

Docket Item #13
Planning Commission Public Hearing
December 7, 2021

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of December 7, 2021.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – DECEMBER 7, 2021

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

ALEXANDRIA PLANNING COMMISSION

December 7, 2021, 7:00 p.m.

Council Chamber (301 King Street, Alexandria, Virginia, 22314) and Electronically
Alexandria, Virginia

Members Present:

Nathan Macek, Chair
Melissa McMahon, Vice-Chair
David Brown (attended electronically)
Mindy Lyle
Vivian Ramirez
Jody Manor
Stephen Koenig

Members Absent:

None

Staff Present:

| | |
|-------------------------|---------------------------------|
| Karl W. Moritz | Department of Planning & Zoning |
| Christina Zechman-Brown | Office of the City Attorney |
| Nancy Williams | Department of Planning & Zoning |
| Anh Vu | Department of Planning & Zoning |
| Sara Brandt-Vorel | Department of Planning & Zoning |
| Ann Horowitz | Department of Planning & Zoning |
| Tony LaColla | Department of Planning & Zoning |
| Daniel Welles | Department of Planning & Zoning |
| Robert Kerns | Department of Planning & Zoning |
| Michael Swidrak | Department of Planning & Zoning |
| Maggie Cooper | Department of Planning & Zoning |
| Ashley Labadie | Department of Planning & Zoning |
| Maya Contreras | Department of Planning & Zoning |
| William Cook | Department of Planning & Zoning |
| Nathan Randall | Department of Planning & Zoning |
| Helen McIlvaine | Office of Housing |
| Tamara Jovovic | Office of Housing |

1. **Call to Order.**

The Planning Commission meeting was called to order at 7:03 p.m., with Commissioner Brown participating remotely. All other members were present at the Call to Order.

CONSENT CALENDAR:

Chair Macek inquired as to whether there were any changes to tonight's Docket. Staff responded stating they are requesting a deferral of Docket Item #6 due to a noticing matter. Chair Macek inquired as to whether any members of the Planning Commission wished to pull any items from the Consent Calendar, to which no Commissioners provided confirmation they wished to do so.

2. Street Name Case #2021-00001
St. Elmo Way – New Street Name
Public Hearing and consideration of a request for a Street Name Case to name a new street; zoned: CDD #24/Coordinated Development District #24.
Applicant: Oakville Triangle Owner, LLC, represented by Duncan W. Blair, attorney

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve Street Name Case #2021-00001, as submitted. The motion carried on a vote of 7-0.

3. Special Use Permit #2021-00090
2501 and 2601 Oakville Street (Formerly 2412, 2514, and 2610 Richmond Highway, 2500 Oakville Street, and 420 Swann Avenue) - Oak Triangle Coordinated Sign Plan
Public Hearing and consideration of a request for a Special Use Permit for a coordinated sign plan and for the installation of illuminated signs above 35 feet per Section 9-104 of the Zoning Ordinance; zoned CDD #24/Coordinated Development District #24.
Applicant: Oakville Triangle Owner, LLC, represented by Duncan W. Blair, attorney

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2021-00090, as submitted. The motion carried on a vote of 7-0.

4. Encroachment #2021-00007
2601 Oakville Street (Formerly 2610 Richmond Highway and 420 Swann Avenue)
Public Hearing and consideration of a request for an Encroachment into the public right-of-way for balconies along Richmond Highway; zoned: CDD #24/Coordinated Development District #24.
Applicant: Oakville Triangle Owner LLC, represented by Duncan W. Blair, attorney

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend

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approval of Encroachment #2021-00007, as submitted. The motion carried on a vote of 7-0.

5. Subdivision #2021-00008

City Charter Section 9.06 Case #2021-00008

3050 Potomac Avenue and a portion of 3601 Richmond Highway - APTA and CPYR Subdivision

Public Hearing and consideration of requests to (A) re-subdivide 3050 Potomac Avenue and a portion of 3601 Richmond Highway through the adjustment of property lines; and (B) review whether the dedication of a portion of right-of-way on Wesmond Drive (private) is consistent with the City of Alexandria Master Plan; zoned:

CDD#10/Coordinated Development District #10 and CDD#19/Coordinated Development District #19.

