City of Alexandria

301 King St., Room 2400
Alexandria, VA 22314

Action Docket - Final

Saturday, December 13, 2014
9:30 AM

Council Chambers

City Council Public Hearing
OPENING

1 Calling the Roll.

Mayor Euille called the meeting to order. All members of Council were present.

2 Public Discussion Period.

1. Jack Sullivan, 4300 Ivanhoe Place, said City Manager Young spoke before the Federation of Civic Associations last week about the move to rapid development and the CIP and operating budgets, and he said it was the straightest talk that anyone has heard in a long time. Mr. Sullivan said Council should heed the advice that the new school budget be capped at the FY 2015 level with supplemental amounts on a per student basis for a projected higher school population. He said that at the Seminary Hill meeting, the board discussed Mr. Young's tenure, which was very positive and was suggested that it might be good to create a citizen group to pick his successor.

2. Phillip Van Cleave, 5509 West Bay Court, Midlothian, president, Virginia Citizens Defense League, spoke of the Police Department, who has done a good job of trying to fix the problems they had. He spoke of the flyers that were sent to local businesses regarding open carry of guns, the flyer was wrong, and the Police made up a new flyer. He spoke of his conversation with the City Attorney's Office about allowing carrying of guns in the Police station.

3. Ed Levine, Sterling, member of the Virginia Citizens Defense League, spoke of the City not following the law about guns in parks and ordinances on the books that were not correct. He said if Council doesn't like the laws, they should go to the General Assembly to change the law.

4. Bill Goff, 1313 Bishop Lane, said the Alexandria schools are in disarray with no instruments, no suitable classrooms, tests taken in hallways, unsafe playgrounds, overcrowding, over-enrollment and the second worse SAT scores in the area. Mr. Goff spoke of the constituency in the City, spoke of the development and schools and the developers, noting that the City is pro business and pro development and said he supports a City-wide audit of finances and challenged the electorate to vote for a change to usher in an era of clarity, responsible fiscal policy and a willingness for City officials to listen to the constituents.

5. Cynthia Dinkins, 1315 Duke Street, president, Northern Virginia Urban League, said they approve of body worn cameras to record police and civilian encounters in accordance with civilian notification and with rigorous standards regarding retention, access and disclosure of data captured by the systems. She said they won't tolerate officers who taken it upon themselves to participate in blatant misconduct and said they need a new generation of policing that ensures the safety of the citizens and communities but does not violate civil rights of anyone. She congratulated Mr. Young on his new opportunity in Washington, D.C.
6. Wallace Burnett, 1315 Duke Street, president, Northern Virginia Urban League, spoke in support of the idea of the Police Department budgeting for body cameras, as there are benefits for using cameras. He said that cameras alone are not sufficient in building trust within the community, and they need the Police Department to continue the positive relationships within the community, but at the same time utilize the budget for additional training, resources, outreach, and to be more proactive after a situation has occurred.

7. Bert Ely, 200 S. Pitt Street, speaking on behalf of the Friends of Alexandria Waterfront, spoke of the documentary that was shown on the history of Alexandria. He asked what future documentaries would say in 50-60 years about the Alexandria waterfront as it evolves. He said the City will reach a critical juncture in 2015, when development plans for the terminal sites will likely be finalized and sent to Council for approval and Council will approve the design and street grid of the developments that will be locked into steel, concrete and glass, and the same is true for the Carr Hotel. He said that if the Carr Hotel is built, they hope the construction impacts will not damage nearby homes and the streets. He said the City must insist that demolition, debris and excavated dirt from the site should be removed by barge and not by trucks.

8. William Barratt, 2024 Peach Orchard Drive, Falls Church, member of the Virginia Citizens Defense League, spoke in support of Mr. Van Cleave and Mr. Levine and asked Council to consider what message they are sending and what was the purpose of the Police handing the flyers out to business owners.

9. Kurt Mueller, 5840 Cameron Run Terrace, thanked the Police Department for making the City a good place to live and work, noting that he had some personal problems a few months ago and a Police Officer, who had zero legal obligation to help him, did and did so in a way that speaks to the character of the City. He spoke to the flyer passed out by the Police Department and the processes that were in place and where they failed.

10. Jason Spitzer, 10412 Tamworth Road, Chesterfield, member of a small open carry and pro-Constitutional group in Richmond called the Right to Bear Arms, said they planned a freedom walk on December 6 and contacted the Police Department letting them know of their planned walk. He said his understanding is that two days before December 6 the Police Department passed out the flyer, so it was in response to his group. He spoke about teaching the Police Department to do soft contacts for people who open carry. He asked that the City take the time to look at the law and allow people who chose to open carry long guns to allow them to be loaded.

