

Docket Item #
Planning Commission Public Hearing
February 4, 2025

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of
January 9, 2025

***** MINUTES *****

ALEXANDRIA PLANNING COMMISSION

January 9, 2025 7:00 P.M.

Council Chamber

301 King Street, City Hall Alexandria, Virginia

Members Present:

Nathan Macek, Chair

David Brown

Mindy Lyle

Jody Manor

Stephen Koenig

Excused Absences

Melissa McMahon, Vice-Chair

Vivian Ramirez

Staff Present:

Karl Moritz

Paul Stoddard

Nancy Williams

Christina Zechman Brown

Tony LaColla

Sam Shelby

Catherine McDonald

Lanning Blaser

Department of Planning & Zoning

Department of Planning & Zoning

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Office of the City Attorney

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#1 CALL TO ORDER

Chair Nathan Macek called the Planning Commission Public Hearing of January 9, 2025 to order at 7:03 p.m. Vice Chair McMahon and Planning Commissioner Ramirez provided notification of their absences. All other Planning Commission Members were present at the Call to Order.

Chair Macek informed those present that if you wish to speak on a Docket Item and have not already signed up to do so, please fill out a Speaker Form online by following the “Sign Up to Speak” hyperlink present on the cover page of this evening’s Public Hearing Docket or in person by filling out a hardcopy speaker form, which can be found on either materials tables (located immediately outside the Chambers or at the back of the Chambers), and providing it to Ms. Williams, who has her hand raised.

Please note, comments from the public are limited to 3 minutes per speaker, with the exception of applicants and their representation. To make your public comment through the Zoom application, please click on the "Raise Hand" button located on the Zoom taskbar once you hear your name called upon to make your statement, in order to let staff know it is you who needs to be unmuted in order to make your public comment.

To make your public comment if you are dialing into tonight’s meeting via phone, please press *9 to execute the “Raise Hand” function once you hear your name called upon to make your statement, followed by *6 to toggle the unmute function. To make your public comment in person, please come up to either podium located at the front of the Chambers when you hear your name called upon to make your statement. Before starting your public comment, please first identify yourself by first and last name.

The City encourages and welcomes public comment from all residents on Planning Commission matters. In keeping with that principle, and with the principle of inclusiveness, this is a reminder of the shared expectation that the content and tenor of public comments always be civil and respectful. Thank you for honoring those principles. A reminder to all, including Commissioners, staff, and speakers in the Chambers to please speak clearly into the microphone to ensure all are able to hear in a clear manner.

Chair Macek inquired as to whether there were any changes to tonight’s Docket. Staff responded that there are no changes to the Docket. Chair Macek asked if there were any Consent Items that the Planning Commission would like to pull.

Commissioner Brown requested to pull Consent Items #2, Subdivision #2024-00015, 318 E Howell Street and Item #3, Subdivision #2024-00017, 22 W Wyatt Avenue.

CONSENT CALENDAR

#2 Zoning Ordinance Subdivision cases are heard by the Planning Commission, placed on the City Council docket for information, and heard by City Council only upon appeal.

Subdivision #2024-00015

318 E Howell Avenue

Public Hearing and consideration of a request for a Subdivision to re-subdivide an existing lot into two lots; Zoned R 2-5

Applicant: LA Linden, LLC, represented by Duncan Blair, attorney

Discussion

Commissioner Brown pulled the case from the Consent Calendar to clarify with staff that the proposed lots would meet the minimum zone requirements only for a semi-detached, two-unit dwelling. Staff confirmed that future development of the proposed lots would be limited to a semi-detached, two-unit dwelling under the current zoning regulations.

PLANNING COMMISSION ACTION

On a motion by Commissioner Lyle, seconded by Commissioner Manor, the Planning Commission voted to close the Public Hearing. The motion carried on a vote of 5-0.

PLANNING COMMISSION ACTION

On a motion by Commissioner Brown, seconded by Commissioner Koenig, the Planning Commission voted to approve SUB2024-00015. The motion carried on a vote of 5-0.

#3 Zoning Ordinance Subdivision cases are heard by the Planning Commission, placed on the City Council docket for information, and heard by City Council only upon appeal.

Subdivision #2024-00017

22 W Wyatt Avenue

Public Hearing and consideration of a request for a Subdivision to re-subdivide three existing lots into two lots; Zoned R2-5

Applicant: 22 W Wyatt LLC, represented by M. Catharine Puskar, attorney

Discussion

Commissioner Brown pulled the case from the Consent Calendar to clarify with staff that the proposed lots would meet the minimum zone requirements only for a semi-detached, two-unit dwelling. Staff confirmed that future development of the proposed lots would be limited to a semi-detached, two-unit dwelling under the current zoning regulations

PLANNING COMMISSION ACTION

On a motion by Commissioner Lyle, seconded by Commissioner Manor, the Planning Commission voted to close the Public Hearing. The motion carried on a vote of 5-0.

