

Docket Item 12
Planning Commission Public Hearing
November 7, 2024

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of
November 7, 2024

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

ALEXANDRIA PLANNING COMMISSION

November 7, 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

Staff Present:

Karl Moritz

Nancy Williams

Christina Zechman Brown

Jeffrey Farner

Carrie Beach

Helen McIlvaine

Tamara Jovoic

Kenneth Turscak

Ann Horowitz

Sam Shelby

Rachel Drescher

Jared Alves

Maya Contreras

Katy North

Lanning Blaser

Department of Planning & Zoning

Department of Planning & Zoning

Office of the City Attorney

Department of Planning & Zoning

Department of Planning & Zoning

Office of Housing

Office of Housing

Office of Housing

Department of Planning & Zoning

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Department of Planning & Zoning

Department of Planning & Zoning

Transportation & Environmental

Services

Department of Planning & Zoning

Item #1: CALL TO ORDER

Chair Nathan Macek called the Planning Commission Public Hearing of November 7, 2024 to order at 7:00 p.m. All Planning Commission Members were present at the Call to Order.

Chair Macek 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.”

Chair Macek inquired as to whether there were any changes to tonight’s Docket. Staff responded that there is one request for a deferral. The applicant is requesting to defer Item #8: Rezoning #2024-00003, Development Special Use Permit #2024-10015, Silverado Alexandria Memory Care.

CONSENT CALENDAR

Chair Macek indicated there were no speakers for the three Items on the Consent Calendars but asked the Planning Commission if they would like to pull any of the three Items. Planning Commissioner Brown indicated he would like to pull Item #2, Special Use Permit #2024-0052, 1313 Cleveland Street; and Planning Commissioner Lyle indicated she would like to pull Item #4, City Charter Section 9.06 Case #2024-00004, 200 Block of King Street.

Chair Macek then asked for a motion on Consent Calendar Item #3, Subdivision #2024-00009, 1007 Oronoco Street.

Item #3: Subdivision #2024-00009

1007 Oronoco Street

Public Hearing and consideration of a request for a Subdivision with variation to re-subdivide an existing lot into two lots; zoned RB/Townhouse Zone

Applicant: Genuario Properties, Inc.

PLANNING COMMISSION ACTION

On a Motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve SUB 2024-00009. The motion carried on a vote of 7-0.

Upon hearing from the Clerk that a speaker submitted a Speaker's Slip post the vote, the Chair inquired of the Planning Commission if there is a motion to re-open the Item.

PLANNING COMMISSION ACTION

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

Chair Macek then asked staff for a presentation. Planning Commission staff made a presentation.

Speaker

Fran Koslov, 1015 Oronoco Street, spoke in opposition to the request, explaining that houses all along the block and throughout Old Town encroach onto adjacent lots. She was primarily concerned about the historical integrity of the existing house. Ms. Koslov also cited concerns about sewer capacity.

PLANNING COMMISSION ACTION

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

PLANNING COMMISSION ACTION

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve SUB#2024-00009. The motion carried on a vote of 7-0.

Reason

The Planning Commission agreed with staff analysis.

Item #2: Special Use Permit #2024-00057
1313 Cleveland Street
Public Hearing and consideration of a request for Special Use Permit to construct a new single-unit dwelling on a developed substandard lot, zoned; R8/Residential
Applicant: Richard Thomas Price Jr

There were not speakers.

Discussion

Commissioner Brown pulled the item and indicated that while the proposed dwelling would be taller than its surroundings, it would still be compatible with the neighborhood. He appreciated staff including additional information on the proposed dwelling's floor area.

PLANNING COMMISSION ACTION

On a motion made by Commissioner Brown, seconded by Vice Chair McMahon, the Planning Commission moved to recommend approval of SUP #2024-00057. The motion carried on a vote of 7 to 0.

Reason

The Planning Commission agreed with staff analysis

Item #4: City Charter Section 9.06 Case #2024-00004
200 Block of King Street (between Lee Street and Fairfax Street)
Public Hearing and consideration of a request for the Planning Commission to review whether the temporary closure of the 200 block of King Street to vehicular traffic 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

Department of Transportation & Environmental Services staff made a presentation and answered questions from the Planning Commission.

Speakers

There were no speakers.

