

**COMPENDIUM OF CITY COUNCIL BRIEFINGS QUESTIONS AND ANSWERS**  
**SATURDAY, NOVEMBER 16, 2019 CITY COUNCIL PUBLIC HEARING DOCKET**

**Item #3 - Special Use Permit #2019-0075 – 1406 King Street – Deli News and More**

- The applicant has been violating the zoning ordinance, apparently for a number of years, without penalty. Is the City in a sense rewarding that behavior by allowing them to come into compliance without penalty? **Staff Response:** As background: during a routine SUP inspection in July 2019 of this business, P&Z cited the business for violation of its SUP (Condition #7) prohibiting the sale of off premises alcohol. It was determined also, at that time, that while the initial SUP (1994) was for a newsstand and a second SUP (1995) was for a carry-out in conjunction with the newsstand, the owner of the establishment has been essentially operating since 2010 as a convenience store. This SUP is to correct that violation and to legally operate as a convenience store. Staff believes the owner, who has some language barriers, did not understand the regulations clearly. But, after being informed of the violation and, the need to rectify it, she demonstrated a ready willingness to correct it through this SUP.

**Item #4 - Special Use Permit #2019-0078 – 705 Prince Street – Your Life Energy**

- What type of health services will be offered? **Staff response:** The four services mentioned by the applicant: (1) Reiki, a process in which reiki healers transfer energy through static hand positions; (2) emotional freedom techniques where practitioners tap meridian points with fingertips to relieve stress; (3) meditation and (4) acupuncture. Prior to this request to operate a health profession office at 705 Prince Street called Your Life Energy, the owner operated a health profession office and a related school under the same name at 311 North Washington Street. Changes of zone from residential to commercial in 1992 made existing commercial uses non-complying. This SUP would enable continuation of an existing non-complying use or a change in a non-complying use.
- What is the current zoning of the property? **Staff Response:** The property – 705 Prince Street – is located in a RM/Townhouse Zone. Section 3-1104 of the Zoning Ordinance does not permit health profession offices in the RM Zone. Section 12-302 B states that a non-complying use – the previous business and this health profession office – may be continued or changed with a SUP.
- Would staff provide Council with a glossary of zoning terms? For example, the definition of a RM zone is not intuitive so it would be helpful to have a glossary of zoning terms. **Staff Response:** Staff will follow up with a glossary of zoning terms and take care to define the relevant zones in staff reports.
- How much traffic will this use will generate? **Staff Response:** Staff indicated the building was previously occupied by an advertising firm and this new use will not generate any more traffic than the previous use. The new use will only have five (5) appointments per

day. The building has two parking spaces in the rear of the building that are dedicated to it. Additionally, staff notes that the building is located in the Central Business District (CBD) and, as such, health profession offices in the CBD are exempt from parking under Section 8-300 (B) of the Zoning Ordinance.

**Item #5 – DSUP #2018-0012 – 1101 and 1102 Finley Lane Pickett’s Ridge Phase II Fourth Extension**

- What were the concerns of neighbors? **Staff Response:** Staff explained that the applicant received a deferral of the project from the October Planning Commission docket to the November Planning Commission docket to successfully work out concerns expressed by the three other property owners within the Pickett Ridge development. The neighbors requested that the applicant erect a fence, add some landscaping, and repair a portion of the private road, all in the area where Finley Lane ends at the 1101 Finley Lane lot. The applicant has committed to address those concerns.

**Item #6 - DSUP #2019-0021 650 South Van Dorn Street – Modera Tempo**

- How many spaces are in the garage and how will the reallocation of parking spaces work? **Staff Response:** There are 492 residential units and 15,000 sf of commercial uses on the ground floor of Building #3. Parking consists of 676 residential spaces in underground garage and 58 commercial spaces within the at-grade courtyard and private spaces, for a total of 734. A parking study by Walker Consultants has found that there are approximately 100 unused spaces at any given time in the garage, which is not accessible by the general public. The study also determined that the 58 spaces shared by the commercial tenants does not meet market demand. To address this, the proposal is to enclose 44 garage spaces located at the base of the parking ramp within a fence. These would be available for commercial patrons during regular business hours and will be accessible through a designated elevator core. The spaces beyond the fence would be accessible only to residents via a fob-operated gate. Thirteen spaces will be lost due to the space required for the fencing and turning movements. With the 58 at-grade commercial spaces and the 44 new garage commercial spaces, the new total number of commercial spaces will rise to 102.
- Will there be signage? **Staff Response:** Yes; any new wayfinding signage will be reviewed as part of the Final Site Plan.
- Will the parking for residents be secured? **Staff Response:** Yes; residents will need a fob to access their portion of the garage.
- Will the commercial spaces be free or will there be a charge? **Staff Response:** The applicant has not yet determined whether they will charge for parking. They will monitor how spaces are used and will make that determination at a later time.
- A resident expressed concern that this reallocation will take parking away from residents. **Staff Response:** This change will result in a reduction of 58 parking spaces from what is currently available to residents within the garage. Parking spaces within



the garage are unassigned so no one is losing a specific space, although they may no longer have access to a space that they preferred. The parking study confirmed that at any given time, there are approximately 100 spaces within the residential garage that are going unused. The building has been stabilized for several years and has generally maintained 90% occupancy. The applicant team proposes to impact 57 spaces, so there is still a cushion of 43 spaces beyond what the parking study anticipated was required. Staff finds that these numbers are in keeping with residential parking requirements that we have seen in similar projects.

- In condition 64A, why did the applicant request less flexibility while requesting more flexibility? Why add the language about preventing the change to the commercial parking? **Staff response:** Staff agrees that the condition language should be improved and has coordinated with the applicant on revised language to condition 64a. Council will receive a memorandum with the suggested changes this evening (11/14).

