

City of Alexandria

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



Action Docket - Final

Saturday, September 18, 2021

9:30 AM

City Council Public Hearing

The September 18, 2021 Public Hearing Meeting of the Alexandria City Council is being held in the Council Chamber (301 King Street, Alexandria, Virginia, 22314) and electronically. Members of City Council and staff are participating either in person or from a remote location through a video conference call on Zoom. The meeting can be accessed by the public in the City Council Chamber, 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:

Webinar ID: 962 6490 0151

Webinar Passcode: 470146

Dial-In number: (301) 715-8592

Registration link:

https://zoom.us/webinar/register/WN_ZKDq8Jb2QViSnkR8RR8qxw

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 the 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 (see above). 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 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 48 hour notice so that proper arrangements may be made. Please specify the language for translation when you make the request.

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 with Councilman Aguirre attend the meeting via Zoom webinar.

2. Public Discussion Period

The following persons participated in the public discussion period:

- 1. Janice Grenadier, Alexandria, spoke about corruption in the courts.*
- 2. Erik Olson, Alexandria, spoke about a recent incident he had with the Alexandria Police.*

[This period is a public comment period. The first 15 speakers will speak 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 (3-6)

Planning Commission

- 3. [22-0258](#)** Development Special Use Permit #2021-10018
4300 King Street, 3101 Park Center Drive, and 4401 Ford Avenue - Park Center
Public Hearing and consideration of a request for a Development Special Use Permit with modifications to construct an outdoor amenity space, dog park, bus

stops, and various pedestrian improvements (amending DSUP #2018-00004); zoned: CRMU-H/Commercial Residential Mixed Use (High).

Applicant: Lowe Enterprises Real Estate Group, represented by Kenneth W. Wire, attorney

Planning Commission Action: Recommended Approval 6-0

4. [22-0259](#)

Special Use Permit #2021-00060

Special Use Permit #2021-00061

Encroachment #2021-00005

2412 and 2514 Richmond Highway, and 2500 Oakville Street

Public Hearing and consideration of requests for: (A) a Special Use Permit for increased mechanical penthouse height per Section 6-403(B)(3); (B) a Special Use Permit for a waiver of sign requirements per Section 9-103(D); and (C)

Encroachments into the public right-of-way on Fannon Street for signs; zoned: CDD #24/Coordinated Development District #24.

Applicant: Inova Health Care Services, represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 5-0

5. [22-0260](#)

Zoning Text Amendment #2021-00008

Extension of Temporary Program for Business Relief and to Address Public Need Related to COVID-19 to April 1, 2022

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to extend the expiration of an existing temporary program for business relief from January 1, 2022 to April 1, 2022.

Staff: City of Alexandria

Planning Commission Action: Recommended Approval 6-0

6. [22-0262](#)

Master Plan Amendment #2021-00005

Beauregard Small Area Plan Amendments

Public Hearing and consideration of amendments to the Beauregard Small Area Plan chapter of the Master Plan to: add proposed land-use designations, consistent with existing uses as shown in the Plan, for all properties in the Small Area Plan currently without a proposed land-use designation; add proposed maximum height limitations, consistent with existing zoning height limitations, at all properties in the Small Area Plan currently without a proposed maximum height limitation; change the existing land-use designation for the property at 4880 Mark Center Drive from office to office/residential/commercial; and remove the property at 4880 Mark Center Drive from the existing and proposed office-only use maps in the Plan.

Applicant: 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. 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.*

ROLL-CALL CONSENT CALENDAR (7-11)

7. [21-1013](#) Public Hearing, Second Reading and Final Passage of an Ordinance to authorize the owner of the property located at 2800 Hope Way to construct and maintain an encroachment for a portion of a staircase on North Beauregard Street (Implementation Ordinance for Encroachment No. 2021-00001 associated with 2800 Hope Way - The Spire & Episcopal Church of the Resurrection approved by City Council on May 15, 2021). [ROLL-CALL VOTE]
8. [22-0158](#) 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 Landmark/Van Dorn chapter of such master plan as Master Plan Amendment No. 2020-00009 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. 2020-00009 associated with 5701, 5701B, 5801, 5815, 5901 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021). [ROLL-CALL VOTE]
9. [22-0162](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 047.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 5701, 5701 B, a portion of 5815, and 5901 Duke Street from CR/Commercial Regional to CDD #29/Coordinated Development District #29 and 5801 and a portion of 5815 Duke Street from CRMU-M/Commercial Residential Mixed Use (Medium) to CDD #29/Coordinated Development District #29 in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00003 (Implementation Ordinance for Rezoning No. 2021-00003 associated with 5701, 5701B, 5801, 5815, 5901 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021).