Discussion

Commissioner Manor inquired, given the slope in the 200 block of King Street, as to whether restaurants and retailers will want to invest in a platform to make the parking spaces level with the sidewalk. Staff indicated here are three temporary stages to test the temporary closure of King Street. Staff added that will then lead to a decision by the City Council as to whether they will decide to make the proposal to close the 200 block of King Street permanently. Staff indicated that the platform is waived for the first stage of the pilot. Planning Commissioner Manor also asked if retailers were contacted, and staff indicated they were and while they may not use the sidewalk and street like restaurants will, they still may use that space for other purposes more unique to them.

Chair Macek indicated that he is very much in support of this proposal due to the activity of what is occurring in the 100 and the unit blocks of King Street. He indicated that in terms of the

slope of the 200 block, if tables and seating can work on the sidewalk in that block it may not be a major problem to place it on the street. He also added that he is referring to this proposal as the opening of King Street; he indicated opening this block creates, along with the 100 block and the unit block, a natural path to the Waterfront. Moreover, he indicated that with the future temporary closures of Market Square and Waterfront Park, due to upcoming improvements, this is very timely particularly with the notion of providing seating in the right of way that may not be associated with a restaurant. Planning Commission Manor stated his concurrence.

PLANNING COMMISSION ACTION

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve of SEC#2024-00004. The motion carried on a vote of 7-0.

Reason

The Planning Commission agreed with staff analysis.

ITEMS PREVIOUSLY DEFERRED

Item #5: Master Plan Amendment #2024-00003 AlexWest Small Area Plan
(A) Initiation of a Master Plan Amendment; and (B) Public Hearing and consideration of an amendment to the Master Plan to create the AlexWest Small Area Plan replacing the Alexandria West Small Area Plan and the Beauregard Small Area Plan.
Applicant: City of Alexandria Department of Planning & Zoning

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

Speakers

Phoebe Coy, 8 S. Van Dorn Street #604, representing YIMBY Northern Virginia's Alexandria Chapter, spoke on the need for more housing to avoid a displacement crisis. Ms. Coy expressed the need to increase areas of the plan with 35' and 45' heights to 60' and to increase 100', 110', and 130' heights in the plan to 150'. Ms. Coy referred the Planning Commissioners to her submitted letter for additional context and comments.

Anna Portillo, 1434 N. Beauregard Street, spoke to the impact rent increases were having on her family and her community, requesting that the Planning Commission not approve the Master Plan Amendment (MPA) due to its lack of tenant protections and requirement for the provision of deeply affordable housing. Ms. Portillo provided her comments in written form to the Planning Commission.

Nathaly Zelaya, 3801 Mt. Vernon Ave., representing Tenants and Workers United, requested that the Planning Commission not approve the MPA due to its lack of tenant protections, lack of requirements for deeply affordable housing at 40 percent Area Median Income (AMI), and lack of additional efforts to protect and preserve existing affordable housing. Ms. Zelaya provided her comments in written form to the Planning Commission.

Larisa Zehr, 6402 Arlington Blvd, Ste 1130, Falls Church VA 22042, representing the Legal Aid Justice Center, stated concern that the Plan does not do enough to help to prevent displacement. She indicated the affordability requirements do not reflect the community's need for deeply

affordable housing. Ms. Zehr referred the Planning Commission to her submitted letter for additional requests and information.

Owen Curtis, 5465 Fillmore Ave., representing the Seminary West Civic Association, requested that the Planning Commission continue to defer the Plan in order to address the West End Transitway, explaining that he did not believe it reflected an updated and appropriate transit plan for the changing economy and land uses and does not support current bus riders.

Evan Pritchard, 700 N. Fairfax Street, representing Wire Gill LLP, testified on behalf of the owners of 4700 King Street (Shoppes at Summit Center) and 1700 N. Beauregard Street (Clyde's). Mr. Pritchard asked to update the FAR of these sites to be 3.5 due to the small size of these sites, explaining that the existing 3.0 FAR is difficult for both sites. Additionally, Mr. Pritchard requested that the proposed street next to the 4700 King Street only have required parking on one side of the street.

Ken Notis, 3001 Park Center Drive, stated support for the plan and the changes included in the October 25th and November 7th memoranda, as well as the West end transitway as proposed.

