

City of Alexandria

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



Action Docket - Final

Saturday, May 15, 2021

9:30 AM

Virtual Meeting

City Council Public Hearing

Due to the COVID-19 pandemic emergency, the May 15, 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 the City Council and staff are participating from remote locations through a video conference call on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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 by the following link:

Registration link:

https://zoom.us/webinar/register/WN_aJ5tAvWhSCSX6FaC4Uyc_Q

Webinar ID: 965 4991 8451

Webinar Passcode: 843567

Dial-in number: 301-715-8592

If you use the Zoom Webinar application, please be sure you have updated the application to the latest version for best results. If you are unable to access Zoom, please use the Dial-In number to access the meeting.

*****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/s3/2020-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 and you are able to verify the meeting date 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 (see link above). If you have a prepared statement or written comments for the record, 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.

Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703.746.4550 (TTY/TDD 838.5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.

City Council meetings are closed-captioned for the hearing impaired.

Individuals requiring translation services should contact the City Clerk and Clerk of Council at gloria.sitton@alexandriava.gov or at 703.746.4550. We request that you provide 24 to 48 hour notice so that the proper arrangements may be made. Please specify the language for translation when you make the request.

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 your 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 City Council were present via Zoom webinar, with Councilwoman Pepper and Councilman Chapman arriving follow roll-call.

2. [21-1089](#)

Resolution Finding the Need to Conduct City Council Meetings Electronically.
[ROLL-CALL VOTE]

City Council adopted the resolution finding the need to conduct City Council meeting electronically. (RES. NO. 2993)

3. Public Discussion Period

[This period is a public comment period. The first 15 speakers will be heard under item #3 at the beginning of the meeting. Any remaining speakers will be heard at the conclusion of the docketed items.]

The following person participated in the public discussion period:

1. *Janice Grenadier, Alexandria, spoke about issues with the court system and law enforcement.*

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (4-8)

Planning Commission

4. [21-1074](#) Special Use Permit #2020-00107
5101 Seminary Road
Public Hearing and consideration of a request for a Special Use Permit for the operation of a temporary trailer; zoned: CDD #21/Coordinated Development District #21.
Applicants: Bashar Mehiar and Ramzi Haifawi
Planning Commission Action: Recommended Approval 7-0
5. [21-1075](#) Special Use Permit #2021-00011
3649 Wheeler Avenue - Heritage Montessori Day & Preschool
Public Hearing and consideration of a request for a Special Use Permit to operate a private academic school with over 20 students; zoned: CSL/Commercial Service Low.
Applicant: Heritage Montessori Day & Preschool, LLC.
Planning Commission Action: Recommended Approval 6-0-1
6. [21-1076](#) Special Use Permit #2021-00013
1737 King Street
Public Hearing and consideration of a request for a Special Use Permit for additional square footage for projecting signs; zoned: KR/ King Street Urban Retail.
Applicant: DREF King Street Metroplace, LLC, represented by Clay Bryan
Planning Commission Action: Recommended Approval 6-0
7. [21-1077](#) Encroachment #2021-00001

2800 Hope Way - The Spire & Episcopal Church of the Resurrection
Public Hearing and consideration of a request for an Encroachment into the public right-of-way on North Beauregard Street for steps; zoned: CDD #23/Coordinated Development District #23.

Applicants: AHC, Inc., a Virginia Nonstock Corporation and Episcopal Church of the Resurrection, represented by Haley Norris, agent

Planning Commission Action: Recommended Approval 7-0

8. [21-1078](#)

Special Use Permit #2021-00017

1503 and 1505 Mount Vernon Avenue - Del Ray Gardens Restaurant

Public Hearing and consideration of a request for a Special Use Permit for a restaurant and an increase in outdoor seats; an increase in outdoor hours of operation; and a parking reduction (amending SUP2019-00004); zoned: CL/Commercial Low

Applicant: Del Ray Gardens LLC., represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 6-0

END OF ACTION CONSENT CALENDAR

City Council approved the Consent Calendar, with the exception on docket item no. 8, which was considered under separate motion. The approval was as follows:

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, subject to the representation for the applicant's attorney regarding signage about noise that may affect neighbors and the adjustments to trash collection for the business. (separate motion)*

ROLL-CALL CONSENT CALENDAR (9-13)

9. [21-1091](#)

Public Hearing, Second Reading and Final Passage of an Ordinance to Amend Chapter 2, Section 2-2-10 (F) and (J) to Rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District And Voting Location and to Rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-“Chick” Armstrong Center Election District and Voting Location. [ROLL-CALL VOTE]

10. [21-0992](#)

Public Hearing, Second Reading and Final Passage of an Ordinance to increase the

Ambulance Service Charges by amending Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT).