PLANNING COMMISSION ACTION

On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to approve SUB2024-00017. The motion carried on a vote of 5-0.

NEW BUSINESS

#4 The following item will be heard by the Planning Commission only and referred to City Council for information only:

City Charter Section 9.06 Case #2024-00006

3800 Block of Mount Vernon Avenue

Public Hearing and consideration of a request for the Planning Commission to review whether the change in use of the public street in the 3800 block of Mount Vernon Avenue by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.

Applicant: City of Alexandria

Staff made a presentation and answered questions from the Planning Commission.

Speaker

Steven Weinstock, Managing Partner, Del Ray North Shopping Center, indicated that three of his tenants have expressed concern over the pilot vendor program. He said there have been problems with parking and problems with vendors selling on the shopping center property. He indicated they have worked with the police, and he believes more police presence is needed. He also indicated that having vendors and pedestrians (customers) on the street can pose a safety problem.

Discussion

Commissioner Lyle asked if there is a Program Manager for this pilot vendor program. Staff indicated they are actively looking for a Program Manager. Commissioner Lyle also indicated that Health Department staff said they do not work on the weekends, so she is wondering about enforcement to ensure the vendors are selling appropriate products consistent with health regulations. Staff responded by stating that if the City Council approves this program, that is a multi-departmental effort, a request will be made for staff support over the weekends.

Commissioner Lyle also asked if staff have spoken to the property owners along Mt. Vernon Avenue about use of parking lots or if staff explored any other possible locations for the program. Staff indicated that they have talked to property owners but there is a concern about liability. Staff also indicated that they have looked at Four Mile Run, but the vendors expressed a desire to stay where they are because that is where the foot traffic is. Commissioner Lyle further inquired about parameters for operating this program. Staff indicated there are parameters around the time of operation, enforcement, etc. Department of Planning & Zoning Director Karl Moritz also added that this is a collaboration with several departments with each playing a role based on their assigned areas of responsibilities to assist with enforcement of the parameters.

Chair Macek inquired about the justification of bringing this to us under Section 9.06 of the City Charter. Staff indicated that there is a change in use of the right of way from parking to vending and we are showing under 9.06 that such a change is consistent under the Master Plan. Chair Macek indicated that we did not see it with respect to parklets and he mentioned some other initiatives where the Planning Commission did not see a Section 9.06. He believes we should be careful about when a Section 9.06 may or may not be necessary and indicated maybe development of some standards is appropriate. Director Moritz indicated that it is worth the time to take a look at what may or may not be within the scope of a Section 9.06 review.

Commissioner Koenig indicated if it is appropriate for the Planning Commission to review this Section, 9.06 he concurs with staff's recommendation and believes it is consistent with the Master

Plan. It allows the opportunity to expand and grow entrepreneurship on a small scale, consistent with the culture of the neighborhood. He believes that the points raised by Commissioner Lyle may be more aligned to a Special Use Permit. Commissioner Lyle indicated that page 19 of the Small Area Plan talks about community gardens and she is concerned that this program will result in the resale of merchandise from other stores.

Commissioner Brown indicated that street vending has been going on here for a long time. He indicated that he is guided by the Master Plan and the Small Area Plan indicates support for a pilot vendor program and working with the community to develop parameters. He said he is also guided by the fact that there are only five slots. He said a one-year pilot program will let the City and community know if there is a problem. He reiterated it is consistent with the Master Plan.

Chair Macek asked how this location was chosen. Staff indicated that they looked at various locations in the planning area. Talks with private property owners were not successful; Four Mile Run was not attractive to the vendors because they want to be more visible; and staff thought this side of Mt. Vernon Avenue would be more amendable to the retailers located in the Del Ray North Shopping Center since that shopping center has its own parking lot. Additionally, staff stated that the vendors are comfortable with this location as it is where their customers are in terms of foot traffic. Staff further noted that the City-owned property to which Commissioner Lyle referenced has a program that operates out of it.

Commissioner Lyle indicated she cannot support this proposal, but she said she could support a deferral.

Chair Macek indicated that he does think it is consistent with the Master Plan.

PLANNING COMMISSION ACTION

On a motion by Commissioner Koenig, seconded by Commissioner Brown, the Planning Commission voted to close the Public Hearing. The motion carried on a vote of 5-0.

