

Docket Item # 6
Planning Commission Public Hearing
January 4, 2024

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of
January 4, 2024

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

ALEXANDRIA PLANNING COMMISSION

January 4, 2024, 7:00 P.M.,

Council Chamber

301 King Street, City Hall Alexandria, Virginia

Members Present:

Nathan Macek, Chair

Melissa McMahon, Vice Chair

David Brown

Mindy Lyle

Jody Manor

Vivian Ramirez

Stephen Koenig

Members Absent:

None

Staff Present:

Karl Moritz

Nancy Williams

Christina Zechman Brown

Tony LaColla

Ann Horowitz

Sam Shelby

Rob Kerns

Catherine Miliaras

Daniel Wells

Stephanie Sample

Maya Contreras

Rachel Drescher

Michael Swidrak

Bill Cook

Maggie Cooper

Hillary Orr

David Sharon

Carson Lucarelli

Brian Dofflemeyer

Helen McIlvaine

Tamara Jovovic

Ryan Freed

Dustin Smith

Department of Planning & Zoning

Department of Planning & Zoning

Office of the City Attorney

Department of Planning & Zoning

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Transportation & Environmental Services

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Office of Housing

Office of Housing

Office of Climate Action

Office of Climate Action

AlexWest Work Session:

Staff provided an update on the Alexandria West planning process, including a summary of community engagement to date, a high-level description of the framework elements of the Plan in process, and next steps. The presentation was followed by Planning Commission discussion and questions as summarized below.

Commissioner Brown asked what the intended “altitude” of the Plan is, meaning, what is the intended level of detail of the recommendations for development sites? Staff responded that it will be a relatively high-level Plan given the size of the Plan area, more similar in scope to Eisenhower West than Oakville Triangle, for example. The Plan will establish the street framework, park network, affordable housing standards, and high-level design standards.

Commissioner Koenig asked about the likelihood of projects using Section 7-700 to achieve bonus height if sites are already being granted additional height through the Plan, particularly given the cost of going from wood construction to steel and concrete to take advantage of 7-700 additional height. Staff responded that moving from wood construction to steel and concrete will likely be an impediment to utilizing Section 7-700 for height and that it will likely be utilized more for bonus density.

Commissioner Koenig inquired about how the Plan will set development parameters. Staff responded that there will be a development table in the Plan that will establish key parameters such as total development square footage and open space/park requirements. Additional detail will be established in the Coordinated Development District (CDD).

Commissioner Lyle commented on the proposed street network, noting that some proposed streets may be more appropriate for cyclists and pedestrians only, offering an alternative to walking on Beaugard. Commissioner Lyle suggested the pedestrian/bicycle street in Cameron Station as a good precedent for this. Commissioner Lyle also suggested that the proposed 77-foot height for a section of the southern portion of the Plan area west of I-395 and north of Duke Street would be more appropriate at 100 feet to be more compatible with the surrounding proposed heights.

Vice Chair McMahon noted that given the many issues faced by current residents in some of the larger properties (rising rents and building maintenance/condition problems), it will likely be difficult for them to see these properties given density for redevelopment, despite the ongoing problems. She asked that the Plan explore the possibility of rent stabilization and property renovation of existing buildings as part of the conditions of approval for new development, stating there is a direct connection between the existing buildings and new development on the site.

Commissioner McMahon also emphasized that the transportation network in the Plan area must be truly multimodal. The development pattern of Alexandria West is suburban with big block sizes and a disconnected street network, creating an auto-oriented network with a long way to go in terms of multimodal mobility. Vice Chair McMahon further suggested that some streets may be appropriate as shared streets, with a design treatment that elevates people walking and biking.

Commissioner Ramirez reiterated the importance of human scale design of intersections and roads to ensure people feel safe and welcome traveling by foot in what is currently a very auto-oriented transportation network.

Chair Macek suggested further review of the street network to see if some of the streets may be more appropriate as pedestrian/bicycle only, particularly given the future shift in land use from commercial to residential. He noted that with less commercial office use in the area, there may not be a necessity for the full road network that was recommended in the Beauregard Plan.

Chair Macek inquired about the process for development sites that want to move forward in concert with the Plan. Staff replied that like previous precedent, once the key framework elements of the Plan have been established and agreed to, then property owners can proceed with review of their development concepts. The January Planning Commission and City Council Work Sessions will be an opportunity for both bodies to weigh in on the draft proposed framework elements and indicate whether the Plan is headed in the right direction.

Chair Macek also stated that he appreciates the emphasis on proposing new parks in the Plan.

CALL TO ORDER

The Planning Commission Public Hearing was called to order at 7:00 p.m. All members were present at the Call to Order.

Chair Macek then read the following statement into record:

“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 Chamber to please speak clearly into the microphone to ensure all are able to hear in a clear manner.”