Ken Wire, 700 N. Fairfax Street, representing Wire Gill LLP, testified on behalf of clients Monday Properties (1900 N. Beauregard Street) and CIM (Southern Towers). Mr. Wire stated his belief that the Plan should be updated to reflect that 1900 N. Beauregard Street should have a Base FAR in the Plan of 1.25 instead of 0.0 FAR. Regarding Southern Towers, Mr. Wire requested that the areas of Southern Towers that are currently at 100' of height be increased to 150', explaining that the increased height was necessary in order to provide the development the City is envisioning.

Megan Rappolt, 700 N. Fairfax Street, representing Wire Gill LLP, testified on behalf of clients Hekemian (Upland Park and UDR (Newport Village). Ms. Rappolt stated that Hekemian supports the changes proposed by staff but has an additional concern that the alternative plan for the open space at Upland Park would not work and that the Intermittent Stream on the property should be removed. Regarding UDR, Ms. Rappolt requested that the portion of the parcel along N. Beauregard Street be increased to 85'.

Melanie Alvord, 2998 S. Columbus St. Suite C-2, representing Fairlington Villages, stated that she and her community do not support the current Plan because of the recommended 100' in building height along King Street. Ms. Alvord requested that the heights long King Street be limited to 85' tall buildings, inclusive of affordable housing requirements. Ms. Alvord expressed that there are additional concerns included in her submitted letter.

Connor Foote, no address provided, stated his belief that the Plan is a step in the right direction but that it needs additional housing and transit. Mr. Foote requested to increase heights and density in areas of the Plan that are currently 35' and 45' to 60' and 100', 110' and 130' to 150'. Mr. Foote additionally requested that the Plan acknowledge the impacts of parking minimum policies on development.

Dan Dose, no address provided, stated that he agrees with Mr. Curtis' earlier comments regarding the West End Transit Way.

Mary Dose, no address provided, stated that she has concerns about the Mark Center Preserve and wishes for it to be preserved.

PLANNING COMMISSION ACTION

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

Discussion

The Planning Commission discussed the proposed amendments in the staff memoranda dated October 25, 2024 and November 7, 2024 and agreed that the proposed amendments and discussions addressed the questions the Planning Commission had at the September Public Hearing. Overall, the Planning Commission found that the Plan addresses displacement by prioritizing development in the Focus Area (generally commercial areas and parking areas) and maximizes the use of the City's tools (density and building height) to provide affordable housing. The Plan also implements sound land use practices of density near transit, connectivity and open space distributed throughout the Plan area. The Planning Commission then discussed several amendments to the aforementioned staff memoranda. The Planning Commission agreed with the staff revision to add an implementation task to evaluate the Plan after five years.

Chair Macek proposed adding language to clarify that the Plan can be updated as part of the five-year review to ensure the Plan can be implemented as intended. Chair Macek's proposed additional language was approved by the Planning Commission. The Planning Commission extensively discussed the proposed tiered building heights outlined in the October 25 staff memorandum. The new tiered approach to building heights includes additional affordable housing requirements in exchange for an increase in building height. Staff explained that the tiered approach would maximize the housing affordability through development. The Planning Commission and staff discussed the need to balance adding building height while also using the City's limited tools for affordable housing (density and building height).

The tiered building height approach as recommended by staff in the October 25 staff memorandum was included as part of a motion by Planning Commissioner Koenig to approve the Plan, but it did not have sufficient votes to move forward.

Planning Commissioner Lyle's proposal to make two changes to the tiered building heights as follows was approved by the Planning Commission: 1. Increase the Tier A: Plan Building Heights on the UDR (Newport Village) site from 60' to 85'; and 2. Increase the Tier A: Plan Building Heights on the Southern Towers site from 85' and 100' to 150'. Planning Commissioner Lyle also proposed that staff explore increasing the FAR for commercial properties under four acres from 3.0 to 3.5. This proposal was approved by the Planning Commission. Planning Commissioner Lyle also proposed that staff explore the potential removal of the alternative option for the Upland Park neighborhood. This proposal was approved by the Planning Commission.

PLANNING COMMISSION ACTION

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to initiate the Master Plan Amendment #2024-00003 AlexWest Small Area Plan. The motion carried on a vote of 7-0.