[ROLL-CALL VOTE]

10. [22-0160](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00002 (Implementation Ordinance for Text Amendment No. 2021-00002 associated with 5701, 5701B, 5801, 5815, 5901 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021). [ROLL-CALL VOTE]
11. [22-0269](#) Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2022. [ROLL-CALL VOTE]
- City council approved the roll-call consent calendar. The approvals were as follows:*
7. *City Council adopted an ordinance to authorize the owner of the property located at 2800 Hope Way to construct and maintain an encroachment for a portion of staircase on North Beauregard Street (Implementation Ordinance for Encroachment No. 2021-00001 associated with 2800 Hope Way - The Spire & Episcopal Church of the Resurrection approved by City Council on May 15, 2021) (ORD. NO. 5363)*
8. *City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Landmark/Van Dorn chapter of such master plan as Master Plan Amendment No. 2020-00009 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. 2020-00009 associated with 5701, 5701B, 5801, 5815, 5991 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021). (ORD. NO. 5364)*
9. *City Council adopted an ordinance to amend and reordain Sheet No. 047.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 5701, 5701B, a portion of 5815, and 5901 Duke Street from CR/Commercial Regional to CDD #29/Coordinated Development District #29 and 5801 and a portion of 5815 Duke Street from CRMU-M/Commercial Residential Mixed Use (Medium) to CDD #29/Coordinated Development District #29 in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2021-00003 (Implementation Ordinance for Rezoning No. 2021-00003 associated with 5701, 5701B, 5801, 5815, 5901 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021). (ORD. NO. 5365)*
10. *City Council adopted an ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2021-00002 associated with 5701, 5701B, 5801, 5815, 5901 Duke Street - Landmark Neighborhood CDD approved by City Council on July 6, 2021). (ORD. NO. 5366)*

11. City Council adopted a supplemental appropriation ordinance for the support of the City Government for FY2022. (ORD. NO. 5367)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

12. [22-0270](#) Public Hearing and Consideration of an Amendment to Five-Year License Agreement dated December 1, 2019, between the City of Alexandria, Virginia and Crown Castle Fiber, LLC., to Permit Crown Castle to Install an 150 foot Build of Four Conduits and Fiber Optic Cables in the City of Alexandria's Public Rights-of-Ways.
- City Council closed the public hearing on the proposed amendment to the existing License Agreement with Crown Castle and authorized the City Manager to execute the Amendment and take other actions that are necessary to implement the Amendment.*
13. [22-0271](#) Public Hearing and Consideration of A Second Amendment to a Five-Year License Agreement dated December 1, 2018, between the City of Alexandria Virginia and Zayo Group, LLC. to Permit Zayo to Install Two Conduit and Fiber Optic Builds (a northern build of approximately 3,201 linear feet and a southern build of approximately 2,978 linear feet) to 701 East Glebe Road in the City of Alexandria's Public Rights-of-Ways.
- City Council closed the public hearing on the proposed amendment to the existing License Agreement with Zayo and authorized the City Manager to execute the Second Amendment and to take other actions that are necessary to implement the Second Amendment.*

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

14. [22-0257](#) Zoning Text Amendment #2021-00003
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 sections 1-400, 7-203, 7-2501 and 11-1302 to correct technical errors; to amend various sections of Article II to correct technical errors in definitions, define accessory building and clarify definitions related to accessory uses and structures, floor area, open space and trellises; to amend various sections of Articles IV to clarify lot requirements and bulk and open space regulations for mixed use buildings; to amend section 6-403 to allow solar energy systems as mechanical equipment not subject to maximum height limits; to amend various sections of Article VII to clarify language related to accessory uses and structures and home occupations, to allow electric vehicle

charging structures in required yards, to allow permeable driveways to access accessory buildings containing accessory dwellings, to repeal limitations on aesthetic guidelines governing wireless facilities and to prohibit the use of tall trellises as fences; to amend section 8-200 to allow tandem parking for small multifamily dwellings; to amend various sections of Article XI, Division C to establish procedures for the Board of Zoning Appeals to extend zones for split-zoned properties and to amend section 13-114 to reflect recommendations by the Virginia Department of Environmental Quality, as part of the 2020 Chesapeake Bay Audit and required under the Virginia Administrative Code.

Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation with the amendment for the memorandum from Karl Moritz, Director, Planning and Zoning, stating the following:

Outside of the Old and Historic Alexandria and the Parker-Gray Districts, if a principal dwelling on an abutting lot has any openings with sill or threshold heights lower than the height of the following proposed accessory buildings and structures, as measured from grade, facing the shared lot line and within three feet of the shared lot line, the following accessory structures and buildings shall be located at least five feet from the shared lot line along the width of the openings and for a minimum of five feet in each direction, along the shared lot line, beyond the width of the openings.

- (1) Arbors, trellises and pergolas;*
- (2) Accessory buildings occupied by an accessory dwelling unit;*
- (3) Freestanding private garages pursuant to section 7-2500;*
- (4) Sheds and other small storage structures and*
- (5) Fences exceeding three-and-one-half feet in height.*

15. [22-0261](#)

Encroachment #2021-00004

421 Gibbon Street

Public Hearing and consideration of a request for an Encroachment into the public right-of-way along Gibbon Street; zoned: RM/Townhouse.

Applicants: Christine and Sam Thuot

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation.

16. [22-0263](#)

Development Special Use Permit #2021-10021

220 South Union Street - Hotel Indigo

Public Hearing and consideration of a request for a Development Special Use Permit with site plan to modify the conditions of approval to permit greater flexibility regarding access, use and valet-assisted management of the underground parking garage (amending DSUP #2012-00019); zoned: W-1/Waterfront Mixed Use.

Applicant: Carr 220 South Union Street LLC, represented by Kenneth W. Wire,

attorney

Planning Commission Action: Recommended Approval 6-0

City Council approved the Planning Commission recommendation with the following amendment to condition #37: Parking spaces within the parking garage that are required to comply with zoning requirements for the hotel use may be made available for public/off-site use. This request shall be to the satisfaction of the Directors of P&Z and T&ES.

17. [22-0264](#)

Development Special Use Permit #2021-10012

101 Duke Street - South Union Street Townhouses

Public Hearing and consideration of a request for a Development Special Use Permit with site plan to construct six four-story townhouses with attached two-car parking garages and modifications to the side yard setback requirements for Lots 3, 4 and 6, lot width requirements for Lots 1 and 6, crown coverage requirement for Lots 1, 2, 5 and 6, and vision clearance for Lot 1, and a Special Use Permit to increase the floor area ratio to 2.0; zoned: W-1/Waterfront Mixed Use.

Applicant: Eleventh Street Development, LLC, represented by Kenneth W. Wire, attorney

Planning Commission Action: Recommended Approval 5-1

City Council approved the Planning Commission recommendation.

18. [22-0256](#)

FOR INFORMATION ONLY

City Charter Section 9.06 Case #2021-00003

1703 North Beauregard Street

Receipt of the Planning Commission's report concurring that the proposed purchase of property by the City of Alexandria on behalf of Alexandria City Public Schools 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 Action: Approved 6-0

City Council received this item for information only noting the comment from City Manager Jinks noting that the City is not purchasing the property but are funding the property so that the schools can acquire 1703 North Beauregard Street.

ORDINANCES AND RESOLUTIONS

19. [22-0268](#)

Public Hearing, Second Reading and Final Passage of an Ordinance to Create the Landmark Community Development Authority ("CDA"). [ROLL-CALL VOTE]

City Council closed the public hearing and adopted an ordinance to create the Landmark Community Development Authority ("CDA") (ORD. NO. 5368)

- 20.** [22-0266](#) Public Hearing, Second Reading, and Final Passage of an ordinance to amend Section 3-3-2 (APPLICATION) of Article A (GENERAL PROVISIONS) 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 and consideration of a resolution for adoption of Guidelines for the use of the Virginia Public-Private Education Facilities and Infrastructure Act of 2002 (“PPEA”). [ROLL-CALL VOTE]

City Council closed the public hearing and adopted the ordinance to amend Section 3-3-2 (APPLICATION) of Article A (GENERAL PROVISIONS) 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 and approved a resolution for adoption of Guideline for the use of the Virginia Public-Private Education Facilities and Infrastructure Act of 2002 ("PPEA") (ORD. NO. 5369 and RES. NO. 3019)
- 21.** [22-0267](#) Public Hearing, Second Reading and Final Passage of an Ordinance to amend Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding new Article Z (LOCAL DISPOSABLE PLASTIC BAG TAX). [ROLL-CALL VOTE]

City Council closed the public hearing and adopted an ordinance to amend Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding new Article Z (LOCAL DISPOSABLE PLASTIC BAG TAX) (ORD. NO. 5370)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

The meeting was adjourned at 1:31 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.