11. [21-1085](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Section 3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) of Title 3 (FINANCE, TAXATION, AND PROCUREMENT), of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]
12. [21-1086](#) Public Hearing, Second Reading and Final Passage of an amended 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]
13. [21-1087](#) Public Hearing, Second Reading and Final Passage of an ordinance to amend Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

END OF ROLL-CALL CONSENT CALENDAR

City Council approved the roll-call consent calendar, with the exception of docket items 9 and 12, which were considered under separate motions. The approval was as follows:

9. City Council adopted an ordinance to amend Chapter 2, Section 2-2-10 (F) and (J) to rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District and Voting Location and to rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-"Chick" Armstrong Center Election District and Voting Location. (ORD. NO. 5342) (separate motion)

10. City Council adopted an ordinance to increase the ambulance service charges by amending Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT). (ORD. NO. 5343)

11. City Council adopted an ordinance to amend and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Section 3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) of Title 3 (FINANCE, TAXATION, AND

PROCUREMENT), of the Code of the City of Alexandria, Virginia, 1981, as amended. (ORD. NO. 5344)

12. City Council adopted an amended 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 the following amendments:

p. 2, Line 11 - change the reference from EO72 to generally EO

p. 2, Lines 35-37 - delete the language

p. 4 - age reference update

p. 4, Line 31 - delete section with waiver of state law(ORD. NO. 5345) (separate motion)

13. City Council adopted an ordinance to amend Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. (ORD. NO. 5346)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

14. [21-1092](#) Public Hearing on the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development and Draft One Year Action Plan to Enable HUD FY 2022 Funding.
- City Council: (1) closed the public hearing and (2) docketed the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development Draft FY 2022 Action Plan for Housing and Community Development for final Council approval on May 25, 2021.*
15. [21-1034](#) Public Hearing and Consideration of a License Amendment between the City of Alexandria and Hornblower Cruises & Events (Potomac Riverboat Co.) for a License Fee Repayment Plan in response to the COVID-19 Pandemic.
- City Council closed the public hearing and authorized the City Manager to execute the attached License Amendment Two with Hornblower Cruises and Events.*
16. [21-1082](#) Public Hearing and Consideration of a License Amendment with ARP Waterfront, LLC for the Use of a Portion of the City Marina Plaza for Outdoor Dining to Allow for the Removal of Three Light Poles Consistent with the Terms in the Current License Agreement.
- City Council closed the public hearing and authorized the City manager to execute the License Amendment with ARP Waterfront, LLC.*
17. [21-1084](#) Public Hearing and Consideration of an Amendment of the Lease Between the City and Seminary Road Owner, LLC for Rooftop Space at 4900 Seminary Road for a Public Safety Radio Antenna Site.
- City Council closed the public hearing and authorized the City manager to execute the proposed tenth amendment to the lease with Seminary Road Owner, LLC.*

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

18. [21-1064](#) 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
City Council approved the Planning Commission recommendation with amendments to conditions 69, 2, 77, and 78. Mayor Wilson appointed the following persons as viewers for the vacation portion of the item: Jeanette Ankoma-Sey, Dr. C. E. Palmer Johnson, and Charles Sumpter.
19. [21-1063](#) Public Hearing and Consideration of an appeal of the Planning Commission's April 8, 2021 decision to approve a Preliminary Plat of a Subdivision (SUB #2020-00009) at 506 North Overlook Drive to re-subdivide two existing lots.

Applicant: Brian Thomas, represented by Zachary Williams, attorney

Appellant: Various Appellants

Tax Assessment Map Number: 006.04-04-14

City Council upheld the Planning Commission action on the subdivision action with following amendments:

-Delete condition #2

and

amend the following conditions:

3. Limit the limits of disturbance on the grading plan for construction to the greatest extent possible to provide for the construction of the primary dwelling units and/or accessory buildings in order to maximize the tree protection are. Where the critical root zone of trees outside of the limit of disturbance overlap with proposed construction, tree preservation measures shall be employed to ensure the survival of the roots within the critical root zone where possible.

4. A tree protection plan developed by an arborist shall be submitted with the grading plan submission to ensure preservation and protection of the following trees in the public right-of-way: numbers 101, and 163-167.

5. A tree protection plan developed by an arborist shall be submitted with the grading plan submission to ensure preservation and protection of tree number 139 or in May 2022, the applicant's arborist and the City arborist shall make a determination regarding the survivability and health of tree number 139.

20. [21-0851](#)

BAR #2020-00553 PG

Public Hearing and consideration of an appeal of the Board of Architectural Review's (BAR) February 17, 2021 decision to deny a request to install a small cell facility on a utility pole on public property adjacent to 215 North Patrick Street.

APPLICANT: Cellco Partnership dba Verizon Wireless, represented by Joshua Schakola

APPELLANT: Cellco Partnership dba Verizon Wireless, represented by Joshua Schakola

City Council overturned the Board of Architectural's review decision and approved the certificate of appropriateness.

21. [21-1079](#)

Zoning Text Amendment #2021-00001

Permitted and Administrative Uses in CDD/Coordinated Development District Zones

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 5-602 to allow certain uses in CDD zones to be permitted or administrative uses.

Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 7-0

City Council approved the Planning Commission recommendation.

- 22. [21-1080](#) Special Use Permit #2020-00106
 1015 Duke Street
 Public Hearing and consideration of a request for a Special Use Permit for a parking reduction and lot modifications for the conversion of a commercial use to a residential use; zoned: CL/Commercial Low.
 Applicant: Patrick Jansen
 Planning Commission Action: Recommended Approval 5-2
City Council approved the Planning Commission recommendation.

ORDINANCES AND RESOLUTIONS

- 23. [21-1088](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend Title 11 Chapter 5: Noise Ordinance. [ROLL-CALL VOTE]
City Council adopted an ordinance to amend Title 11 Chapter 5: Noise Ordinance with the following amendments:
On page 19: Line 1 - add the word back, "and any subsequent"
Line 3-7 - delete
Line 24-29 - delete
Line 32 - delete words " or summons or arrests for a criminal violation"
Line 36 - delete words " or summons or arrests" (ORD. NO. 5347)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

The meeting was adjourned at 5:39 p.m.

NOTE: The action docket is a summary of the Council's meeting deliberation 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.