CONSENT CALENDAR:

Chair Macek inquired as to whether there were any changes to tonight’s Docket. Staff responded that there were no changes to the docket.

2. Special Use Permit #2023-00094
421 Clifford Avenue
Public Hearing and consideration of a Special Use Permit for a temporary trailer; zoned CDD#24/Coordinated development district.
Applicant: Matilde Alvarado

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Special Use Permit #2023-00094 as amended per the January 3, 2024 memoranda. The motion carried on a vote of 7-0 on the Consent Calendar.

3. Development Special Use Permit #2023-10018
Special Use Permit #2023-00093
4898 West Braddock Road - Newport Village II (NVII)
Public Hearing and consideration of requests for: (A) a Development Special Use Permit (with Site Plan) to construct a new multifamily residential building, with Special Use Permits for a maximum allowable floor area ratio of 2.3, a parking reduction, more than three mechanical rooftop penthouses, and an extension in the period in which construction must be commenced under Section 11-418 of the Zoning Ordinance (amending DSUP #2020-10026); and (B) a Special Use Permit for a coordinated sign plan; zoned CRMU-H Commercial Residential Mixed Use High.
Applicant UDR Newport Village, LLC, represented by Kenneth W. Wire, Attorney, Wire Gill LLP

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-10018 and Special Use Permit #2023-00093. The motion carried on a vote of 7-0 on the Consent Calendar.

NEW BUSINESS:

4. Master Plan Amendment #2023-00006
Rezoning #2023-00004
Development Special Use Permit #2023-10011
300 Wythe Street and 600 N. Fairfax Street - The Ladrey
Public Hearing and consideration of requests for (A) amendments to the Old Town North Small Area Plan chapter of the Master Plan to change the Recommended Height District Limits Map to allow for 85 feet in building height and the Development Summary Table to update the proposed zoning, floor area ratio, height, the Recommended Zoning Map to change from CRMU-X to RMF, and total allowable development; (B) amendment to the official zoning map to change the zone for the site from RC/High density apartment zone to RMF/Residential multifamily zone; (C) a Development Special Use Permit and Site Plan to construct a 270 unit multifamily affordable building, including special use permits to increase the floor area ratio to 3.0 in the RMF zone, for the utilization of Section 7-700 for bonus density for the provision of affordable housing, and for a parking reduction; zoned RC/High Density Apartment.
Applicant: Alexandria Redevelopment and Housing Authority, by its agent Ladrey Developer LLC, represented by Steven Mikulic, attorney

Speakers:

Patricia Velator Smith, 19-year Annie B. Rose resident, likes her building's location and proximity to transit, and said she was concerned about relocating seniors and disabled people, as well as disruption to Annie B. Rose residents during construction. Bikeshare stations and scooters make it hard to board buses and additional bike stations should not be constructed as part of the project.

William Syphax, Annie B. Rose resident, said Ladrey should be renovated instead of replaced, and was concerned about access to the bus stop because many Annie B. Rose residents rely on bus access. He said that there was no need for bicycle parking and that the \$30,000 contribution to bikeshare should be used to improve the bus stop.

Donna Browning, a 17-year Annie B. Rose resident who is visually impaired, is very concerned about safe access and potential hazards/disruption during construction. She said that there should be a safety plan for the Annie B. Rose residents and that the developer of Ladrey needed to find a way to keep Annie b. Rose residents safe.

John Freeman, representing the Annie B. Rose building, said that the existing Ladrey residents should not be displaced, and the existing building should be rehabilitated. He said demolishing it is wasteful and that he was concerned by scale and manner of redevelopment. He said there was a lack of outreach by the applicant and the construction would damage the Annie B. Rose building.

Margaret Carter, Anie b. Rose resident, said that she supported the renovation of the building and that she wanted Alexandria Redevelopment and Housing Authority (ARHA) to

maintain access through the site.

Colin McKenzie, structural engineer who has worked on Annie B. Rose House, said there is unstable soil in this area and the project would impact the existing water table. He said dewatering, vibration, debris and dust is a concern. He said construction will include pile driving at great risk to the Annie B. Rose building and requested additional survey and monitoring.

Kupenda Oluseun, Annie B. Rose resident, spoke in opposition to project because of the soil condition and potential damage to building and said she was going to contact the media to do some investigative journalism to uncover damaging information.

Mary Harris, speaking as a long-term Old Town North (OTN) resident, stated her support for the project. She said she attended every community meeting held by applicants and thought they were handling the necessary relocation sensitively. She said she supported more affordable housing in OTN.

Alexander Freeman, representing the property management company for Annie B. Rose, spoke against the project and said the existing building should be renovated. He said ARHA should invest in the existing building and that the new project will cause parking problems for Annie B. Rose. He said that the construction of the Bus Barn project caused some minor problems with the Annie B. Rose building, but not as bad as the construction impacts from the Harris Teeter redevelopment.

