

Docket Item #
Planning Commission Public Hearing
December 5, 2023

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting
of December 5, 2023

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

ALEXANDRIA PLANNING COMMISSION

December 5, 2023, 7:00 p.m.

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

Robert Kerns

Catherine Miliaras

Daniel Wells

Antoine Pierce

Carson Lucarelli

Brian Dofflemyer

Helen McIlvaine

Kenneth Turscak

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

CALL TO ORDER

The Planning Commission Public Hearing was called to order at 7:01 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 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 were no changes to the Docket.

CONSENT CALENDAR:

2. Special Use Permit #2023-00083
3205 Colvin Street and 3206 Duke Street
Public Hearing and consideration of a Special Use Permit for an automobile sales area;
zoned I/Industrial and CG/Commercial General zones.
Applicant: Raymond Baskerville

PLANNING COMMISSION ACTION:

On a motion by Vice Chair McMahan, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval for Special Use Permit #2023-00083. The motion carried on a vote of 7-0 on the Consent Calendar.

3. Special Use Permit #2023-00084
2307A Mt. Vernon Avenue (parcel address 2307 Mount Vernon Avenue)
Public Hearing and consideration for a Special Use Permit for a temporary trailer; zoned CL/Commercial low zone.
Applicant: Jaafar Ouardi

PLANNING COMMISSION ACTION:

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-00084. The motion carried on a vote of 7-0 on the Consent Calendar.

4. Special Use Permit #2023-00082
4800 Fillmore Avenue
Public Hearing and consideration of a request for a Special Use Permit to waive the sign requirements of Article IX of the Zoning Ordinance for the installation of a freestanding sign; zoned CDD #23/Coordinated Development District #23.
Applicant: Goodwin House Incorporated, represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION:

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-00082. The motion carried on a vote of 7-0 on the Consent Calendar.

5. Special Use Permit #2023-00080
720 N. St. Asaph Street
Public Hearing and consideration of a Special Use Permit for a parking reduction and for an increase in commercial Floor Area Ratio up to 2.5 with yard modifications; zoned CDX/Commercial Downtown Zone (Old Town North)
Applicant: 720 St. Asaph Partners, LLC, represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION:

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval for Development Special Use Permit #2023-00080. The motion carried on a vote of 7-0 on the Consent Calendar.

NEW BUSINESS:

6. Master Plan Amendment #2023-00002
Rezoning #2023-00003
Development Special Use Permit #2023-10009
301 N. Fairfax Street
Public Hearing and consideration of a request for (A) Amendment to the Old Town Small Area Plan Chapter of the Master Plan through updates to the Land Use map to designate the property as Residential High; (B) amendment to the official zoning map to change the zone for the site from CD/Commercial downtown zone to CRMU-H/Commercial residential mixed use (high); (C) a Development Special Use Permit and Site Plan to construct a 48-unit multifamily building, including a Special Use Permit to increase the floor area ratio to

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2.5 in the CRMU-H zone and a modification to the crown coverage requirement; zoned CD/Commercial downtown zone.

Applicant: 301N Fairfax Project Owner LLC, represented by M. Catharine Puskar, attorney

Speakers:

Brian Morris, 306 North Fairfax Street, opposed the proposal and expressed concerns with the mass and scale of the proposed building as well as the addition of a bus bulb-out stating concerns regarding traffic congestion on North Fairfax Street.

Allan Krinsman, 314 North Fairfax Street, opposed the proposal and noted specific concerns with the request for a Special Use Permit (SUP) to increase the permitted residential FAR to 2.5 in the proposed CRMU-H zone was incompatible with the Historic District and surrounding townhouses.

Ellen Mosher, 324 N. Saint Asaph Street, Old Town resident, opposed the project and suggested the proposal should incorporate the use of a pedestrian alley to connect to the waterfront due to the site's location in the boundary of the Waterfront Plan.

Gail Rothrock, 209 Duke Street, opposed the project on behalf of the Historic Alexandria Foundation. Ms. Rothrock expressed similar concerns as previous speakers and voiced further concerns over tree coverage.

Kevin Johnson, 309 N. Royal Street, spoke in opposition of the project, voicing concerns about the scale and mass.

Wayne Fisher, a resident of 200 block of South Royal Street, spoke in opposition of the project, stating that the building as currently proposed seemed more appropriate in Old Town North.

Will Nance, 212 North Fairfax Street, noted that while the existing office building at the site does not contribute to the fabric of the Historic District, the proposed building design would not mitigate these concerns due to being too large and out of scale for the neighborhood.

Peggy Rhoads, 1201 N. Royal Street, a resident of the Muse development, expressed overall concerns about the increase of high rises in the City and impacts the unique charm of Alexandria that sets it apart from other cities full of high-rise developments.