On a motion by Planning Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Master Plan Amendment #2024-00003 to adopt the AlexWest Small Area Plan subject to the revisions outlined in the October 25 and November 7, 2024 staff memoranda, and with amendments proposed by Planning Commissioner Lyle and Chair Macek as follows:

1. Increase the Tier A Plan Building Height on the UDR property from 60' to 85'.
2. Increase the Tier A Plan Building Height on the Southern Towers property from 85' and 100'to 150'.
3. Staff to review and propose for City Council consideration increasing FAR to 3.5 on commercial properties smaller than four acres in size.
4. Staff to review and propose for City Council consideration removing the "alternate option" for an expanded Phase 2 Upland Park open space on page 100 of the Plan.
5. Add a new sentence to the proposed new implementation task regarding future Plan status evaluation as follows: a. The Planning Commission and City Council may consider modifications to enhance the efficacy of the Plan at that time.

Reason

The Planning Commission agreed with staff analysis with 5 additional amendments.

NEW BUSINESS

Item #6: Special Use Permit #2024-00041

404-A E Alexandria Avenue

Public Hearing and consideration of requests for Special Use Permits to construct a single-unit dwelling on a vacant substandard lot and for a lot without frontage on a public street; zoned: R-2-5/Residential.

Applicant: Eric Teran and Daniela Gross

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

Speakers

Matthew Kaim, 1413 Mount Vernon Avenue, spoke in opposition to the request. He did not feel the criteria were met for approval, citing concerns that the vacated land was not being included in the proposal, property values would decrease, vehicular and pedestrian traffic would increase, fire access would be limited, and flooding would occur as a result of the development.

Mark Lim, 1407 Mount Vernon Avenue, spoke in opposition to the request. He raised questions as to what a substantial change was and felt the adjacent townhouse lots should not be used to evaluate the eligibility of this request to be considered.

Brett Rice, 408 East Alexandria Avenue, spoke in opposition to the request. He stated that staff did not apply the Zoning Ordinance correctly, considering the lot does not have frontage, and claimed that all other lots without frontage were developed by-right.

Angela Rice, 408 East Alexandria Avenue, spoke in opposition to the request. She stated that the Zoning Ordinance requires the lot to have complying in width and size to be eligible for a Special Use Permit (SUP) for a lot without frontage and that the subject property is an illegal lot. She stated that staff should be objective, and this application was not handled properly.

Jason Plosch, 404 East Alexandria Avenue, spoke in opposition to the request. He stated that the applicant did not make substantial changes, the lot is not eligible to be considered for a SUP, and staff cherry-picked examples of other lots without frontage in the City. He also had concerns about the timing of the SUP and vacation.

Alicia Montgomery, 406 East Alexandria Avenue, spoke in opposition to the request. She stated concerns that the new proposal did not have substantial enough changes from the last application to be reconsidered within 6 months. She claimed that the application did not meet the eligibility requirements of Section 12-402 because the lot did not have street frontage. She also has concerns about emergency access.

Eric Teran, applicant, spoke in support of the request, outlining how the project met the SUP criteria. He explained the outreach that he completed, the conversations with the neighbors, and how the project evolved to the current design in response to City Council and the neighbors' concerns.

PLANNING COMMISSION ACTION

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

Discussion

Planning Commissioner Brown confirmed with staff that the applications were eligible for SUP review.

Planning Commissioner Koenig spoke in support of the request and agreed with staff analysis that the proposal met the SUP criteria. He pointed out that the applicant has made significant changes to the proposal in response to the neighbors' concerns, including removing the Accessory Dwelling Unit (ADU) and changing the architectural design. Additionally, he noted all the examples provided by staff and the applicant that show how other developed lots without frontage in the City can exist compatibly and successfully, including lots without frontage that located near the subject property. He appreciated the applicant's additional outreach and felt all issues had been resolved.

Vice-Chair McMahon spoke in support of the request and noted the proposal had become more compatible. She observed that the provided examples of other developed lots without frontage demonstrate that this project is not an outlier within the City, noting that a block away there are townhouses that do not have frontage and are able to function safely and compatibly with the neighborhood.

Planning Commissioner Brown spoke in support of the request, finding all objective standards for the approval had been met.

Chair Macek spoke in support of the request, highlighting that the SUP process led to a more compatible project than the previous design.

PLANNING COMMISSION ACTION

On a motion made by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission moved to recommend approval of SUP #2024-00041. The motion carried on a vote of 7 to 0.