Patricia Schulz, Annie B. Rose resident, said she had concerns about demolition of the Ladrey building and recommended renovating the building.

Margaret Townsend, OTN Community Partnership President, is very familiar with both Annie B. Rose and Ladrey residents and stated that the Ladrey building is outdated and does not work for current residents, so she supports the project.

Deborah Aheakan, Ladrey resident, spoke in support of demolition and new construction, saying that change is difficult but good for both the neighborhood and the current/future residents of Ladrey. She said that Ladrey residents had to live through the construction of the Bus Barn, but she is pleased with the result of that project.

Helenia Bragg, a current Ladrey resident, spoke in support and noted change is good. Annie B. Rose will not be damaged. It shows when you live in a nice building, you feel good about it.

Estella Herrera, an 8-year Ladrey resident, said she was disappointed that the Annie B. Rose residents were not in support of the Ladrey redevelopment. She said that she invited some of the Annie B. Rose residents to the community meetings, but they declined. She understands living adjacent to construction can be difficult.

Kenneth Burton, 23-year Ladrey resident, said that he is very excited about the redevelopment of the Ladrey building and was disappointed that his neighbors at Annie B. Rose were not in support of the project. He said he understood that the construction impacts would be unpleasant since he too lived at Ladrey during the Bus Barn redevelopment. He

said that the building is in very poor condition, with rodents and bugs, and the interior hallways are too narrow for residents to pass one another in the halls, and it creates a safety issue.

Ann Shack, representing Tobacco Quay and the Oronoco, said that there is too much construction in the immediate area and that the poor soil concerns were not being adequately considered. She said that more planning needs to be done before the City approves new projects. She was also concerned about the removal of trees and the health impact of the new project.

Leroy Simi, Annie B. Rose resident, expressed concerns about construction impacts, parking and pollution associated with the demolition of the building.

Roy Shannon, Jr., on behalf of Annie B. Rose House, raised concerns related to soil, underground water, and construction impacts, and stated that the existing building should be retained. He also said that there should be access through the property like what currently exists.

Steve Mikulic, attorney for the applicant, spoke in support of the project, giving details about the extensive community outreach and responding to concerns raised during the public comment.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon the Planning Commission voted to close the public hearing. The motion carried on a vote of 7-0

Discussion:

Commissioner Lyle asked if the applicant held a specific meeting with Annie B. Rose (ABR) residents to discuss structural concerns, soil issues and construction impacts. Ms. Sample described the meeting with the ABR management team and said that there was not a private meeting with ABR residents but noted that the applicant held multiple community meetings (hybrid format) for the community and neighbors. Commissioner Lyle also asked The Department of Transportation & Environmental Services (T&ES) if issues related to the poor soil and the possibility of structural damage to ABR were discovered. Mr. Dofflemyer, T&ES, said that the geotechnical reports and associated details are provided during the final Site Plan and building permit review process. Commissioner Lyle asked the development team if they discussed seismic monitoring at ABR. Attorney Mikulic said not yet because they were still working on evaluating the geotechnical reports, but it would be discussed as part of construction management plan.

Chair Macek asked the applicant team how they reached the decision to demolish the building instead of renovating it. Attorney Mikulic said that ARHA hired outside consultants to study the feasibility of retaining and renovating the building. ARHA determined that they could not reuse the existing building due to the limitations of the current floor plate (narrow hallways, problematic core) and ceiling height, among other things. Wanda Sherrod, ARHA senior project manager, said that prior to issuing the Ladrey

Request for Proposal (RFP), ARHA learned that there were several things that a renovation could not correct (ceiling heights, unit sizes/eliminate studios, need to change core) making the project financially infeasible if the building were reused. She said four Ladrey residents were on the RFP selection panel and visited several affordable housing senior projects, both new and renovated, and felt that new construction was preferred over renovation, even if it meant that they would need to be temporarily relocated. Aimee McHale, Winn Companies/developer, said that the developer is now going through the Department of Housing and Urban Development (HUD) process where after evaluating the building if they find it to be in poor condition, HUD will only support construction of a new project. They expect this to be the case with Ladrey.

Vice Chair McMahon explained that although the residents of the senior building will not have a significant need for bike parking, she said that care givers and family may make use of the bike parking in the building. She said that through the Final Site Plan process staff should be flexible with the number of required spaces and adjust as necessary if some of the space could be used for other needs, like more parking to accommodate ARHA vehicles.

