

Docket Item # 9
Planning Commission Meeting
June 7, 2016

Consideration of approval of the Planning Commission minutes of the public hearing meeting of May 3, 2016.

*** * * M I N U T E S * * ***

ALEXANDRIA PLANNING COMMISSION

May 3, 2016

7:00 P.M., Council Chambers

301 King Street, City Hall

Alexandria, Virginia

Members Present:

Mary Lyman, Chair
Nathan Macek, Vice Chair
Maria Wasowski
Mindy Lyle
David Brown
Melissa McMahan

Members Absent:

None

Staff Present:

Karl Moritz	Department of Planning & Zoning
Alex Dambach	Department of Planning & Zoning
Kendra Jacobs	Department of Planning & Zoning
Robert Kearns	Department of Planning & Zoning
Chrishaun Smith	Department of Planning & Zoning
Cedric Sutherland	Department of Planning & Zoning
Michael Swidrak	Department of Planning & Zoning
Dirk Geratz	Department of Planning & Zoning
Raviandra Rout	Department of Transportation and Environmental Services
Katy North	Department of Transportation and Environmental Services
Joanna Anderson	City Attorney

1. Call to Order.

The Planning Commission public hearing was called to order at 7:00 P.M. All members were present.

CONSENT CALENDAR:

2. Special Use Permit #2016-0017
725 King Street (parcel address: 101 North Columbus Street) - Five Guys Burgers
Public hearing and consideration of a request to operate a restaurant; zoned:
KR/King Street Retail. Applicant: Five Guys Burgers, represented by Dave Gonzales

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances, and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

3. Development Site Plan #2015-0022
2932 and 2998 King Street - First Baptist Church of Alexandria
Public hearing and consideration of a request for a development site plan to permit three additions to an existing church building and the renovation of the church's interior sanctuary; zoned R-8/Residential. Applicant: Trustees of First Baptist Church, represented by Duncan Blair, attorney

This item was removed from the consent calendar.

Speaker:

Duncan Blair, representing applicant, spoke in support of the application

Michelle Ryan, 3027 Bryant Street, stated that she only received notification of the proposed renovation on April 23, 2016, which she does not consider to be sufficient notice in terms of community relations. Ms. Ryan also asked for consideration of improvements to a bus stop located in front of the church that was not listed in the report.

Chairwoman Lyman closed the public hearing.

Chairwoman Lyman asked for clarification from staff about the notice process. Staff and the applicant's attorney, Duncan Blair, confirmed that the legal notices were mailed correctly.

Vice Chairman Macek asked for clarification on staff's position regarding improvements to the other bus stop. Robert Kerns stated that, given the size of the project, staff focused on the one bus stop in front of the church and viewed it as a nexus to other improvements at the site.

Vice Chairman Macek asked if there are plans by T&ES to prioritize improvements to the bus stop across the street and, if these improvements could be included as part of the complete streets improvements. He asked T&ES staff to confirm the process for including the bus stop as part of the complete streets improvements.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Lyle, the Planning Commission voted to approve Development Site Plan #2015 0022 with a request for T&ES to look for opportunities for bus stop improvements in the adjacent area as part of the complete streets project. The motion carried on a vote of 7 to 0.

UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED:

4. Text Amendment #2016-0002
Sign Regulations
(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a Text Amendment to Article IX of the Zoning Ordinance regarding regulations for signs allowed on properties in each zone. Staff: Department of Planning and Zoning

Alex Dambach (P&Z) and Joanna Anderson (CAO) gave a presentation and answered questions from the Planning Commission.

Speakers:

Peter Benavage, a member of the Ad Hoc Group on Signage, spoke in support of the proposed Ordinance while expressing some reservation about the existing and proposed prohibition against windblown signs. He also offered to continue to remain involved in the Ad Hoc Committee on Signage and to assist in evaluating signage policy particularly when it is reexamined in six months.

Steve Milone, a member of the Ad Hoc Group in Signage, spoke in support of the proposed Ordinance while also proposing refinements to the standards for flags on commercial and multi-family residential properties.

Steve Matyas, a resident of Old Town, asked questions about the A-Frame signs along King Street and said that the non-permitted signs should be removed. Staff and commission members explained that these signs will continue to be prohibited and that enforcement efforts are underway.

Bismah Ahmed, Government Affairs Manager with the Apartment and Office Building Association of Metropolitan Washington, expressed support for the ordinance and stated that the proposed policies for signs at multi-family buildings would provide mechanism for advertising and notification without facilitating overbearing signage.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to initiate Text Amendment #2016-0002. The motion carried on a vote of 7 to 0.