Reason

The Planning Commission agreed with staff analysis

Item #7: Zoning Text Amendment #2024-00008

(A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend the use limitations in Articles III-VI related to several use impacts, including the limitation of retail uses principally selling tobacco products, nicotine vapor products, alternative nicotine products, or hemp products from locating within 1,000 linear feet of a day care center, a public school, and a private academic school; and (C) to amend Section 2-191 retail shopping establishment to include retail uses principally selling tobacco products, nicotine vapor products, alternative nicotine products, or hemp products. Applicant: City of Alexandria, VA, Department of Planning & Zoning

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

Speaker

Andrew Romero, 2922 Sycamore Street, informed the Planning Commission that limitations on tobacco and nicotine product marketing in all settings where these are sold is also required to reduce exposure to youths.

PLANNING COMMISSION ACTION

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

Discussion

Chair Macek expressed his support; however, he also noted that he found the measure to be incomplete as an overall effort to reduce underage smoking.

PLANNING COMMISSION ACTION

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to initiate ZTA #2024-00008 on a vote of 7-0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of ZTA #2024-00008 on a vote of 7-0.

Reason

The Planning Commission agreed with the staff analysis.

Request for Deferral

- Item #8:** Rezoning #2024-00003
Development Special Use Permit #2024-10015
Silverado Alexandria Memory Care
Street Addresses: 2807 King Street (Parcel Address: 2811 King Street)
Public Hearing and consideration of an amendment to the official zoning map to revise an existing proffer and to amend approved Development Special Use Permit #2012-00005, to allow for an increase in the number of beds and minor revisions to the open space at an existing continuum of care facility; zoned RB/Townhouse with proffer.
Applicants: Silverado Alexandria PropCo., 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 accept the request for deferral of REZ#2024-00003 and DSUP#2024-10015. The motion carried on a vote of 7-0.

- Item #9:** Development Special Use Permit #2024-10008
5216 Seminary Road Townhomes - 5216 Seminary Road
Public Hearing and consideration of a request for a Development Special Use Permit with modifications and a Subdivision, a Special Use Permit for a Cluster Development per §11-601 of the Zoning Ordinance, and a Special Use Permit for Bonus Density for the provision of affordable housing per §7-700 to construct seven townhouse units, including one committed affordable unit, zoned: RB/Townhouse.
Applicant: Verity Builders, LLC, represented by M. Catharine Puskar, attorney.

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

Speakers

Nandan Kenkeremath, on behalf of the Fairview Homeowners Association, Seminary Park Community Association, and 27 neighbors who co-signed his comment letter, said that he does not believe the applicant has met the Cluster Special Use Permit requirements. He said that the applicant is not successfully modifying the baseline RB zoning district density as they are proposing additional density in the cluster scenario. He believed that the baseline is smaller due to the setback requirements. He said that the cluster needs to meet the front yard requirements for RB townhouses and said that the proposal is not meeting the open space requirements.

Owen Curtis, President of the Seminary West Civic Association, noted that he represents hundreds of residents in the surrounding townhouse and detached homes neighborhoods. He said that he does not object to townhouses at this site, but that he believed that the proposed design was not compatible due to the height, length, and reduced setbacks. He supported Mr. Kenkeremath's letter and request for additional feedback. He said that the applicant should reduce the number of townhouses and have them comply with the RB setbacks.

Linda Powell, neighbor, noted that the proposal would remove 34 mature trees, and would prefer smaller units or a detached home. She critiqued the lack of setback and connection to the neighboring townhouse architecture, which she described as timeless. She found that the proposal is contradictory to City-stated design standards, lacks green space, and is concerned the rear drive aisle may be a source of noise.

Kathleen Hinman, neighbor, lives on Echols Avenue and provided comments in advance of the meeting. She appreciated the revised architecture but would like a greater front yard setback and a smaller footprint.

Lexow Grant, neighbor, lives next door to the proposed project. He does not believe that the proposed project will relate to the neighborhood or improve the streetscape because of the lack of front yard setback and incompatible roofline. He found that the warehouse aesthetic does not match the adjacent properties.

Rob Gentry, neighbor, lives on Echols Avenue. He is concerned about on-street parking since Echols only permits parking on one side of the street and that the proposed townhouses may not provide sufficient parking. He agreed with some of the points raised by the previous speaker and does not find the arguments from the staff report to be persuasive, specifically related to architecture and the legal issues associated with the cluster development. He believed that something could work at the site and appreciates the affordable unit, but is concerned that the affordable unit may just be a fig leaf to staff.