Commissioner Koenig said he primarily focused on the operational side of the building and asked the applicant to confirm that no fossil fuels would be used for any regular operation and that natural gas would only be used for an emergency back-up generator. He said that although he knew that the applicant only had to comply with a target Energy Use Index (EUI) of 38, he was pleased that the applicant's modeling showed a target of 29 EUI. Christina McPike, Sustainability Director at Winn Companies, said that the building would be all electric with the exception of the generator and that they are allowed to have a 38 EUI, but the conceptual design is projecting closer to 29 EUI (but needs further modeling). She said she was fairly confident they could meet a lower EUI near 29. She said that the building would be solar ready, with all necessary infrastructure included in the construction, allowing the easy and immediate installation of solar panels if funding was obtained.

Vice Chair McMahon asked staff about whether there was diminished emergency access to the ABR building. Stephanie Sample, project planner, said that the plans were reviewed by the Fire Department and no issues were raised. Vice Chair McMahon asked why the existing bus stop was being relocated. Carson Lucarelli, T&ES planner, explained that they were moving the bus stop northward to the corner to put pedestrians closer to a safe crossing with hi-visibility crosswalks with accessibility ramps so that the new bus stop would be safer and more protected. Vice Chair McMahon said that as the project goes through the Site Plan review process the applicant and staff should think about how the existing shelter works today for mobility challenged individuals and look to find a more accessible/spacious design to accommodate the senior and disabled population in this part of the neighborhood. She also asked if staff were looking more closely than usual at the Materials of Trade (MOTs) for this specific site due to the older population and people with different disabilities. She said that she thought perhaps additional accommodation could possibly be made to this bus stop.

Mr. Lucarelli, T&ES, said that during the final Site Plan process transportation staff would work with the applicant to make sure that the MOT and requests for sidewalk closures were well thought out in advance. Vice Chair McMahon then said she was in strong support of the project and was pleased that unlike many other projects, this one was able to provide the required open space and canopy coverage. She said that she didn't want to diminish the

neighbors' valid concerns about construction impacts, but she felt that the applicant and City staff would manage these concerns through the Final Site Plan, building permit and construction management process.

Chair Macek said that OTN is a part of the City that has seen multiple construction projects at once and he understood the resident's fatigue at the amount of construction in this area. He said he was very supportive of the project and was struck by the different opinions of the ABR and the Ladrey residents. He said that he hoped more outreach could occur and that more commonalities could be found. He said the project meets most of the standards and requirements of the OTN Small Area Plan and the City's goals for affordable housing.

Commissioner Koenig said the Ladrey redevelopment was a spectacular project, and he was impressed by ARHA's commitment to sustainability on this project as well as the previous Samuel Madden redevelopment.

Commissioner Lyle proposed to add condition 108(a) so that once demolition begins, the applicant has consistent outreach with both Ladrey residents and ABR residents on the status of construction.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to close the public hearing. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Vice Chair McMahon, the Planning Commission voted to adopt Master Plan Amendment Resolution #2023-00006. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Rezoning #2023-00004. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-10011 as amended. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis and noted strong support for the project, believing it implements the Old Town North Small Area Plan goals and results in additional affordable housing. The Commission recommended the addition of Condition #108(a) to ensure regular outreach to neighbors and relocated Ladrey residents during the demolition and construction of the project.

CONDITION AMENDED BY PLANNING COMMISSION:

Identify a community liaison throughout the duration of construction. Provide their name and telephone number, including an emergency contact number, to residents, property managers, and business owners whose property abuts the site, to the satisfaction of the Directors of P&Z and T&ES. Install a temporary informational sign prior to Final Site Plan release with the community liaison's name and contact information. Display the sign until

construction finishes. (P&Z) (T&ES)

a. Once demolition begins, the applicant shall host quarterly meetings (virtual) related to construction matters in a form accessible to the residents and neighbors.

5. Special Use Permit #2023-00097
1601 Mount Vernon Avenue
Public Hearing and consideration to extend the Special Use Permit until December 31, 2045 for the continued use of a nonconforming automobile service station (amending SUP #2010-00051); zoned CL/Commercial low.
Applicant: MVSC, Inc., represented by Lauren G. Riley, attorney

Speakers:

Praveen Kathpal, 207 Clifford Avenue, noted incompatibility of the service station use with the Mount Vernon Area Business Plan and recommended additional conditions for curb cut closures and additional landscaping. He also encouraged the Planning Commission to keep in mind the Environmental Action Plan greenhouse gas emissions goals for a 50% reduction by 2030 and an 80-100% reduction by 2050 when evaluating fossil fuel retailers.

Lauren Riley, applicant attorney, spoke in support of the application, noting community support of the business, as indicated by the Del Ray Citizens Association (DRCA) vote in favor of the Special Use Permit (SUP) extension. She requested that the commission consider a change to condition 23 to extend the staff administrative review to 2040 to align with the City Council review of the Hyundai lot at the same time. Ms. Riley answered Planning Commission questions, confirming that the business has an agreement to park cars at the Walgreen's parking lot, the DRCA did not request site improvements, and the business does not plan to improve the property before 2045. The reason for the SUP extension request was to allow the applicant to negotiate its long-term redevelopment. As the business is constrained by the small site size, the existing curb cuts need to remain for the applicant to accommodate vehicle movement on the property.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to close the public hearing. The motion carried on a vote of 7-0.

