: (A) an amendment to the official zoning map to change the POS/Public open space and community recreation zone portion to R-8/Single-family zone at 1101 Janney's Lane, change the R-20/Single-family zone to R-8/Single-family zone at 1201 and 1203 Janney's Lane, and change the R-8/Single-family zone portion to POS/Public open space and community recreation zone at 1099 Francis Hammond Parkway; and (B) a Development Special Use Permit and site plan to demolish the existing building and construct a new public school, including Special Use Permits for an increase in floor area and height pursuant to Section 7-2100 of the Zoning Ordinance (if Text Amendment #2019-00007 is approved), to exceed the maximum parking requirement, an indoor and outdoor recreation facility and community center use, and modifications to the front and rear yard setbacks; zoned: R-8/Single-family, R-20/Single-family, and POS/Public Open Space and Community Recreation.

Applicants: Alexandria City Public Schools and City of Alexandria

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation.

10. [21-0202](#)

Special Use Permit #2020-00045

3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) - Hops 'N Shine

Public Hearing and consideration of a request for a Special Use Permit for outdoor live entertainment; increase in indoor and outdoor seats; increase in hours of indoor and outdoor hours of operation; an outdoor bar, outdoor cooking and outdoor games; and delivery vehicles for an existing restaurant (amending SUP #2017-0091); zoned: CG/Commercial General.

Applicant: Abe Hadjiesmaeiloo

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation.

11. [21-0203](#)

Vacation #2019-00002

2 East Mason Avenue - Vacation

Public Hearing and consideration of a request to vacate a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth Avenue to add area to a residential side yard for a fence; zoned: RB/Townhouse.

Applicants: Elizabeth and Jesse Jardim

Planning Commission Action: Recommended Approval 5-1

City Council approved the Planning Commission recommendation and Mayor Wilson appointed the following viewers for the vacation: Shelli Vasser Gilliam, Jason DeChant, and Mary Wilson.

12. [21-0204](#)

Zoning Text Amendment #2020-00003

Small Business Practical Updates

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend sections in Articles II - VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses.

Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation for the text amendments, with the exception of the amendment for daycare centers.

City Council approved the inclusion a daycare centers in the zoning text amendment on separate motion.

13. [21-0205](#)

Development Special Use Permit #2019-00033

Special Use Permit #2020-00036

116 South Henry Street - GCP Henry Street

Public Hearing and consideration of a request for (A) a Development Special Use Permit and site plan with modifications to construct a 16-unit mixed-use retail/residential building with ground floor commercial uses facing South Henry Street, a three-unit multi-family residential building facing South Patrick Street and a 142-space automated parking garage, including special use permits for motor vehicle parking or storage for more than 20 vehicles for the six-story automated parking structure, to increase the number of dwellings per acre to no more than

54.45, to exceed the maximum parking requirement, and for a loading space reduction to allow reduced loading space ceiling height and modifications for open space, setbacks, crown coverage and street tree requirements; and (B) a Special Use Permit for a restaurant; zoned: CD/Commercial Downtown.

Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney
Planning Commission Action: Recommended Approval 5-0

City Council approved the Planning Commission, with an amendment to Condition #40, adding a period after the word "Parking".

14. [21-0206](#)

Development Special Use Permit #2019-00032

Special Use Permit #2020-00033

Transportation Management Plan Special Use Permit #2020-00034

912, 916 and 920 King Street - GCP King Street

Public Hearing and consideration of a request for (a) a Development Special Use Permit and site plan with modifications to construct a 30-unit multifamily building with ground-floor commercial uses, including Special Use Permits to increase the floor area ratio to 2.5 in the KR zone, a parking reduction to provide all required parking spaces in the garage at 116 South Henry Street and a loading reduction to allow for reduced loading space ceiling height; (b) a Special Use Permit for a restaurant; and (c) a Special Use Permit for a Transportation Management Plan; zoned: KR/King Street Urban Retail.

Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney
Planning Commission Action: Recommended Approval 5-0

City Council approved the Planning Commission recommendation with the following amendments: amend condition 6(a)(public access easements) to read: "The pedestrian alley from the King Street right-of-way to the southern property line" and amendment condition 119(i)(disclosures): Residents are not eligible residential street parking permits because the property is not located within a residential permit parking district and are not eligible for a permit in a sub-district based on code requirements.

ORDINANCES AND RESOLUTIONS

15. [21-0210](#)

Public Hearing, Second Reading and Final Passage of an ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, by requiring face coverings in certain indoor and outdoor locations. [ROLL-CALL VOTE]

City Council closed the public hearing and approved on second reading and final passage an ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, by requiring face coverings in certain indoor and outdoor locations, with an amendment to the ordinance on page 5 omitting lines 11 beginning with the sentence, "If compliance..." through lines 15 and including the following language in the "Physical Activity" section on page 4, "while persons are swimming, biking, jogging or engaged..." (ORD. NO. 5293)

16. [20-1067](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 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. 2020-00002 associated with 701 North Henry Street approved by City Council on July 7, 2020). [ROLL-CALL VOTE]

City Council closed the public hearing and approved on second reading and final passage an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of said master plan as may be inconsistent with such amendment. (ORD. NO. 5294)

17. [20-1069](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 054.04 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 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00001 (Implementation Ordinance for Rezoning No. 2020-00001 associated with 701 North Henry Street approved by City Council on July 7, 2020). [ROLL-CALL VOTE]

City Council closed the public hearing and approved on second reading and final passage and ordinance to amend and reordain Sheet No. 054.04 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 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approve by city council as Rezoning No. 2020-00001. (ORD. NO. 5295)

18. [21-0208](#) Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend City Code Section 2-5-31 Regarding the Employee Homeownership Incentive Program to Update Assistance Amounts Pursuant to FY 2021 Budget. [ROLL-CALL VOTE]

City Council closed the public hearing and approved on second reading and final passage and ordinance to amend City Code Section 2-5-31 regarding the Employee Homeownership Incentive Program to update assistance amounts pursuant to FY2021 Budget. (ORD. NO. 5296)

19. [21-0209](#) Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2021. [ROLL-CALL VOTE]

City Council closed the public hearing and approved on second reading and final passage a supplemental appropriation ordinance for the support of the City Government for FY 2021. (ORD. NO. 5297)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

The meeting was adjourned at 6:22 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 of Council decisions made at the meeting.