Lisa Martin, 310 North Fairfax Street, opposed the proposed project, voicing concerns that the project would lead to the redevelopment of the other two office building on the site block at maximum density and noted that the proposal should include an enhanced alleyway to connect the site to the waterfront.

Ellie Oneal, 103 Quay Street, the proposed project, suggesting that the developer did not adequately address the comments raised by the Board of Architectural Review (BAR) at the three concept hearings to scale the building back to fit within the historic fabric of the neighborhood.

Sandy Davis, resident at 407 North Fairfax Street, voiced concerns about the lack of an on-site loading space for garbage collection.

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Vanessa Vega, 417 North Fairfax Street, opposed the project, voicing concerns that the proposed building's size and height threatened the viability of the Historic District and cited the district's national recognition.

Raymond Harrison, 230 North Royal Street, opposed the proposed project, voicing concerns that the proposed building was too large for the parcel and was setting a precedent for the redevelopment of the other two buildings.

Scott Corzine, 300 Queen Street, opposed the project and voiced concerns about the proposed height and density of the building relating poorly to the surrounding townhouses.

Anna Bergman, a resident 300 Queen Street, opposed the project and voiced concerns that the proposed development would produce negative impacts to the surrounding community.

Janna McKay, 315 Queen Street, voiced concerns that approval of the proposed project would set a precedent in the Historic District and would yield the development of additional large and massive multifamily buildings and result in a loss of tourism due to an inability for the city to maintain its historic charm.

Tom Foley, 315 Queen Street, opposed the project as currently proposed and emphasized the site be reevaluated for smart growth redevelopment.

Tom Lublow, 314 Queen Street, opposed the project and expressed that the building was too large as currently proposed.

Yvonne Callahan, 735 South Lee Street, discussed her involvement with the development of the Waterfront Plan, stating that the end result was positive. Ms. Callahan opposed the project, voicing concerns that it is not compatible with the Waterfront Plan.

Ann Shack, 501 Tobacco Quay Street resident, opposed the project, voicing concerns that the project did not address comments made by the BAR.

Sophie Delquie, a resident of Wilkes Street, voiced concerns that the project was too large in mass and would yield negative traffic impacts.

Terry Maiden, 311 Queen Street, opposed the project, emphasizing that new developments in the Historic District should be replicative of existing historic townhouses.

Jack Kingston, 120 South Lee Street, opposed the project and expressed that it appeared to be a more appropriate development outside of the Historic District.

Steve Milone, a resident of Prince Street, opposed the project and expressed that the design should be further broken down to reduce the massing and increase setbacks.

M. Catharine Puskar, attorney for the applicant, spoke in support of the project and provided a presentation reiterating the benefits it would yield, including the removal of a surface parking lot, undergrounding utilities, demonstrating compliance with the Green Building Policy as well as exceeding stormwater requirements, and increasing the City's housing supply. Furthermore, Ms. Puskar explained that a Coordinated Development District (CDD) was not applicable to this site,

explaining that both the ABC Giant and Kingsley developments, which were each a CDD for a block but were under single ownership and required extensive coordination to provide a grocery store and a large amount of retail. Furthermore, Ms. Puskar addressed many of the concerns voiced by the community and reassured the Planning Commission that the proposal is in compliance with City policies including the requested land use approvals, affordable housing requirements, open space requirements, and parking and loading requirements. Ms. Puskar also addressed concerns expressed by members of the community about the proposal requesting five variances and exemptions, clarifying that a variance was not included among the requested applications.

Discussion:

Department of Planning & Zoning Director Moritz read a statement regarding the requested zoning determination related to the request for an SUP for FAR up to 2.5. The question was whether the provisions of the CRMU-H/Commercial Residential Mixed-Use-High zone permit density up to 2.5 FAR with an SUP solely for residential projects, to which he confirmed that the SUP to increase the FAR of up to 2.5 in the CRMU-H may be requested for either mixed use projects or multifamily residential projects. Director Moritz further stated that this provision has been applied consistently, including through the approval of five previous multifamily developments. Furthermore, he clarified that the decision was to be made by City Council and not the Director of Planning & Zoning as part of the review and approval of the application.

Commissioner Lyle recalled that the project was never anticipated as part of the Waterfront Plan redevelopment and emphasized that Planning Commission's purview is not building design and architecture, stating that the BAR was reviewing and approving the design. She also noted the challenges the project would face if it were reliant on the redevelopment of the other two separately-owned existing office buildings on the site block. She noted that private garbage pickup and interior garbage collection points are a common theme in condominium buildings and tend to be very successful, often managed better than curbside trash collection where bins can be on the curb for a full day. Commissioner Lyle acknowledged the number of benefits the project provided and highlighted the five previously-approved multifamily projects that were rezoned to a CRMU-H zone and received the SUP for an FAR of up to 2.5 as a basis for her support.