Applicant: JBG/Landbay G, L.L.C. 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 approve Subdivision #2021-00008, as submitted. The motion carried on a vote of 7-0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to find the proposed dedication of a portion of right-of-way on Wesmond Drive (private) is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter. The motion carried on a vote of 7-0.

NEW BUSINESS:

6. **Staff has requested for deferral of this item.**

Zoning Text Amendment #2021-00004

Co-living Dwelling Proposal (A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Article II to define co-living dwelling and amend apartment hotel and tourist home definitions; amend Article III to allow co-living dwellings with a Special Use Permit in RM, RB, RS, RT zones and classify the use in these zones as non-residential for the purpose of applying area and bulk regulations; amend Article IV to allow co-living dwellings with an administrative Special Use Permit in RCX, RA, RC, RD, CG, CD, CD-X, CL, NR, KR, CRMU-L, CRMU-M, CRMU-H, CRMU-X, OC, OCH zones and provide guidelines for applying area and bulk regulations to the use in these zones based on the number of units proposed; Article VIII to establish parking requirements for co-living dwellings; and

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amend Article XI to establish administrative review criteria including number of units, maximum occupancy, sign requirements, and the minimum term for lease agreements as well as identify conditions which require a Special Use Permit in the aforementioned zones.

Staff: City of Alexandria, Department of Planning & Zoning

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to defer Zoning Text Amendment #2021-00004. The motion carried on a vote of 7-0.

7. Special Use Permit #2021-00089
105 North Alfred Street
Public Hearing and consideration of a request for a Special Use Permit to operate an apartment hotel; zoned: CD/Commercial downtown.
Applicants: Bruce and Thelma MacGregor

Maggie Cooper (P&Z) presented the Docket Item and answered questions from the Planning Commission.

Speakers:

Tom Osborne, 112/114 North Columbus Street, said he was neither for nor against the proposal, but expressed concerns regarding the proposal. He said he was concerned about the historic wall, parking and the electrical lines that are on the applicant's property.

Nandor Szuprics, 111 North Alfred Street, spoke about concerns regarding the addition and noise that will be generated from the construction of the addition, as well as parking concerns with the proposed use.

Michael Dechert, architect and representative for the applicant, answered questions from the Planning Commission. Mr. Dechert said they are working with the electric company to address the existing power lines, which will likely move underground due to the construction, and are working with Board of Architectural Review (BAR) staff on the exterior alterations and addition that will require approval of a Certificate of Appropriateness.

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

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Discussion:

Commissioner Brown asked Mr. Dechert, representative for the applicant, about access to parking. Mr. Dechert explained that cars could adequately access the parking from the street.

Chair Macek confirmed the parking space requirement with staff as noted in the staff report. He noted that Planning Commission was only considering the Special Use Permit to operate as an apartment hotel and not the details related to the physical addition. Ms. Cooper confirmed that the Planning Commission was only reviewing the use request as the addition proposal complies with the Zoning Ordinance and the applicant is not requesting additional modifications. She also explained that the BAR would review the addition and any impacts it has on the historic wall and that the power lines would be addressed during the building permit process. Planning Director Karl Moritz clarified that the rationale used for determining the appropriate number of spaces for a hotel was based on local parking usage data.

Commissioner Lyle asked the applicant's architect about the plans for the historic serpentine wall, which speakers referenced. He replied that it was not foundationally sound and that the applicant would work with the BAR on whether or not it can be maintained on the property.

Commissioner Manor said he had rented in the past the compact spaces for his adjacent business and found them to large enough to accommodate vans.

Vice Chair McMahon and Chair Macek said they were comfortable with the request and found an apartment hotel to be an appropriate use at this location and in this building.

Chair Macek, Vice Chair McMahon and Commissioner Ramirez all expressed interest in having staff look at short-term curbside parking needs in mixed-use areas.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission moved to recommend approval of Special Use Permit #2021-00089 with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6-0-1, with Commissioner Manor abstaining.

Reason: The Planning Commission agreed with the staff analysis.