On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Text Amendment #2016-0002 as amended. The motion carried on a vote of 7 to 0. Accompanying the motion was a recommendation for a reexamination of the ordinance approximately six months after adoption to see if changes would be needed at that time.

Reason: Commissioners engaged in discussion on the item and agreed with the staff recommendation to approve the proposed text amendment.

Vice Chairman Macek provided an explanation of the proposed rules for A-Frame signs on private property and the proposed and existing A-Frame policies for businesses in the Central Business District. He also asked staff for clarification of plans to enforce prohibited A-Frame signs. Mr. Dambach explained that letters will be sent to businesses to explain the regulations. Vice Chairman Macek noted that educating the businesses will be an important piece of implementing the policy.

Vice Chairman Macek asked staff's reaction to Mr. Milone's comments on potentially limiting the signage for apartments. He suggested that the Work Group should reconvene on this issue in six months and report back to the Planning Commission. Mr. Dambach recommended consideration of this issue as part of the six month review.

Commissioner McMahon asked about how the ordinance addresses non-conforming signs and asked staff for clarification. Mr. Dambach stated that some signs will be sunset after seven years but others will be naturally phased out.

Commissioner Lyle explained that she had several discussions of this proposal with staff and with community residents and expressed the importance of flexibility to ensure that small businesses would not be overregulated. She supports staff's recommendation that the ordinance get reexamined approximately six months after adoption. She also asked if there is a way to amend the ordinance so that the regulation for wind-blown signs does not pertain to residential use.

NEW BUSINESS:

5. Text Amendment #2016-0003
Ownership Disclosure Requirement
(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a Text Amendment to various sections of the Zoning Ordinance to lower the corporation ownership disclosure requirements on applications from those owning an interest in excess of 10% in such corporation to those owning an interest in excess of 3% in such corporation. Staff: Department of Planning and Zoning

Cedric Sutherland (P&Z) gave a presentation.

Speakers: There were no speakers.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to initiate Text Amendment #2016-0003. The motion carried on a vote of 7 to 0.

On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Text Amendment #2016-0003. The motion carried on a vote of 7 to 0.

Reason: Commissioners agreed with the staff recommendation to approve the proposed text amendment.

6. Development Special Use Permit #2014-0043
Special Use Permit #2015-0096 (restaurant)
Transportation Management Plan SUP #2015-0095
1101 North Washington Street - Old Colony Inn
Public hearing and consideration of requests for: (A) a Development Special Use Permit and Site Plan with modifications for renovation of and addition to an existing hotel with accessory restaurant/meeting room, and a request for a parking and loading reduction; (B) a Special Use Permit for a restaurant use in the CD zone; (C) a Special Use Permit for a transportation management plan; zoned CD/Commercial Downtown. Applicant: CIA Colony Inn LLC, represented by M. Catharine Puskar, attorney

Dirk Geratz, Michael Swidrak, Robert Kerns and Katy North gave a presentation and answered questions from the Planning Commission.

Speakers:

M. Catharine Puskar, attorney representing the applicant, spoke in favor of the request. She provided the Commission with a presentation that outlined 1) the modifications and variances needed by the developments adjacent to the applicant's site to be approved 2) the requested parking reduction and the parking demand of nearby hotels that have been observed or recently approved, and 3) the evolution of the building design, with specific attention to the zone transition setback from the east property line. In relation to the second point above, she noted that the submitted traffic impact study was based on satisfying parking demand off-street, and only included on-street parking studies due to the City's requirements. She also answered a question from the Commission pertaining to site deliveries and delivery vehicles. She noted that the site would be served by box trucks for loading and deliveries, and that the applicant could arrange trash pickup three times a week to account for the increase in hotel size and addition of the restaurant.

Ken Adami, of Canal Way, spoke in opposition of the project, asserting that the building

proposal is too large for the site, and was concerned with the proposed modification to the zone transition setback. He suggested a compromise of a three-story building.

Jim Herring, of Pitt Street Station, spoke in opposition of the project, noting disagreements with the staff analysis, and contending that arguments in favor of the modifications (i.e. increased landscaping) did not mitigate the impacts of the proposed zone transition setback modification.

Andrea Haslinger, of Pitt Street Station, spoke in opposition of the project, noting that the impacts of the building height and massing from the eastern façade were significant, and that site improvements did not mitigate the impacts of reduced sunlight and views.

Elizabeth Chimento, of Pitt Street Station, spoke in opposition of the project, focusing on how the submitted traffic impact study demonstrated how parking demand on peak nights may overwhelm available on-site parking supply, and how the parking study does not adequately consider pipeline developments, like 530 First Street (Edens).