Commissioner Brown expressed concerns regarding the number of times the Old Town Small Area Plan has been amended to allow for the rezoning of sites that the Plan did not anticipate. He noted that this practice does not align with the notion that comprehensive planning should be a collaborative process with extensive stakeholder involvement that supersedes the elements of zoning changes. Furthermore, Commissioner Brown emphasized that he would have liked to see this comprehensive approach considered with this project through the consideration of planning the entire block. Commissioner Brown concluded that he would not be in favor of the rezoning without the entire block being comprehensively considered for redevelopment and planned accordingly. Commissioner Brown emphasized that his vote in opposition was only informed by the proposed Rezoning and Master Plan Amendment cases and not the project itself.

Commissioner Koenig concurred with Commissioner Brown's concerns and noted that the proposed building's massing was unmodulated and unrelieved and was concerned that the entire block could be similarly unmodulated if a full block plan were not developed. He expressed further concerns that the two adjacent existing office buildings on the site block could yield concerning results such as a lack of pedestrian permeability if they were redeveloped at a similar scale as the current building. He noted that although he did not support the Master Plan

Amendment and Rezoning, he appreciated the architect's efforts and his lack of support was not a commentary on the actual building design.

Commissioner Ramirez agreed with Commissioner Brown and Commissioner Koenig and voiced concerns regarding the permeability of the block that would result if the other two office buildings on the block were to redevelop with a similar density and scale as proposed for the current building.

In response to whether a CDD rezoning of the block would have been a more appropriate path for the project, staff indicated that a CDD rezoning and conceptual plan could only go forward if the current owners of all the buildings on the block volunteered to collaborate with each other to request the CDD rezoning. Further, staff explained that a CDD is generally reserved for larger sites that require more coordination related to infrastructure, a mix of different uses and public amenities than could be achieved through a Development Special Use Permit (DSUP) application. Recent examples of CDDs have included the Landmark and Potomac River Generating Station (PRGS) sites where the CDD zoning was used. Two examples of one-block CDDs include the ABC/Giant block and the Kingsley/Harris Teeter but those were CDDs because they each had a single owner and required more extensive site coordination to provide large amounts of retail/grocery. Staff also noted that most blocks in Old Town have historically been developed more organically and full-block redevelopment is less common in Old Town.

Commissioner Macek emphasized that relying on the future potential development of the other two buildings on the block as a basis for support of the proposed project would discount the variety of benefits the project would yield. He further emphasized how planning and decision-making should adjust to changes of the current market and practices, noting that there are currently too many commercial buildings right now and not enough housing. He found the proposal consistent with the Old Town Small Area Plan and other City policies and objectives. He also referenced other projects such as the Middleton and Cromley Row which yielded successful results despite the community's strong concerns that were expressed when they were reviewed for approval.

Commissioner McMahon acknowledged staff's response to the Commission's questions about the CDD process. She noted the challenges of requiring different property owners to coordinate redevelopment. She also noted that this Old Town block may not possibly achieve the desired comprehensive planning efforts since Old Town has a more fine, granular scale and collection of buildings, with very few full-block developments.

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 Brown, seconded by Commissioner Koenig, the Planning Commission voted to deny approval of Master Plan Amendment #2023-00002. The motion failed on a vote of 3-4.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to adopt Master Plan Amendment #2023-00002. The motion carried on a vote of 4-3.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to approve Rezoning #2023-00003. The motion carried on a vote of 4-3.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to approve Development Special Use Permit #2023-10009. The motion carried on a vote of 4-3.

Reason:

The Planning Commission agreed with the staff analysis and found the project consistent with the Old Town Small Area Plan and other City policies. Some Commissioners were also concerned about approving a Master Plan Amendment without a comprehensive plan for the entire block. The same Commissioners thought a more coordinated and comprehensive approach to develop the entire site block of three obsolete office buildings should have been considered. Staff addressed this as noted above in the Discussion section.

7. **Discussion Item: Zoning For Housing/Housing For All Initiative**

Department of Planning & Zoning Assistant Director Nancy Williams provided the Planning Commission with a debrief of the Zoning for Housing/Housing for All Initiative following the City Council vote on November 28, 2023 to unanimously approve the various elements of the Initiative. Ms. Williams indicated that, as City Manager Jim Parajon has stated, given the approval of this Initiative by the City Council, staff will now shift to tracking the progress of these reforms to ensure that goals are realized, that implementation fits with the context of communities, and that equity is applied so that those who need these resources receive them in a fair and just way.