8. Special Use Permit #2021-00094
401 High Street

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Public Hearing and consideration of a request for Special Use Permit for the redevelopment of a substandard lot with a single-family dwelling; zoned: R-12/Single-family.

Applicant: Windmill Hill, LLC

Ashley Labadie (P&Z) presented the Docket Item and answered questions from the Planning Commission.

Speakers:

Chad Stackhouse, 405 High Street, spoke in opposition of the application. He thanked staff and the applicant for meeting with neighbors about concerns related to bulk and height. While supportive of the proposed design of the home, he expressed his belief that the allowable square footage of the proposed home is not compatible with the neighborhood. He also mentioned that existing rooflines follow the gradual slope of the street and that the roof line of the proposed dwelling would be higher than his home by 1.5 feet and therefore incompatible with the current roofline pattern along the street. He also expressed that stormwater issues remain a concern and acknowledged that this topic is outside the Special Use Permit (SUP) consideration and will be discussed at later date with City staff and the civic association.

Cathy Puskar, Walsh, Colucci, Lubeley & Walsh, attorney for the applicant, spoke in support of the application, presenting how the proposed dwelling is compatible with the neighborhood in terms of bulk, height and design. She also noted the applicant met with several neighbors to explain the proposal and respond to concerns.

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

Discussion:

Commissioner Brown asked Ms. Puskar, attorney for the applicant, if a practical impediment existed for digging the basement an additional two feet to lower the overall structure and the threshold height. Ms. Puskar noted the additional associated cost and that there was no need to dig deeper considering the application is in compliance with the Zoning Ordinance. Commissioner Brown acknowledged that the basement can technically be excluded from FAR; however the exposed basement toward the rear of the building due to the change in grade contributed to a higher degree of bulk. Although he expressed his support for the proposal, he noted his opinion that it did not entirely fulfill the original intention of the infill requirements.

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Chair Macek asked staff to explain threshold height and how the basement is measured in terms of FAR exclusions. He also confirmed that this application would be a by-right development if it were not for the lot width deficiency.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission moved to recommend approval of Special Use Permit #2021-00094 with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

9. Master Plan Amendment #2021-00007
Rezoning #2021-00006
City Charter Section 9.06 Case #2021-00005
Development Special Use Permit #2021-10027
Transportation Management Plan Special Use Permit #2021-00099
4547, 4555, and 4575 Seminary Road - AHDC Seminary Road
Public Hearing and consideration of requests for: (A) an amendment to the Seminary Hill/Strawberry Hill Small Area Plan chapter of the Alexandria Master Plan to amend the land use designation from RL/residential low to RM/residential medium; (B) an amendment to the official zoning map to change the zone for the properties from R-8/Single-family zone to RA/Multifamily zone; (C) Planning Commission to review whether the proposed sale of property (4575 Seminary Road) by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter; (D) a Development Special Use Permit and site plan, subdivision, and modification to construct 31 townhomes, an 8-unit multifamily building, and site improvements, including a modification to the west side yard setback; (E) a Transportation Management Plan Special Use Permit for Tier 1 TMP (39 dwelling units); zoned: R-8/Single-family (Seminary Hill).
Applicant: Alexandria Housing Development Corporation, represented by Mary Catherine Gibbs, attorney, and City of Alexandria (Section 9.06 case).

William Cook (P&Z) presented the Docket Item and answered questions from the Planning Commission.

Speaker:

Mary Catherine Gibbs, Wire Gill, LLP, project attorney, spoke in support of the project, noting the populations being served, outreach efforts from AHDC and the open space and crown coverage provided.

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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:

Commissioner Brown stated his support of the project, noting that while usually wary of re-zonings without a Small Area Plan (SAP) study, he found the proposal to not be a significant departure from the intent of the SAP. He found the modest scale and height of the project and the residential use to be compatible with the surrounding neighborhoods, and he also supported the City's participation in the project.

Chair Macek noted there was community concern when the loan application was requested of the City, but the absence of speakers shows the commendable outreach efforts of AHDC.

Commissioner McMahon noted the project does a good job transitioning between single-family residential and institutional/commercial uses, and appreciates that the design reduces curb cuts.