M. Catharine Puskar, attorney, Walsh Colucci Lubeley & Walsh PC, speaking on behalf of the applicant, discussed updated exhibits that she had provided for the by-right and cluster scenarios. She noted that Bonus Density under Section 7-700 is permitted under both scenarios. She said that the site was rezoned with a proffer in 1979 to RB with a maximum density of seven townhouses. She said that rear-loaded townhouses are a longstanding City policy, as desired by the Departments of Planning & Zoning and Transportation & Environmental Services. In response to some neighbors' concerns, she noted that the applicant has agreed to Condition #16 to further refine the townhouse elevations by adjusting the parapet height and materials. She provided an exhibit showing that the actual heights will likely be less than 44 feet, and the parapet heights will differ for each unit. She said that the Bonus Density allows the applicant to provide a committed affordable rental unit at 60 percent of area median income for 40 years. If the owner decides to convert the properties to for-sale, then the committed affordable unit would remain affordable.

PLANNING COMMISSION ACTION

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

PLANNING COMMISSION ACTION

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to close the Public Hearing DSUP #2024-10008. The motion carried on a vote of 7-0.

Discussion

Commissioner Manor asked for the genesis of the rear-loaded townhouse design. He noted that the adjacent townhouses are front-loaded. Staff said that rear-loaded townhouses have been in City policy since at least 2008. The design is safer by minimizing conflict points between pedestrians and motorists and increases eyes on the street by providing usable ground floor space adjacent to the front door.

Commissioner Brown asked Ms. Puskar about the timing of the additional materials that she submitted prior to the hearing and whether she believed that the original materials were sufficient for Staff and the Planning Commission to review. Ms. Puskar said that the original materials were sufficient, and that she provided the revised materials to clarify the by-right and cluster scenarios and to respond to the concerns Commissioner Brown raised in his letter prior to the hearing.

Chair Macek asked if staff had sufficient information to review the plans. Staff confirmed the application was deemed complete and docketed it for a Public Hearing because staff had sufficient information.

Vice Chair McMahon noted that she supports the project and appreciated the nuance of the by-right and cluster scenarios. She said that the rear-loaded townhouses offer a more cohesive site design and allow for a greater shared common area. She said that the common stormwater bioretention facility will facilitate long-term maintenance compared to individual stormwater management solutions for each townhouse. She appreciated the Seminary Road dedication and the opportunity to improve safety at the intersection. She welcomed the committed affordable unit and said that such a unit would be unlikely under the by-right scenario. She also noted that the applicant will be improving the Echols Avenue streetscape with a wider sidewalk, landscape buffer, street trees, and streetlights.

Planning Commissioner Brown asked Vice Chair McMahon whether the adjusted height affected her decision. Vice Chair McMahon said that she appreciated the clarification on the heights but said that the difference would not affect the experience of pedestrians walking next to the building and reiterated that the active ground floor space would be a benefit compared to front garages.

Chair Macek noted the City preference for rear-loaded townhouses since at least 2005, and he expressed the benefit of this policy at this specific location given its proximity to the intersection with Seminary Road. He noted that while other non-townhouse uses would be incompatible, such as an apartment building or corner store, contemporary townhomes next to townhomes are not incompatible.

Planning Commissioner Ramirez said that she supports the design as proposed, given the location close to the intersection and high-speed traffic. She appreciated the safety benefits of the rear-loaded design and noted that the drive aisle functions as a fenced in cul-de-sac.

Planning Commissioner Brown said that the discussion convinced him that there are benefits to the project, but he said that the front yard setback has value in the neighborhood. He would like clarity in the future on the units/acre and the FAR requirements for the cluster development. He believes that the traffic concern has been overstated at this location given the direction of vehicles on Echols Avenue relative to motorists reversing out of front driveways. He accepted the staff recommendation.

PLANNING COMMISSION ACTION

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of DSUP#2024-10008. The motion carried on a vote of 7-0.

Reason

The Planning Commission agreed with staff analysis.

Item #10: Consideration of the minutes from the October 1, 2024 Planning Commission meeting.

PLANNING COMMISSION ACTION

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve the minutes of October 1, 2024. The motion carried on a vote of 7-0.

Item #11: COMMISSIONERS' REPORTS

Commissioner Koenig expressed an interest in seeing more opportunity for public outreach for projects such as the George Mason Elementary school modernization project and indicated he would provide more information in his report at the next Planning Commission Public Hearing.

Item #12:

ADJOURNMENT

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

The Planning Commission meeting was adjourned at 12:40 a.m.