

Docket Item # 9  
Planning Commission Public Hearing  
September 5, 2024

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of  
June 24, 2024

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

**ALEXANDRIA PLANNING COMMISSION**

June 4, 2024 7:00 P.M.

**Council Chamber**

301 King Street, City Hall Alexandria, Virginia

Members Present:

Melissa McMahon, Vice Chair

David Brown

Mindy Lyle

Jody Manor

Vivian Ramirez

Stephen Koenig

Members Absent:

Chair Macek – Excused Absence

Commissioner Manor – Participated Remotely

Staff Present:

Karl Moritz

Department of Planning & Zoning

Nancy Williams

Department of Planning & Zoning

Cheran Ivery

Office of the City Attorney

Tony LaColla

Department of Planning & Zoning

Ann Horowitz

Department of Planning & Zoning

Nathan Randall

Department of Planning & Zoning

Alexa Powell

Department of Planning & Zoning

Catherine Miliaras

Department of Planning & Zoning

Julian Swierczak

Department of Planning & Zoning

Patrick Silva

Department of Planning & Zoning

Rob Kerns

Department of Planning & Zoning

Maya Contreras

Department of Planning & Zoning

Brian Dofflemyer

Transportation & Environmental Services

Lanning Blaser

Department of Planning & Zoning

## 1. CALL TO ORDER

Vice-Chair Melissa McMahon called the Planning Commission Public Hearing of June 24, 2024, to order at 7:04 p.m. She stated that Chair Macek is on an excused absent due to work and he has provided permission for her to preside over tonight's meeting. She indicated Commissioner Manor is delayed and will be participating remotely from Phoenix, AZ due to a personal matter. She further stated that City Attorney Cheran Ivery is sitting in for Deputy City Attorney Christina Brown due to Ms. Brown's illness.

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

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

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

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

Vice- Chair McMahon inquired as to whether there were any changes to tonight's Docket. Staff responded that there is a change in the Docket, indicating that the City, as the applicant, is requesting withdrawal of Item #10, City Charter 9.06 Case #2024-00003, 5801 Duke Street.

Item #10 City Charter Section 9.06 Case #2024-00003

5801 Duke Street

Public Hearing and consideration of request for the Planning Commission to review whether the proposal to vacate public access easements and acquire modified public access easements that are consistent with the Landmark West End open space approvals (5801 Duke Street) by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.

Applicant: City of Alexandria

**PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to accept the withdrawal of City Charter Sec 9.06 Case #2024-00003. The motion carried on a vote of 5-0.

**CONSENT CALENDAR**

Per an inquiry from the Vice-Chair as to whether the Planning Commission would like to hear any Item on the Consent Calendar, Commissioner Lyle requested to pull Item #2 (SUP #2024-00014 – 3950 Wheeler Avenue) and Commissioner Brown requested to pull Item #5 (DSUP #2024-10002 – 2927 & 2957 Eisenhower Avenue).

With those two items, pulled, Vice-Chair asked for a motion on the remaining Consent Calendar Items: Item #3, Item #4, Item #6 and Item #7:

Item #3 Subdivision #2024-00005

41 East Reed Avenue

Public Hearing and consideration of a request for a Subdivision to re-subdivide an existing lot into two lots; zoned RB.

Applicant: Kulinski Group Architects, P.C.

**PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to approve SUB2024-00005. The motion carried on a vote of 5-0 on the Consent Calendar.

Item #4 Vacation #2024-00004

4601 Eisenhower Avenue

Public Hearing and consideration of a request to vacate 8,621 square feet of reserved right-of-way located at the southeast corner of lot 500 adjacent to the intersection of Claremont and Eisenhower Avenues; zoned OCM(100)/Office Commercial Medium.

Applicant: Boundary Investments, LLC represented by Robert Brandt, Attorney

**PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of VAC2024-00004. The motion carried on a vote of 5-0 on the Consent Calendar.