11. Dino Drudi, 315 N. West Street, thanked Council and past Council's for three good decisions that have been made: to go with Bus Rapid Transit between Braddock Road and Crystal City and to esque street cars, to go back to the holiday lights on King Street that it had in previous years, and to hire the current City Manager, which enabled him to be hired as the City Administrator for the prime City in the Metropolitan area. He spoke of his time living in D.C. and the number of homicides that happened in his neighborhood, noting that one of the reasons Alexandria has a fraction of the homicides and crimes that D.C. has is because criminals have a fear that one of the people they accost might have a gun.

12. Yvonne Weight Callahan, 735 S. Lee Street, spoke of haul routes for the Carr Hotel project and the use of barges to remove the materials, noting that there has been no meaningful public discussion of the uses of the barges for debris removal. She said that in June, Kathryn Papp inquired at the Waterfront Commission meeting for how the City proposed to minimize the impact of moving materials through the
City and Charlotte Hall said that the question would be considered in the phasing report due in Fall of this year, however, at the Old Town Civic Association meeting in November, they were told by staff that there would be no discussion of the removal of materials and that there would be truck haul and that Carr had said no one had raised the issue. She said that between June and November, they were shut out of a very important process. She said it is frustrating trying to keep on top of a topic, only to be told that it's been decided. She asked Council to give them more time to explore the topic.

13. Nicolas Ignacio, 10602 Chesterwood Drive, Fredericksburg, spoke of gun rights and noted that it is about rights, as they find their freedoms ever fleeting.

14. Terrell Prude, Jr. 10332 Main Street, Fairfax, said he is originally from San Francisco and is from an anti-gun state, but he now lives in Virginia and can open carry by law and he spoke of the laws and Second Amendment and the crime across the country.

15. LaDonna Sanders, 25 E. Reed Avenue, president, Alexandria NAACP, asked why they are not having more meaningful discussions regarding race relations and community policing in Alexandria. She said the national conversation about race, police brutality and community trust of officers is happening on a national level and should also be happening in Alexandria. She asked that Council show the same level of empathy regarding issues and take stances no matter how controversial they are and that there is equity across the board on how Council responds to the constituents who live in Alexandria, as the silence from Council has been disheartening.

[No more than 30 minutes. This period is restricted to items not listed on the docket.]

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-4)

Planning Commission

3 14-3492 Special Use Permit #2014-0099
814 Wilkes Street - Tinyville Academy
(Parcel address: 598 South Alfred Street)
Public Hearing and Consideration of a request to operate a child care home; zoned RB/Residential Townhouse. Applicant: Avis Walker d/b/a Tinyville Academy
Planning Commission Action: Recommend Approval as Amended: 7-0

4 14-3494 Development Special Use Permit #2014-0011
3737 Seminary Road - Virginia Theological Seminary Student Housing
Public Hearing and Consideration of a request for a Development Special Use Permit, with site plan, to amend SUP #2641, as amended, to expand the use of the property as a Seminary with the construction of student housing buildings; zoned R-20/Residential Single-Family. Applicant: The Protestant Episcopal Theological Seminary in Virginia, Inc. represented by Duncan Blair, attorney
END OF ACTION CONSENT CALENDAR

City Council adopted the consent calendar, as follows:

3. City Council approved the Planning Commission recommendation.

4. City Council approved the Planning Commission recommendation.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER


City Council held the public hearing and adopted the report update from the Department of Community and Human Services staff regarding the priorities and proposed implementation process for the Alexandria Fund for Human Services.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

6  14-3200 Public Hearing and Consideration of Adoption of an Implementation Plan for Alexandria’s Public Art Policy.

City Council held the public hearing and adopted the Implementation Plan for Alexandria's Public Art Policy, which incorporates with minor revisions Council's previously adopted public art policy.

7  14-3489 Special Use Permit #2014-0075
410 East Glebe Road (Parcel Address: 408 East Glebe Road) and 3006 Jefferson Davis Highway
Public Hearing and Consideration of a request to operate a convenience store; zoned CSL/Commercial Service Low. Applicant: All In Be One Inc. by Eneye Yigzaw
[This case was deferred at the October 7, 2014 and November 6, 2014 Planning Commission public hearings.]
Planning Commission Action: Recommend Approval: 7-0

City Council approved the Planning Commission recommendation.

8  14-3491 Special Use Permit #2014-0094
3000, 3006, 3012, & 3012-A Duke Street - Yates Pizza
Public Hearing and Consideration of requests to: a) to operate a restaurant with outdoor dining, b) for valet parking, and c) to allow required parking to be located more than 500 feet away; zoned CG/Commercial General.
Applicant: Jeffrey Yates
Planning Commission Action: Recommend Approval as Amended: 7-0

City Council approved the Planning Commission recommendation, with a correction to a typographical error in the staff report on condition #9 so the live entertainment and outdoor dining area have the same hours as indoor, which is midnight during the week and 1:00 a.m. on the weekend.