Discussion:

Commissioner Lyle stated support for an administrative review in 2040 instead of 2035 to coordinate with the City Council review of the Hyundai lot in 2040. The automobile service center lot is relatively small and would not redevelop without a consolidation of adjacent lots. She asked when staff would update the Mount Vernon Avenue Area Business Plan, and Planning Director Moritz replied that the Plan Update has not been scheduled due to other small area plan updates that have taken precedence.

Commissioner Manor inquired about the height limit and what the small area plan envisions for this area of Mount Vernon Avenue. Staff responded that the height limit is 45 feet and that mixed use buildings, with residential units above ground floor commercial uses are envisioned for this site.

Chair Macek appreciated the comments related to site improvements but given that the request was not a Development Special Use Permit (DSUP) or involved a physical expansion, leverage for requiring site improvements was not applicable in this case.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Special Use Permit #2023-00097, as amended. The motion carried on a vote of 7-0.

6. Special Use Permit #2023-00076
404A E Alexandria Avenue
Public Hearing and consideration of a request for a Special Use Permit to construct a single-family dwelling on a vacant substandard lot, for a lot without frontage on a public street, and for a parking reduction; zoned: R-2-5/Single and Two-family.
Applicant: Eric Teran and Daniela Gross

Speakers:

Brett Rice, 408 East Alexandria Avenue, spoke in opposition to the request. He stated that the SUP process should be a collaboration between the applicant, staff, and neighbors, and that did not occur. He expressed concern about developing a lot that was only 2,662 square feet, about the property being used as a short-term rental, and that the applicant could request up to four units on the property under the new Zoning for Housing provisions. He stated the proposal was not compatible as there are no other contemporary dwellings on the street nor are there any other lots without street frontage in Del Ray. He also had stormwater and flooding concerns.

Chair Macek asked Mr. Rice if there were any alternatives to the proposal that he would be supportive of. Mr. Rice replied that it is not a developable lot and that no development would be acceptable.

Matt Kaim, 1413 Mount Vernon Avenue, spoke in opposition to the request. He stated the size of the subject property is nearly 50 percent smaller than the 5,000 square foot lot size requirement and that its lot width is less than the required 50 foot lot width. He had concerns about emergency access, stormwater and flooding, tree preservation, limited on-street parking on Mount Vernon and East Alexandria Avenues, alley vision clearance, and lack of staff outreach. He also had concerns that construction vehicles would use his driveway to maneuver and would cause damage to his property.

Alicia Montgomery, 406 East Alexandria Avenue, spoke in opposition to the request. She agreed with the Del Ray Land Use Committee's recommendation of denial. She stated there was minimal public engagement and did not hear from staff when she emailed, and that staff's recommendation did not align with the opinion of local residents. She said the

proposal is not in character with the neighborhood because there are no other Del Ray lots that lack street frontage and that approving this project would set a precedent that would drastically change the neighborhood character, increase density, and negatively impact on-street parking. She also expressed concern about vehicular access including access for emergency vehicles.

John Burdick, 1409 Mount Vernon Avenue, spoke in opposition to the request. He had concerns about stormwater and flooding, that the proposed dwelling would be constructed too close to his property, how this would impact the appeal of his property to future renters or buyers, and that the lack of frontage would challenge delivery service providers.

Angela Rice, 408 East Alexandria Avenue, spoke in opposition to the request. She stated the reason the lot had not been developed is because the lot is too small and does not have street frontage. She had concerns about tree preservation, and the contemporary design. She also stated that children play in the alleys surrounding the subject property and expressed concerns about their safety. She was also concerned about how construction materials would be delivered and stockpiled on the subject property.

Patrick Welsh, 413 East Alexandria Avenue, spoke in opposition of the request. He had concerns with the location of house.

Mary Ellen File, 1401 Mount Vernon Avenue, spoke in opposition of the request.