#### **Item #7 – DSUP 2019-0024 Carlyle Plaza Two**

- Will this 8-year extension for Carlyle Plaza Two impact long-range planning in Eisenhower East? **Staff Response:** This request continues to comply with the Eisenhower East Plan. As such, no changes are being proposed to the Carlyle Plaza Two DSUP. This extension is to provide time for the Carlyle Plaza Two applicant to work out some challenges with the project, but, it will also provide AlexRenew with time to build an underground tunnel in conjunction with the state-mandated Combined Sewer Remediation Treatment Project. The applicant will be leasing land to AlexRenew for the remediation project during the first 5 years of the extension. Years 6-8 will be the normal time given to an applicant for a DSUP extension and the applicant will utilize that time to complete its project. The state legislature has given Alexandria until 2025 to complete the remediation project (2020-2025). Since the two projects – Carlyle Plaza Two and the remediation project – are in close geographic proximity to one another, this extension will enable Carlyle Plaza Two to avoid construction conflicts with the AlexRenew project, and it will allow AlexRenew to finish its project expeditiously.
- When we provide extensions do we update the conditions? **Staff Response:** Yes; for example, in this case, conditions have been updated to ensure that the applicant will be subject to City standards as administered today. Conditions relating to affordable housing (#52), public art (#10), and green building (#36) are being updated to ensure compliance. For example, the applicant has agreed to \$3.5 million in affordable housing fees per the updated rates as opposed to the fees which were in effect in 2012 when its original DSUP was approved.

#### **Item #8 – SUP 2019-0079 – 10 Duke Street – The Mill**

- What is the City receiving in exchange for the encroachment? **Staff Response:** The payment to the City is equivalent to the property tax for the area of the encroachment.
- Who is the applicant? **Staff Response:** Murray Bonitt

- How will handicapped patrons access the restaurant? **Staff Response:** The building is expected to have at-grade entrances at two of the three “fronts” that face a public street. Code Administration will conduct a full detailed review of the accessibility requirements during the building permit plan review stage when the architectural plans are submitted by a registered design professional. Final architectural plans created by a registered design professional are not required at the SUP stage. At that time it will be determined if the proposed arrangement will meet accessibility requirements. It is possible that a ramp may be required. However, with the building potentially having multiple entrances at grade, the building may be able to comply with the building code as it pertains to accessibility.
- What page in the staff report shows the south end of the building? **Staff Response:** Page 38

#### **Item #9 – DSUP 2019-0022 – 4643 Taney Avenue – Patrick Henry School Amendment**

*Background information provided to help address councilmembers’ questions: The City and ACPS are proposing to utilize the former Patrick Henry School as an interim swing space for 700 students/80 faculty for approximately 3 years. The old school will only be utilized while Douglas MacArthur is being built between 2021 and 2023. Once the new Douglas MacArthur is complete, the old Patrick Henry school will be demolished. To temporarily use the site, a circulation plan designed as a loop around Douglas MacArthur, from Taney Street, would accommodate student drop off/pick up at each school, new/improved pedestrian access and bicycle access. Additionally, access to the recreation center would be through a two-way entrance near an onsite parking lot. There would be a number of spaces reserved in the parking lot for the recreation center. The recreation center is easily accessed from the parking lot.*

- How will the drop off for both facilities work? **Staff response:** Essentially a looped road encompassing the old school will allow for staggered drop off and pick up of students from both schools. Added traffic calming measures and traffic controllers during the time of day when drop off and pick up occurs will facilitate the traffic flow and facilitate safety. A one-way traffic flow around the drop off and pick up loop will be reversed depending on which school is being accommodated. Having this reverse traffic flow will enable children to be let out or picked up from the curb rather than from the street.
- Will a parking lot be included as part of the interim design for the site?  
**Staff Response?** Yes; a surface parking lot with 196 spaces will be constructed for the interim use.
- Neighbors of the site come to meetings of the Collaborative Patrick Henry and MacArthur Swing Space Committee expressing concerns about parking spilling over onto the street. It seems that more spaces will be required when you count two schools and one recreation center as being part of the site. It seems at least 25 more spaces are needed. They should not be created on space for play areas or playing fields.  
**Staff Response:** Section 3-203 requires a SUP for a school to exceed the required amount of parking in a R-12 zone. Based on the requirements, the new school and



recreation center are required to provide 130 parking spaces, while the old school is required to provide 28. The SUP that is part of this case is for 196 spaces which is 38 spaces over what is required. Additionally, a minimum of 20 of these spaces will be marked for the recreation center.

- How many cars and buses are anticipated to be dropping and picking up students each day? **Staff Response:** The swing space is anticipated to generate an additional 15 school buses. In total, the applicant estimates 408 additional AM peak hour trips and 393 additional PM (midday pick-up) peak hour trips. These are total additional trips so they include parents, faculty, and other school services. Attached is the trip generation summary table. At any one time, we estimate a maximum of 10 additional vehicles.
- Condition #15 – how is *adequate staffing* defined relative to the drop off/pickup period? **Staff Response:** As many as needed to make it work properly.

#### **Item #14 – Text Amendment #2018-0008 Continuum of Care**

- What is the expected number of residents for each type of use? **Staff Response:** There is not a specific number of people; the percentages are based on square footage.
- How was the upper limit of 70% of independent living (with a SUP) determined? **Staff Response:** Staff's research indicates that if a project exceeds 70% independent living, then it is essentially a multifamily building that just happens to be reserved for seniors, and it should meet parking, open space, and other requirements for a multifamily building. Equally importantly, there needs to be a critical mass of assisted living and memory care within the facility to function properly.