- Item #6 Development Special Use Permit #2024-10003  
1604-1614 King Street, 1604 Dechantal Street  
Public Hearing and consideration of a request for a Development Special Use Permit and Site Plan with modifications to construct a 44-unit multi-unit building and convert five existing townhouses to 10 multi-unit dwellings, including Special Use Permit requests to increase the floor area ratio from 2.0 to 3.0 in the KR zone and for a parking reduction of 10 spaces from the Article VIII requirements; zoned KR / King Street urban retail.  
Applicant: Dechantal Associates, LLC

**PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of DSUP2024-00003. The motion carried on a vote of 5-0 on the Consent Calendar.

- Item #7 Development Special Use Permit #2024-10005  
201 Cambridge Road  
Public Hearing and consideration of a request for an amendment to a previously approved Development Special Use Permit (DSUP #2014-00029) for additions to the existing chapel at a private school; zoned R-8 / Residential zone.  
Applicants: Bishop Ireton High School, represented by Mary Catherine Gibbs, attorney

**PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of DSUP2024-10005. The motion carried on a vote of 5-0 on the Consent Calendar.

The Planning Commission proceeded in hearing the two cases pulled from the Consent Calendar.

- Item #2 Special Use Permit #2024-00014  
3950 Wheeler Avenue  
Public Hearing and consideration of a request for a temporary trailer; zoned I/Industrial  
Applicant: North Lock, LLC, represented by M. Catharine, Puskar, attorney  
Staff: Department of Planning & Zoning

Staff addressed questions from the Planning Commission.

**Discussion**

Commissioner Lyle indicated she did not need a presentation. She expressed her concerns over the approvals that have been made by the Planning Commission over the last few months for other trailers and the review of this case and whether it truly meets the definition of temporary. She added that the use of trailers for commercial purposes as opposed to a brick and mortar space reduce the commercial tax income and that the Port City Brewery building could be used to provide kitchen and serving space.

Commissioner Brown and Vice-Chair McMahon agreed with Commissioner Lyle's comments.

Commissioner Brown stated that temporary does not mean indefinite and Vice-Chair McMahon added that temporary trailer, under the Zoning Ordinance requirements, should be revisited. Planning Director Karl Moritz responded that the staff will develop a proposed policy and present it to the Planning Commission in the fall.

**Speaker**

Lauren Riley, applicant’s attorney, spoke in favor of the request and expressed the need for the trailer to provide on-site food for the existing brewery customers. She noted the popularity of the food trucks that have frequented the business. Ms. Riley also brought up that the applicant would like to use the trailer for over five years as it is making a significant investment by building out a prep kitchen within the brewery space to augment the food service in the trailer.

**PLANNING COMMISSION ACTION**

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

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of SUP2024-00014. The motion carried on a vote of 5-0.

- Item #5 Development Special Use Permit #2024-10002  
2927 & 2957 Eisenhower Avenue  
Public Hearing and consideration of a request for an extension of a previously approved Development Special Use Permit (DSUP2015-0001) with site plan to construct a new multi-unit residential building with ground-level retail/commercial; zoned CDD#3/ Coordinated Development District #3.  
Applicant: Rushmark Eisenhower South Tower, LLC represented by M. Catharine Puskar, attorney

Staff answered questions from the Planning Commission

**Discussion**

Commissioner Brown indicated that did not require a presentation. He said he had a question for the applicant’s attorney. Her response is further below under the “Speakers” section. Commissioner Brown felt the description provided in the application was insufficient and asked the applicant to elaborate on the change in circumstances necessitating the extension.

Commissioner Koenig asked staff about the City’s expectation for property maintenance in phased development projects and whether an interim use was something that staff considered in this case. Staff responded that vacant sites typically are fenced, are expected to be kept in good condition, and often are not open for public use. Staff also noted it had considered the idea of having an interim use on the site but concluded that it is not a common requirement and presented practical challenges.

Commissioner Lyle asked if Code Enforcement could be sent to do a site inspection prior to the City Council meeting. Planning Director Moritz replied in the affirmative.