Eric Teran, applicant, spoke in support of the request. Mr. Teran stated he reached out to neighbors and held a meeting at the subject property in early November to share his proposal. He also attended the Del Ray Land Use Committee meeting and said that he had worked to address their concerns. After receiving staff feedback regarding the surrounding trees, he hired an arborist and redesigned the house as to not be located within structural root zones. He also stated that this would not set a precedent since there are very few lots without street frontage in Alexandria and only two vacant lots left in Del Ray. In terms of lot size, the 2,662 square foot lot is on the smaller side, however, there are a mix of lots sizes in this area with square footage between 1,200 and 5,000 and above. Regarding design, he explained there is a wide range of architectural styles in this neighborhood. While the proposal is contemporary, he said he drew from other styles in the neighborhood. In regard to parking, originally there were two spaces on the plans. After receiving feedback from staff regarding maneuverability, this was adjusted to one space. Regarding street frontage, the final design he proposed would be significantly smaller and shorter than many of the surrounding houses. Mr. Teran also conducted a shadow study to demonstrate that the proposal would not impede light and air supply to surrounding properties. He further explained that the lot was created in 1938 and it had never been considered a non-buildable lot. He explained many of the neighbors' concerns regarding construction would be addressed during the building permit process. Regarding stormwater concerns, he explained he would be required to retain stormwater, and that any excess runoff would go drain directly to the City's stormwater collection system. He also mentioned the proposal's green roof and softscape elements which reduce the impact of impervious surfaces. Mr. Teran also mentioned that he spoke with Fire Department staff and confirmed he would comply with any modifications required to comply with fire code requirements.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to close the Public Hearing. The motion carried on a vote of 7-0.

Discussion:

Commissioner Lyle asked which City department is responsible for enforcing short term rental regulations. Staff replied that Planning & Zoning inspectors enforce the regulations but that there are some enforcement challenges, particularly with the limitations imposed on accessory dwelling units. Short-term rentals must be registered with the City's Finance Department. Staff also mentioned that private companies monitor short-term rental metrics including advertising.

Commissioner Lyle observed that it would not be feasible to store construction vehicles or equipment on the subject property due to its size and proposed configuration. She asked staff where these activities would occur. Staff explained that the applicant would be required to comply with all applicable City regulations and these matters would be reviewed during the grading plan and building permit processes.

Commissioner Manor asked whether compliance with City required transient lodging tax applies to Airbnbs and whether enforcement of short-term rental limits could be tracked through tax receipts. Staff said tax is collected; however, tax revenue is subject to confidentiality laws that may restrict using that information for enforcement.

Commissioner Brown asked where the heating facilities would be located and whether the Accessory Dwelling Unit (ADU) and main house would have separate facilities. Mr. Teran, the applicant, explained the main house would have mini splits in the wall and the condenser units would be placed on the west side of the house. The ADU's heating facility would be located either in the same location or between the main house and ADU. They would be separate.

Commissioner Koenig asked about how cars would maneuver in and out of the subject property. Mr. Teran explained that getting in and out of the driveway would be feasible but somewhat difficult due to the configuration of the alleys. Commissioner Koenig also asked about the use of the property regarding short term rentals. Mr. Teran said he intends to rent the property to long-term tenants.

Commissioner Manor asked what size ADU would be allowed on the property. Staff explained he could build up to 500 square feet and up to the same height of the dwelling; however, this size could likely not be accommodated on the lot.

Chair Macek asked how ADU policies apply now that Zoning for Housing would allow for multiple units. Staff explained that the ADU regulations have not changed, and while there are more restrictions for ADUs, they still offer setback and FAR incentives that are not provided to multi-unit dwellings.

Vice Chair McMahon observed that many concerns about the proposal were related to the small size of the subject property and that it appears to be twice the size of the lots to the south. She asked staff for a rough estimate of lot size in Del Ray. Staff replied that the average lot size is 2,500 square feet and that most single unit dwellings in the neighborhood are built across two lots. Vice Chair McMahon stated that part of the paved alley is on the subject property which could change how the alley is used.

Vice Chair McMahon asked staff to confirm that the alleys from East Alexandria Avenue and Mount Vernon Avenue are public. Staff explained they are platted as public and the 10-foot access from Mount Vernon Avenue is suitable and the same width as East Abingdon Drive around George Washington Parkway. There are alleys that are narrower in Old Town, and there are other laneway homes throughout Alexandria. This type of development is not atypical, not just here, but all over the world because it is a way to have incrementally smaller housing units.

Staff also stated that they asked the applicant to provide turning movements to demonstrate that a vehicle could access the site, and that applicant is providing additional pervious paver area for maneuverability. Staff proposed conditions requiring both bollards to be placed to protect the existing utility equipment and for the alleys to be repaved.

Vice Chair McMahon asked staff whether the tree preservation plan the applicant proposed reflects a typical procedure. Staff explained that an applicant must show the root zones that extend into a subject property from neighboring properties. This situation is unique because one of the trees is located on City-owned right-of-way (ROW) so staff can negotiate directly with the applicant as to how the tree would be protected. If any construction or activity is within the root zone of trees on neighboring properties, the landscape guidelines require the applicant to notify the neighbors. In this case, the applicant provided that the root zones would not be affected by the proposal. If any root zones were affected, this would not necessarily preclude construction.

Commissioner Ramirez asked who owns the lot to the east. Staff explained that the City owns the ROW to the east. She asked if this would be used for fire access. Staff explained that fire codes require a house entrance to be located within 100 feet of a street but in a real emergency, the Fire Department may use the public ROW to access the property. Staff explained that the applicant would be required to seek code modifications that may necessitate changes to building construction to comply with fire code. These changes could include a fire sprinkler system and fire-rated walls.