Ms. Williams stated that in terms of immediate next steps, the City Council is scheduled to vote on implementation ordinances for the Master Plan Amendments and the Zoning Text Amendments. She stated that the first reading of the ordinances before the City Council will occur on December 12, 2023, at the City Council Legislative Meeting and the second reading will occur on December 16, 2023, at the City Council Public Hearing.

In terms of implementation of Housing for All, the Equity Component of the Zoning for Housing, Ms. Williams mentioned the amount of work that has already been performed by staff, and a consultant, to document and share with the community the history of discriminatory practices and inequities of Alexandria's past and to help the community understand how those practices are having an impact on conditions and housing opportunities in certain census tracts today.

She also spoke about an element in the Master Plan Amendment that refers to City Council Resolution 2974; the element states that implementation must ensure that race and social equity is incorporated and centered in all planning, including but not limited to, all references to preserving and protecting neighborhoods and character.

Ms. Williams also provided an update on an application for grant funding, submitted in conjunction with other regional jurisdictions, under a U.S. Department of Housing and Urban Development Notice of Funding Announcement. She stated that while the City Council has placed a pause on Phase II (further potential zoning reforms) of Zoning for Housing, the grant, if approved, will still be relevant in moving implementation under the approved reforms forward. Such funding, if received, will be helpful with education/training for staff, for the development community and community groups; for development of tracking systems to monitor the progress

of the Initiative; and for community engagement strategies.

Department of Planning & Zoning Director Karl Moritz expressed that it was an honor to work with Ms. Williams on the Initiative. Commissioner Brown suggested that Ms. Williams put together a “dog and pony show” that lasts approximately 60-90 minutes, excluding questions and comments, to engage communities such as civic associations and other groups in the implementation process. Ms. Williams assured Commissioner Brown that his suggestion was noted, and it would be shared with the Zoning for Housing/Housing for All team. Vice Chair McMahon suggested that staff include the Health Department in the efforts for creating the metrics. Ms. Williams stated that the team assembled in the early phases of the Initiative included the Health Department, Office of Housing, and Planning & Zoning, and the Health Department was very engaged with some good ideas. Ms. Williams indicated that to continue to pursue such an engagement, the Health Department’s Director was requested to participate in the Zoning for Housing/Housing for All March 2023 Kick-off and he did serve as a Moderator of one of the panels. Ms. Williams indicated that cross-coordination of departments was important, and she will ensure that it continues. Additionally, Ms. Williams indicated that because of past coordination with the Health Department, housing was included as one of the three priorities in the Department of Health’s Community Impact Plan.

Chair Macek stated the importance of continuing the involvement of other departments and asked about the status of the Long-Range Interdepartmental Work Program (LRIWP) and how implementation of Zoning for Housing/Housing for All would be incorporated and how other projects might be impacted. Ms. Williams indicated that Carrie Beach, Neighborhood Planning, is expected to come back to the Planning Commission with an update on the LRIWP as she generally does, and she can be informed of that question in advance. Mr. Moritz stated that we have not done an analysis of what changes to the work program can be expected for 2024 but that is something to look at. Commissioner Ramirez suggested that equity in terms of implementation should be looked at from the perspective of access to transportation as well. Ms. Williams agreed. Commissioner Koenig expressed his appreciation of the efforts of Ms. Williams, Mr. Moritz, and everyone involved in the process of getting the Initiative to the implementation phase. Ms. Williams expressed her appreciation for the leadership of the Mayor and City Council in the approval. She also expressed her appreciation to the Planning Commission for their leadership and efforts to advance the Initiative to the City Council. Chair Macek thanked Ms. Williams for her leadership on the Initiative and her ability to pull the effort together.

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

Commissioner Lyle provided the event dates for three events. The Eisenhower West/Landmark/Van Dorn implementation group on December 6; a virtual planning meeting for AlexWest on December 11; and the construction meeting for the West End on December 13. Chair Macek mentioned the upcoming walking tours hosted by the Department of Implementation for the Waterfront Implementation Project. He will work with Ms. Williams and provide notice and more details once it has been scheduled.

Commissioner Lyle suggested that the AlexWest Work Session be moved to a 6:00 p.m. start time before the January 4, 2024, Planning Commission Public Hearing. Vice Chair McMahon and Chair Macek expressed support for moving the time. Chair Macek suggested that the Work Session be held in the Council Chambers due to the Chambers having better audio and visual broadcasting quality.

MINUTES

9. Consideration of the minutes from the October 3, 2023, November 1, 2023, and November 6, 2023, Planning Commission meetings.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer the minutes of October 3, 2023. 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 approve the minutes of November 1, 2023. 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 approve the minutes of November 6, 2023. The motion carried on a vote of 7-0.

ADJOURNMENT

10. The Planning Commission meeting was adjourned at 11:30 p.m.