Vice-Chair McMahon acknowledged the desire for this site to be greenspace in the interim but also acknowledged that typically these areas are fenced and generally don't allow public access for liability reasons. Further, she noted that conversion to greenspace generally isn't as simple as removing a fence. She also recognized the financial feasibility challenges that the applicant shared as an explanation for the need for an extension. She expressed a desire for the South Tower investment to be successful and was supportive of the extension to provide time for market conditions to improve.

**Speakers**

Lauren Riley, attorney, representing the applicant, spoke about the details of the project including the phased nature of construction, the timeline, and the current market conditions in response to Commissioner Brown's question. In particular, she noted since the original proposal increasing interest rates have essentially doubled the cost of the project. She further explained that the market would not support increasing rents to offset such costs. She also confirmed that the applicant has agreed to the inclusion of Condition #132 and has hired a contractor to clean the site up in the next two weeks.

Adam Stickler, Eisenhower Square Homeowners Association President, expressed concern about the project's timeline, potential property value impacts, property maintenance of the site, and strongly encouraged the provision of greenspace in the interim until construction begins.

**PLANNING COMMISSION ACTION**

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

On a Motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of DSUP2024-10002. The Motion carried on a vote of 5-0.

- Item #8 Special Use Permit #2024-00033  
201 East Del Ray Avenue, 2207 and 2213 Mount Vernon Avenue  
Public Hearing and consideration of a Special Use Permit for outdoor dining over 49 seats and for recreation and entertainment (amending SUP #2022-00060); zoned CL/Commercial low  
Applicant: Abderrahim (Rayan) Moussaif  
Staff: Department of Planning & Zoning

Department of Planning & Zoning made a presentation and answered questions from the Planning Commission.

**Discussion**

Vice-Chair McMahon stated her support for the application and her appreciation for the applicant's explanation of why this was an after-the-fact request.

Commissioner Brown expressed his interest in having the "No Parking" signs located on either side of the curb cut in front of 2207 Mount Vernon Avenue removed to free up one additional on-street parking space.

Commissioner Lyle inquired if the applicant uses the curb cut, which the applicant confirmed he does to

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load equipment into the 2207 Mount Vernon Avenue site and would like to see the “No Parking” sign remain. Commissioner Lyle stated her support for maintaining the “No Parking” signs.

Commissioner Brown responded that he did not feel it was the applicant’s call whether to keep the sign or not.

Commissioner Manor stated his support for the proposal, noting that the business is well run and has created a wonderful environment. He added that he has visited the site several times and has never observed issues relating to parking.

Vice-Chair McMahon stated that she was conflicted about the “No Parking” signs and stated she did not like the idea of vehicles driving over the sidewalk and the idea of the curb cut being actively used. She inquired if the “No Parking” signs prohibited parking in the location to which staff responded that they did. She then inquired if the Planning Commission had the authority to require the removal of the signs which staff confirmed it did.

Commissioner Ramirez stated her support for the request and echoed Commissioner Manor’s comments that she, too, had never observed parking issues at the site outside of when the Del Ray Farmers market was in operation.

Commissioner Koenig expressed his support for the proposal and stated that he felt it was a good use of the outdoor space and appreciated the testimony made by neighbors.

Commissioner Lyle suggested that staff work with the applicant and Parking Enforcement to determine a win-win approach to removing the “No Parking” signs and simultaneously facilitate a way for the applicant to continue to access the curb cut as needed. Staff stated the City grants right-of-way permits for sidewalk parking which could be used in this context. The applicant’s attorney stated he would contact staff to work on a mutually beneficial solution to the curb cut and “No Parking” sign issue.

### **Speakers**

Gayle Reuter, 110 E. Del Ray Avenue, spoke in favor the Special Use Permit (SUP) request and stated her belief that the proposal is exactly what the Mount Vernon Business Plan Area envisioned for a unique restaurant amenity and spoke highly of the applicant.