Commissioner Koenig stated that he respects the observations and concerns of the neighbors who spoke in opposition but that they did not convince him to recommend denial of the proposal. He noted that almost all the surrounding lots are residential and that they have a wide variety of lot sizes. Commissioner Koenig also noted the wide range of house sizes surrounding the subject property. He found that the size and shape of the lot and proposed dwelling to be in line with the character of the neighborhood. He stated the design is modest in scale and simple in form which is the same as many of the dwellings that surround the subject property. Commissioner Koenig explained that Del Ray contains diverse architecture. He found that the proposal was carefully crafted to fit well into the small site. Commissioner Koenig reiterated that the lot is not legally unbuildable and posited that a reason it had not been previously developed could be that no developer had found a solution

that worked on the site. He stated that the SUP process exists to deal with unique sites. Commissioner Koenig stated the applicant has provided a design to construct a dwelling and ADU without requiring any relief from setbacks or FAR, which, given the lot size and dimensions, ensures a modestly sized house. Commissioner Koenig also observed that the City has no restrictions on short term rentals of primary dwellings.

Commissioner Brown stated that he respected the Commissioner Koenig's position but that he disagreed. He stated that development of substandard lots used to be prohibited but regulations were created to allow development with SUP approval. To be considered for SUP approval, Commissioner Brown emphasized that the proposal must be compatible with the neighborhood. He stated that compatibility includes bulk, height, and design considerations but that it is also a subjective judgment call. Commissioner Brown stated developers should work out the compatibility issues, such as changing or scaling back the design, with the neighbors before coming to public hearing, and did not feel this developer worked with the neighbors enough prior to the hearing. Commissioner Brown stated he could not support the request.

Commissioner Lyle stated she agreed with Commissioner Brown. She recommended that the applicant defer and work with the neighbors to make changes that would be supported. She found the proposal would not be compatible with the neighborhood. Commissioner Lyle recalled that previous SUPs for substandard lots had been deferred and returned to Planning Commission with a project she felt comfortable supporting. Commissioner Lyle stated she does not believe that the lot is unbuildable but that the proposal did not meet the required SUP criteria for approval.

Commissioner Manor stated he would support a deferral.

Vice Chair McMahon outlined the issues raised: landscaping, stormwater, emergency access, utility lines, and short-term rental. She found that the staff had worked with the applicant to address concerns that could be appropriately addressed through the SUP process and that the balance of the concerns would be worked out through the grading plan and building permit processes. Vice Chair McMahon shared Commissioner Koenig's observations that the project would meet all the setback requirements, and while it does not meet the lot size requirements, as shown on the map, lots and houses of this size or smaller already exist on this block. Vice Chair McMahon stated she is sympathetic to Commissioners Lyle and Brown's concerns that a neighborhood consensus had not been established but that the proposed dwelling would not be imposing as it has a diminutive height, and a significant portion of its living space would be located below grade. Vice Chair McMahon stated that she appreciates seeing a dialogue between the applicant and neighbors, but that she found the SUP criteria to be met and was supportive of the request.

Chair Macek stated he would not support a deferral. He explained that there is no requirement for an applicant to meet with or get consensus from surrounding neighbors. He found the proposal would meet all SUP criteria. Chair Macek highlighted that the subject property is twice the size of two directly adjacent lots that are in the same zone and reiterated that the lot is not legally unbuildable. He observed that many of the surrounding lots are substandard, as are half the lots in Del Ray. Chair Macek stated that while the lot does not have street frontage, this is not the fault of the applicant. This is an existing lot, and the applicant is trying to make productive use of it. He found the proposal to reflect similar

carriage lots in other parts of the City. Chair Macek said he had not heard from other Commissioners what changes would need to be made to make a deferral effective. He agreed that staff should encourage applicants to meet with the neighbors, but he did not hear from the neighbors what changes could be made to change their positions.

Commissioner Brown restated that the proposal must be compatible, and that compatibility is partially a judgement call. Commissioner Brown proposed an alternative development of the subject property: it could be put up for sale and purchased by one of the property owners along East Alexandria Avenue. Then, that property owner could seek to vacate the public alley between the subject property and theirs. That property owner could then construct an ADU on the subject property.

Commissioner Koenig responded to Commissioner Brown’s observations regarding scaling back the house and matching the design to other dwellings on the block. Commissioner Koenig stated scaling back the house would not be reasonable given its already modest size and height. In terms of making the house look like the others on the block, this is not plausible as there are fundamentally different architectural styles. Commissioner Koenig stated that, given what he heard from speakers, a consensus on the proposal may not be possible. This difference of opinion did not necessitate a deferral to Commissioner Koenig. He stated the applicant submitted a detailed application that responded to the majority of the neighbors’ concerns. The applicant made a distinctive change to the architecture and reduced the square footage in order to respond to concerns to save the tree. Commissioner Koenig stated that he did not believe further conversation with the neighbors would be productive.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Koenig, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of SUP #2023-00076. The motion carried on a vote of 4 to 3, with Commissioners Brown, Lyle, and Ramirez voting against.