PLANNING COMMISSION ACTION

On a motion by Commissioner Koenig, seconded by Commissioner Brown, the Planning Commission voted to approve SEC#2024-00006. The motion carried on a vote of 3-2.

Reason

The Planning Commission by a vote of 3-2 agreed with staff analysis.

#5 Zoning Text Amendment #2024-00010
(A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Articles II, IV, VI, IX, and XI related to signs.
Applicant: City of Alexandria, Department of Planning & Zoning

Staff made a presentation and answered questions from the Planning Commission.

Speaker

Melissa Kuennen expressed support for the changes but had concerns about how illuminated signs would affect dark skies.

Discussion

Commissioner Lyle generally spoke in support of the text amendment with the addition of including the existing Special Use Permit (SUP) waiver to any requirement of the Sign Ordinance. She explained there may be future unique signs or other emerging technology that are not covered by the proposed regulations. She felt that an option for a waiver from any of the Sign Ordinance requirements should be available.

Chair Macek asked staff why this section was removed. Staff explained the proposed changes would limit the ability for applicants to seek approval for signs that did not comply with the Sign Ordinance. The proposed administrative SUP process would only allow for increases in the number, size, and height of signs; extensions on time limits for temporary signs; and digital signs. Staff proposed only these administrative SUPs because they reflected the types of requests that had been approved by City Council with previous sign SUPs. Staff explained that signs not meeting the administrative SUP standards for approval could be docketed for public hearings.

Chair Macek expressed support for the text amendment and agreed with Commissioner Lyle that an option for a waiver to any requirement should be included in the Sign Ordinance for exceptional signs. Commissioner Koenig found staff's proposal to be a significant improvement and agreed with adding in the waiver option as suggested by Commissioner Lyle. In addition, he appreciated the public comment relating to dark skies and noted this should be a larger City-wide discussion about nighttime illumination.

Commissioner Brown spoke in support of the proposal. He appreciated staff's efforts to create a more objective SUP process but ultimately supported Commissioner Lyle's inclusion of the existing SUP waiver for signs.

PLANNING COMMISSION ACTION

On a motion made by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to initiate ZTA #2024-00010 as amended. The motion carried on a vote of 5 to 0.

On a motion made by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of ZTA #2024-00010 as amended. The motion carried on a vote of 5 to 0.

Reason

The Planning Commission agreed with staff analysis and recommended the addition of the following language to section 9-202:

(A) Waiver of requirement by special use permit. A special use permit may be obtained pursuant to section 11-500, which authorizes the provision of signage otherwise not permitted by this Article IX, subject to the following: (1) The special use permit applicant shall demonstrate that the proposed signage would correspond with the intent of this Article IX and (2) City council finds that:

(a) The proposed signage has an exceptional design or approach that cannot be accomplished within the existing regulations;

(b) The proposed signage will not have an adverse impact on the nearby neighborhood; and (c) The signs comply with the applicable standards for approval of a special use permit set forth in section 11-504.

#6 MINUTES

Consideration of the minutes from the November 7, 2024 Planning Commission meeting.
Consideration of the minutes from the December 3, 2024 Planning Commission meeting.

PLANNING COMMISSION ACTION

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to approve the minutes of November 7 and December 3, 2024. The motion carried on a vote of 5-0.

OTHER BUSINESS

Commissioners' Reports

Commissioner Lyle reported that the West End is moving forward. She called out progress with respect to the Landmark Overlook site, the Landmark Mall site and the Vulcan site.

Chair Macek indicated that staff of the Waterfront Commission shared some correspondence for the Planning Commission's review this past week, noting that the state Historic Preservation Office has some requirements relative to view sheds that need to be met. Also, he stated the Waterfront Commission has been discussing plans for flood mitigation which is one of several objectives of the Waterfront Plan. He also mentioned the pump station and said there has been concern about the location, orientation, scale and size on the Waterfront. The Waterfront Commission is recommending that it be parallel to Prince Street and that is closer to the river than the concepts are proposing. He also indicated concerns, overall, about a high focus on flood mitigation and concern over the funding that will be required for it alone with little left over to fund the recreational elements of the Waterfront Plan as outlined in the Olin Plan. Chair Macek also encouraged exploring letting the parks flood, given newer technologies and systems.

#7

ADJOURNMENT

On a motion by Commissioner Lyle, seconded by Commissioner Manor, the Planning Commission voted to adjourn. The motion carried on a vote of 5-0.

The Planning Commission meeting was adjourned at 9:02 p.m.