Brendan Belair, 100 East Oxford Avenue, spoke in support of the request, stating he was appreciative of the use as an outdoor gathering space and green space, and has not observed any negative impacts.

Paul Haire, 219 E. Oxford Avenue, spoke in support and described the business as a community benefit to Del Ray.

Pat Miller, 3301 Commonwealth Avenue, spoke in favor, mentioning that the business is loved by the community who would like to see it continue operating.

Duncan Blair, the attorney representing the applicant, spoke in favor of the request and spoke to the unique benefits the site offers to the community and spoke to the timeline for when the business expanded into its current form and why the request was being made after-the-fact.

### **PLANNING COMMISSION ACTION**

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

On a motion by Commissioner Lyle, and seconded by Commissioner Ramirez, the Planning Commission recommended approval of Special Use Permit 2024-00033 to include the Memoranda of June 21 and



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June 24, 2024 with an additional directive that staff and the applicant work with the Department of Transportation and Environmental Services to resolve the curb cut issues prior to the City Council Public Hearing. The motion carried by a vote of 6-0.

- Item #9 Development Special Use Permit #2024-10004  
107 and 125 North West Street - North West Street Townhomes  
Public Hearing and consideration of a request for a Development Special Use Permit and Site Plan, including a Special Use Permit for land without frontage, Subdivision and modifications, to construct nine (9) residential townhouses and four (4) semi-detached dwellings; zoned: CD/Commercial Downtown  
Applicant: 125 N. West Street LLC, represented by Duncan Blair, attorney  
Staff: Department of Planning & Zoning

Staff made a presentation and addressed questions from the Planning Commission

### **Discussion**

Vice-Chair McMahon noted that she had reviewed most of the memorandum of June 23, 2024 from resident Kendall Wangsgard and asked staff for clarification about the safety issue raised in the memorandum, particularly as it relates to the Fire Department. Staff Brian Dofflemyer, Department of Transportation and Environmental Services (T&ES), stated that City staff have met numerous times internally to discuss the project and fire safety issues. As with all projects, he noted the balance of safety and fire access and site design, acknowledging in this case there was more than one way to address fire access. After determining that the private alley would need to be available to provide fire access, the Fire Department stated their preference was for a curb cut on N. West Street and not Cameron Street.

Department of Planning & Zoning staff, Catherine Miliaras, confirmed that a lot of different departments discussed the curb cut and fire access issues and that the Fire Department was satisfied with the project layout.

Vice-Chair McMahon then asked how staff determined that the proposed 45-foot height addressed the two criteria in the zoning ordinance. Ms. Miliaras noted that the proposed townhouses featured gable sloped mansard roofs with individual gable dormers, with the main gable roof parallel to the street. She also said staff found the units compatible with neighboring buildings – which included several townhouses in the vicinity with gable roofs, some with dormers and some without. This is a common roof form for a range of architectural styles and is found throughout Old Town and other traditional neighborhoods in the city. She said she suspected that the architect would have walked around the neighborhood and noted the variety of roof styles when designing the project.

Commissioner Lyle asked the applicant when the project was first introduced to staff. The applicant stated that it was approximately a year ago. Commissioner Lyle said she thought this project was one of the better designed infill projects and it was architecturally compatible with both historic districts. She said that she sympathized with the neighbors' concerns about losing views to the Masonic Memorial Temple but that views are not considered when determining whether a project meets the requirements for the Development Special Use Permit (DSUP) approval. She also noted that the building at 107 N. West Street had originally been constructed as a tire warehouse and had been converted to a studio, she said the proposed conversion of the site to residential is an example of how the city continues to change and evolve.

Commissioner Manor asked about the difference between the existing office use real estate taxes and what the taxes would be after the site becomes residential. Ms. Miliaras said that the existing commercial taxes were calculated and compared to the estimated residential taxes for townhouses. The Office of Real Estate Assessments found that the City would receive more tax revenue from townhouses.