Reason: The Planning Commission agreed with staff analysis.

7. Master Plan Amendment #2023-00003
Rezoning#2023-00002
Development Special Use Permit #2023-10017
Encroachment #2023-00002
S Alfred Street Townhomes - 816-820 Gibbon Street and 608-614 South Alfred Street
Public Hearing and consideration of requests for (A) an amendment to the Southwest Quadrant Small Area Plan Chapter of the Master Plan through an update to the Southwest Quadrant Land Use Map for the site from Commercial Low to Residential Medium; (B) an amendment to the official zoning map to change the zone for the site from CL/Commercial Low to CRMU-L/Commercial Residential Mixed Use (Low); (C) a Development Special Use Permit and Site Plan with modifications to construct 14 townhouses, including special use permits to increase the floor area ratio to 1.5 in the CRMU-L zone, for the utilization of Section 7-700 for bonus density for the provision of affordable housing, and for land without frontage and modifications to the open space requirement and side yard setbacks; and (D) an Encroachment for three bay windows along South Alfred Street; zoned: CL/Commercial Low. Applicant: MS-Alfred, LLC, represented by M. Catharine Puskar,

attorney

Speakers:

M. Catharine Puskar, attorney for the applicant, spoke in support of the project.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to close the public hearing. The motion carried on a vote of 7-0.

Discussion:

Commissioner Brown noted his general support for the specific application and related requests, though brought up several points regarding the proposed master plan amendment and rezoning. Commissioner Brown noted his general lack of support for combining Development Special Use Permit (DSUP) approval requests with rezoning and master plan amendments at the same hearing. However, he acknowledged that the governing Southwest Quadrant Small Area Plan (SQSAP, adopted in 1992) was out of date and that the recent planning process for the adjacent properties in the South Patrick Street Housing Affordability Strategy (SPSHAS), adopted in 2018) made it more appropriate to request a rezoning and master plan amendment for the site.

Commissioner Brown continued that the RM zone – the previous zone of this property before the 1992 SQSAP adoption and zone of the adjacent properties within the block – would make most sense for this site, and that the request for a rezoning to a mixed-use zone (CRMU-L) did not include a scheme with a mix of uses. Commissioner Brown noted that he would have liked to see a comparison of how the site would have been developed under RM zoning, though noting that RM does not afford much flexibility for new development and that greater unit density can be achieved with CRMU-L. He added that RM would not have permitted the proposed scheme, which permitted back-to-back four-story townhouses separated by only a 22-foot-wide alley, and that the applicant should have requested a zone that would have required only that 25- percent of the site be used for open space as opposed to 40 percent in the CRMU-L zone. Regarding the proposed bay window encroachments, Commissioner Brown noted that applicants should not be requesting encroachment ordinances with new development and should be designing the project to not require approval of an encroachment, though did not find the request objectionable.

Chair Macek noted his support for the project and that it will be an improvement over the current site use and layout. The Chair added that he would have liked to see greater density on this site due to the site proximity to the SPSHAS boundary, and that multiunit development could have been accommodated on the site.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to adopt Master Plan Amendment Resolution #2023-00003. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Rezoning #2023-00002. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-10017. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval for Encroachment #2023-00002. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

8. **COMMISSIONERS' REPORTS, COMMENTS AND QUESTIONS**

Ryan Freed, Office of Climate Action, was present to speak to the Planning Commission concerning an appointment by the Planning Commission for the Green Building Policy Advisory Group. Chair Macek acknowledged that there was one volunteer and extended the invitation to all the Commissioners to notify him if they were interested in being appointed to the group.

Commissioner Koenig inquired about the deadline to respond to a Freedom of Information Act request that was sent to the Planning Commission. Planning Director Moritz indicated the City's general policy is for responses to occur within 5 business days. Commissioner Koenig also inquired about a time and review process for a proposal for the Potomac Yard Entertainment District. Director Moritz stated that staff are working on a schedule for the review process. However, staff intend for the reviews to go through the normal process so that the Planning Commission, City Council, and any associated stakeholders can have an opportunity to be a part of the review process.

MINUTES

9. Consideration of the minutes from October 3 and December 5, 2023

PLANNING COMMISSION ACTION:

On a Motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve the minutes of October 3, 2023, and December 5, 2023. The motion carried on a vote of 7-0.

ADJOURNMENT

9. The Planning Commission meeting was adjourned at 11:45 p.m.