Elizabeth Sproul, of Pitt Street Station, spoke in opposition of the project, focusing on the proposed parking reduction, and the impacts of overflow parking if the on-site parking supply does not accommodate demand. She noted the lack of available neighborhood on-street parking, and the problems with locating off-site parking at 800 Slaters Lane, a ½ mile from the site.

Cathy Dooley, President of Pitt Street Station Homeowners Association, spoke in opposition to the project, discussing the architectural mass and quality, arguing that the proposed building will appear as a four-story “mass of bricks” from passing cars along the George Washington Parkway. She also spoke against the location of the restaurant and bar in the hotel on Second Street.

Christopher Newbury, of Pitt Street Station, spoke in opposition of the project, addressing issues with the size of the building, and argued that the conditions of approval do not address the impacts of the project and are in some cases not enforceable.

Matthew Hennesey, representing NOTICE, spoke in opposition of the project, citing the impacts of the proposed building on the adjacent neighbors, and the reduction of sunlight and views for those neighbors.

Morrill Marston, of Canal Way, spoke in opposition of the project, focusing on a review of the zone transition setback he conducted with two architects. The review of the setback encroachment was found to be “severe,” and would greatly impact neighboring properties.

Caitlin Riley, of Canal Way, spoke in opposition of the project, citing specifically the proposed zone transition setback encroachment, and its inadequate reduction and lack of proposed mitigation measures.

Linda Lord, President of the Liberty Row Condominium Association, spoke in opposition

of the project, focusing on concerns of public safety. These included the route of delivery trucks as they enter and exit the site, the inadequacy of trash pickup only twice a week, and issues with overflow parking. She also raised the concern that proposed mitigating measures, including landscaping, were not adequate to address the impact of the proposed development.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chair Macek, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Development Special Use Permit #2014-0043, Restaurant SUP #2015-0096 and Transportation Management Plan SUP #2015-0095 subject to compliance with all applicable codes, ordinances and other staff recommendations. The motion carried on a vote of 7-0.

Reason:

The Planning Commission agreed with the staff analysis. Discussion from the Commission focused on parking and loading, the modification of the zone transition line setback, and the general development review process. In relation to proposed parking, the Commission was satisfied with the provided on-site amount, agreeing that the approved parking ratio is consistent with recent hotel approvals. The Commission concurred that siting overflow parking on office sites that are close to the hotel helps to better utilize these parking areas and is more flexible to actual parking demand. Additionally, the implementation of other parking management strategies, such as the continuing of the hotel shuttle service, will help to achieve parking efficiencies. Relating to questions of enforcement regarding conditions that prohibit off-street parking by employees, staff answered that the City has enforced similar conditions in the past, including penalties for properties that have not complied. The Commission was satisfied with the staff analysis of the application of the zone transition setback modification, citing that the applicant had reduced the building encroachment over the course of their submissions to BAR and UDAC, and that the remaining encroachment is “modest” in relation to its impact on neighboring properties. In reference to public comment that called into question the quality of professional staff review, the Commission expressed faith in the review process leading to the Commission’s project review. The Commission expressed confidence in the hotel proposal, citing that hotels are often good neighbors to adjacent residents, and that the proposal had many benefits, including the architectural quality and environmental considerations (i.e. the reuse of the existing structure and the future LEED or equivalent certification).

OTHER BUSINESS:

7. Commissioner’s Reports, Comments & Questions

Commissioner Koenig reported on the Patrick Henry Advisory Group and the North Potomac Yard Advisory Group.

Chairwoman Lyman reported on the ARHA redevelopment group. Assistant

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City Attorney Joanna Anderson reported on the status of the lawsuit regarding the Ramsey Homes development.

Commissioner Wasowski reported on the Old Town North planning process.

Chairwoman Lyman welcomed new Planning Commission member Melissa McMahon.

MINUTES:

8. Consideration of the minutes from the April 5, 2016 Planning Commission meeting.

Without objection, the Planning Commission approved the minutes of the April 5, 2016 meeting as amended.

The minutes of April 2, 2016 are revised as follows:

- Pg 1 – Stewart Dunn, ~~Vice Chair~~
Nathan Macek, Vice Chairman
- Pg 6; Item #8 – Commissioner Macek noted his support of the Fayette Street extension, and that it would reduce the psychological barrier of these two areas of the City, and also that this extension does not provide new access from Route 1 to Fayette Street or greatly change access to Fayette Street from Slaters Lane, so the traffic circulation and volumes from Route 1 to Fayette Street ~~that are a concern for many~~ would not be worsened by this street extension.

9. Adjournment

The Planning Commission meeting was adjourned at 10:25 p.m.