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Commissioner Manor said that the applicant had worked with staff for a significant amount of time and that there were other tall buildings nearby, including 116 N. Payne Street, which is three stories in height.

Commissioner Koenig said he agreed with his colleagues and said he supported the project. Vice-Chair McMahon noted her support for the project and said most infill projects include larger buildings that are still compatible with nearby development. She said that she is always pleased when an underused site can be redeveloped to create more housing. She said that she was confident the safety of future residents and neighbors was considered as part of the design process. She said she supported the open space with a bench at the corner of the site, something unusual with such a small project, and that the applicant had created other private open amenity space for each unit. She said she was satisfied by the staff's explanation of the 45-foot height and found that the project fits well within the community.

Commissioner Brown said that although the project would receive approval from his colleagues, he wanted the City Council to know that he felt the project did not warrant his approval. He said he thought the project was not of high quality and that nothing distinguished its design. He said it would massively overwhelm the houses on N. Payne Street and that the N. West Street curb cut with its right-in, right-out configuration would create more traffic on King Street. He said he agreed with Mr. Wangsgard's comments and did not understand why staff dropped its support of a Cameron Street curb cut.

### **Speakers**

Susan Barkell, 114 N. Payne Street, explained the City process she went through to renovate her house and felt that the proposed project was too large and processed too quickly without considering the impact on her property. She said she would lose privacy in her back yard if the project was constructed and that the value of her property would decline. She said that she would like the east wall of the existing building at 107 N. West Street retained for continued privacy in her backyard.

Kendall Wangsgard, 112 N. Payne Street, urged the Planning Commission to deny or defer the application to allow staff more time for a thorough review. He referenced the memo he sent on June 23rd which outlined several concerns. He said the project included Special Use Permit (SUP) requests and modifications and noted that the staff report did not answer fundamental questions. He cited the process followed and the unanswered questions as issues that could put the City at risk for litigation. He concluded saying that the project was not in the public's interest and was not compatible with the neighborhood, he also noted safety concerns and the curb cut on N. West Street.

William and Marianne Schreiber, owners of 103 and 105 N. West Street, said that they felt that the new project represented the architectural aesthetic of the neighborhood and that they appreciated the applicant's outreach to neighbors. They said that they strongly supported the project and were pleased that the site would be converted to residential uses.

Duncan Blair, attorney for the applicant, spoke in support of the project and answered questions. He noted the outreach done by the applicant and described other design solutions and uses for the site, finding that ultimately new townhouse units would be the most successful. He said they worked with city staff, including the Police and Fire Departments, and explained why the N. West Street curb cut was the preferred solution for alley access. He noted that this was not a rezoning project as most new townhouse project are.

### **PLANNING COMMISSION ACTION**

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to close the Public Hearing. The motion carried on a vote of 6-0.

On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission

voted to recommend approval of DSUP2024-10004. The motion carried on a vote of 5-1.

**Other Business**

11. Commissioners' Reports, Comments and Questions

Commissioner Koenig inquired as to whether the date of the FY 2025 Planning Commission Retreat has been confirmed. Staff responded in the affirmative, stating that it is scheduled for Friday, September 20 from Noon to 3:00 p.m. Staff further stated that suggested items for the Agenda include Potomac Yard, Short Term Rentals and long-range planning efforts such as the Vision Plan. Commissioner Koenig likes the idea of the discussion of the Vision Plan. He also indicated that now is the perfect time to talk about Potomac Yard and what has been accomplished over the last 25 years, acknowledging the City has been actively working on both the South and North ends of Potomac Yard. He would like to know in terms of square footage what has been completed and what may be the constraints on sites not yet complete. He also suggests looking at what can be learned from the Arena proposal.

12. **Minutes**

Staff indicated that the June 4 minutes are not available. Vice-Chair McMahon indicated we would consider them on another night.

13. **Adjournment**

On a motion by Commissioner Lyle, seconded by Commissioner Ramirez, the Planning Commission voted to adjourn at 9:05 p.m.