PLANNING COMMISSION ACTION:

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of MPA#2021-00007. The motion carried on a vote of 7 to 0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of REZ#2021-00006. The motion carried on a vote of 7 to 0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of SEC#2021-00005. The motion carried on a vote of 7 to 0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of DSUP#2021-10027, and TMP SUP#2021-00099. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

10. Master Plan Amendment #2021-00001
Rezoning #2021-00002
Development Special Use Permit #2021-10013 (Stacked Townhouses)
Development Special Use Permit #2021-10014 (Multifamily Buildings)

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Development Site Use Plan #2021-00004 (Public Streets)

Transportation Management Plan Special Use Permit #2021-00025 (Stacked Townhouses)

Transportation Management Plan Special Use Permit #2021-00108 (Multifamily Buildings)

Special Use Permit #2021-00059 (Coordinated Sign Plan)

5901, 5951, and 5999 Stevenson Avenue and 2 South Whiting Street - Landmark Overlook

Public Hearing and consideration of requests for: (A) an amendment to the Landmark-Van Dorn Small Area Plan Chapter of the Alexandria Master Plan to change the recommended primary use above the first floor from office to residential-with some office and to change the following recommendations for Block B of the Plan: increase the maximum square footage of residential uses, decrease the minimum square footage of office uses, and decrease the minimum square footage of retail uses; (B) an amendment to the official zoning map to change the zoning designation for the properties from CRMU-M/Commercial Residential Mixed Use - Medium zone and OCM(50) / Office Commercial Medium (50) zone to CRMU-H/Commercial Residential Mixed Use – High zone; (C) a Development Special Use Permit to construct new stacked townhouse units (multifamily residential) with a modification, a request to treat the project area as a tract for the purpose of calculating FAR pursuant to Section 1-400(B)(3)(c), and Special Use Permits for a parking reduction, and to increase the proposed floor area ratio (FAR) to 2.03; (D) a Development Special Use Permit to construct two new multifamily residential buildings with modifications, a request to treat the project area as a tract for the purpose of calculating FAR pursuant to Section 1-400(B)(3)(c), and a Special Use Permit request to increase the proposed floor area ratio (FAR) to 2.03; (E) a Development Site Plan to construct two new public streets with a request to treat the project area as a tract for the purpose of calculating FAR pursuant to Section 1-400(B)(3)(c); (F) a Special Use Permit for a Transportation Management Plan (Tier 1) for the stacked townhouse units (multifamily residential); (G) a Special Use Permit for a Transportation Management Plan (Tier 3) for the two multifamily residential buildings; and (H) a Special Use Permit for a Coordinated Sign Plan; zoned CRMU-M/Commercial Residential Mixed Use - Medium and OCM(50)/Office Commercial Medium (50).

Applicant: West End Development Associates, LLC, represented by Kenneth Wire, attorney

Nathan Randall (P&Z) presented the Docket Item and answered questions from the Planning Commission.

Speakers:

Ken Wire, attorney for the applicant, spoke in support of the project. He noted the history of working at the site and the level of coordination necessitated by its Euclidian zoning. He explained that he was satisfied with the outcome from the coordination, including the

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specific topic of open space. Mr. Wire also noted the diversity of residential types offered at the project.

Discussion:

Commissioner Manor inquired whether a pedestrian bridge across Duke Street is still recommended in the Landmark-Van Dorn Corridor Plan. Commissioner Brown expressed enthusiasm for the project, noting that he didn't see the need for a new planning study for this area. He also asked staff about traffic and pedestrian accessibility to the Landmark Mall site.

Commissioner Koenig asked the applicant a series of questions regarding the proposed energy type (gas or electric) and source for the new buildings and, specifically, provisions for renewable energy. He also inquired about what was preventing the applicant from providing "net zero" buildings for this site. The applicant replied that he cannot commit to providing such items now but may consider some of them as voluntary measures prior to building permit approval. Although he noted many worthy aspects exist and planned to vote in favor of the Master Plan Amendment and rezoning, Commissioner Koenig stated that he would not be voting in favor of the Development Special Use Permit (DSUP) requests. He saw the project as representing a continuation of the status-quo that does not address the current climate emergency. He expressed support for increasing the City's expectations regarding energy savings measures and having "net zero" standards.