9 14-3493 Special Use Permit #2014-0100
Encroachment #2014-0005
515 Mount Vernon Avenue - Restaurant
Public Hearing and Consideration of requests: a) to operate a restaurant with outdoor dining, b) for a parking reduction, and c) for an encroachment into the City right-of-way for outdoor dining; zoned CSL/Commercial Service Low. Applicant: Yates Restaurant Group LLC represented by Duncan Blair, attorney
Planning Commission Action: Recommend Approval as Amended: 7-0

City Council approved the Planning Commission recommendation.

10 14-3490 Text Amendment #2014-0007
Valet Parking
A) Initiation of a Text Amendment; B) Public Hearing and Consideration of a Text Amendment to add valet parking as a use in the W-1, Waterfront Mixed Use zone in the Zoning Ordinance. Staff: City of Alexandria - Department of Planning & Zoning
Planning Commission Action: Initiate and Recommend Approval 7-0

City Council approved the Planning Commission recommendation.

11 14-3495 Development Special Use Permit #2014-0042
500 Madison Street - Harris Teeter
Public Hearing and Consideration of a request for an amendment to existing Development Special Use Permit #2010-0027 to extend the customer hours of operation to 24 hours each day of the week; zoned CDD #20/Coordinated Development District #20. Applicant: 500 Madison Venture LLC represented by Kenneth Wire, attorney
Planning Commission Action: Recommend Approval as Amended: 6-1

City Council approved the Planning Commission recommendation.

ORDINANCES AND RESOLUTIONS

12 14-3440 Public Hearing, Second Reading and Final Passage of an ordinance to amend and reordain Sheet No. 058.02 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 property at 100 South Pickett Street from CRMU-M/Commercial residential mixed use (medium) with Proffer to CRMU-M/Commercial residential mixed use (medium) with an amended Proffer in accordance with the said zoning
map amendment approved by city council on November 15, 2014 as Rezoning No. 2014-0006 for the Pickett’s Place development. [ROLL-CALL VOTE]

City Council adopted the ordinance. (ORD. NO.4914)

13 14-3442 Public Hearing, Second Reading and Final Passage of an ordinance to amend and reordain Sheet No. 074.03 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 1323 Wilkes Street from RB/Townhouse zone to CRMU-L/Commercial residential mixed use (low) with Proffer in accordance with the said zoning map amendment approved by city council on November 15, 2014 as Rezoning No. 2014-0004 for the West-Parc Townhouse Project. [ROLL-CALL VOTE]

City Council adopted the ordinance. (ORD. NO.4915)

14 14-3498 Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing the Owners and/or Tenant of the Property Located at 906 First Street to Construct and Maintain an Encroachment for a Porch Overhang at that Location. [ROLL-CALL VOTE]

City Council adopted the ordinance. (ORD. NO. 4916)

15 14-3499 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 Such Master Plan as Master Plan Amendment No. MPA 2014-0009 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. [ROLL-CALL VOTE]

City Council adopted the ordinance. (ORD. NO. 4917)

16 14-3399 Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Article B (Financial Disclosure), Chapter 5 (Officers and Employees), of Title 2 (General Government) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

City Council adopted the ordinance. (ORD. NO. 4918)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

17 14-3505 Development Site Plan #2014-0024
Special Use Permit #2014-0088
4901 Seminary Road - Southern Towers Clubhouse
(Parcel Address:  5055 Seminary Road)
Public hearing and consideration of requests for: a) development site plan, with modifications, to construct a clubhouse building and b) a special use permit to operate a day care center; zoned RC/High Density Apartment.
Applicant:  Southern Towers LLC represented by Kenneth Wire, attorney
Planning Commission Action: Deferred without objection

City Council noted the deferral.

OTHER

18  14-3502

Consideration of Convening a Closed Meeting to Discuss a Personnel Matter.

At 1:10 p.m., City Council convened in closed executive session to discuss the resignation and appointment of a specific public officer, specifically the resignation of a City Council appointee and the appointment of a successor to that appointee, pursuant to Section 2.2-3711(a)(1) of the Code of Virginia.

At 2:20 p.m., City Council reconvened the meeting.

City Council adopted a resolution pertaining to the closed meeting.  (RES. NO. 2658)

* * * * *

City Council moved to appoint Mark Jinks as Acting City Manager effective January 2, 2015.

* * * * *

The meeting was adjourned at 2:25 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.