Commissioner Lyle expressed support for the project. She stated that a "reality check" is needed regarding the extent to which developers can balance the provision of affordable housing with the need to fulfill various City policies and expectations such as public art, bike share, and open space. She also cited enhanced building façade materials as an example of a practice that impacts developers' ability to provide affordable housing and stated that the City shouldn't mandate them for new buildings. Chairman Macek and Planning Director Moritz raised the possibility of holding a Planning Commission work session in the future to discuss the matter.

PLANNING COMMISSION ACTION:

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of MPA#2021-00001. The motion carried on a vote of 7 to 0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of REZ#2021-00002. The motion carried on a vote of 7 to 0.

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On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of DSUP#2021-10013, DSUP#2021-10014, SUP#2021-00025, SUP#2021-00108, and SUP#2021-0059, subject to all applicable codes and staff recommendations. The motion carried on a vote of 6 to 1, with Commissioner Koenig voting against.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to approve DSP#2021-00004. The motion carried on a vote of 7 to 0.

Reason: The majority of the Planning Commission agreed with the staff analysis. A minority of the Planning Commission believed that the applicant should have voluntarily proposed additional green energy provisions, including on-site renewable energy production and buildings that meet “net-zero” standards.

OTHER BUSINESS:

- 11.1 A request from Kenneth Wire for the Planning Commission to Initiate a Zoning Text Amendment to the KR Zone.
Applicant: Kenneth Wire

Planning Director Moritz suggested that this matter be taken into consideration when staff comes back in January with a draft of the Interdepartmental Long Range Planning Work Program. Chair Macek and other members expressed joint concurrence in holding a future discussion.

- 11.2 Commissioners’ Reports, Comments, and Questions.

Chair Macek reported that the Waterfront Commission will be meeting early next month to review waterfront flood mitigation proposals. He reported that the Department of Project Implementation has been working to refine design concepts for this program that fit within the allocated budget, in addition to outlining principles that should be followed with respect to implementing these funds.

Chair Macek also reported that the Waterfront Commission held a special meeting about the Torpedo Factory to review concepts for implementation of several possible activation scenarios. Three scenarios were considered. One scenario included incremental investment yearly through the Capital Improvement Program (CIP). A second proposal included upfront investment but also proposes changing tenant types to support a more sustainable revenue stream long-term. This proposal would also see the City still in the lead role but using partnerships. A third scenario was for full privatization of the space which was not found to be financially feasible nor in accordance with the goal to preserve space for public use. The second, middle, proposal was recommended by the Waterfront Commission. City Council will also review these proposals. Further engagement would

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happen over the next 12 to 18 months. Chair Macek expressed desire for the Torpedo Factory to be reinvigorated and to be somewhere that people and families want to visit.

Chair Macek also reported that the Planning Commission has a joint meeting with the Environmental Policy Commission to discuss possible actions that both Commissions can take to encourage action on the climate emergency. The Commissions will be discussing what they can do jointly and separately.

Commissioner Brown reported that the work of the Open Space Steering Committee continues and at least one end product will be recommendations on a zoning text amendment on the public open space zone.

MINUTES:

12. Consideration of the minutes from the November 4, 2021 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 November 4, 2021, as submitted. The motion carried on a vote of 7-0.

ADJOURNMENT

13. The Planning Commission Public Hearing was adjourned at 9:46 p.m.

14. **ADMINISTRATIVE APPROVALS**

The following Special Use Permits were approved administratively in accordance with sections 11-511 or 11-513 of the zoning ordinance.

Special Use Permit #2021-00098

710 King Street

Administrative Special Use Permit request for a Minor Amendment of a Restaurant;
zoned: KR/King Street Urban Retail.

Current Business Name: Village Brauhaus

Applicant: William Gross & Chelsea Gross

Planner: Patrick Silva

Status: Approved 11/15/2021

Special Use Permit #2021-00092

109 North Washington Street

Administrative Special Use Permit request for a Change of Ownership of a Restaurant;
zoned: KR/King Street Urban Retail.

Current Business Name: Old Town Deli

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Applicant: Prester J, LLC

Planner: Patrick Silva

Status: Approved 10/26/2021