

Docket Item #11
Planning Commission Public Hearing
March 1, 2022

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of March 1, 2022.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 1, 2022

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

ALEXANDRIA PLANNING COMMISSION

March 1, 2022, 7:00 p.m.

Council Chamber

Alexandria, Virginia

Members Present:

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

Members Absent: N/A

Staff Present:

Karl W. Moritz	Department of Planning & Zoning
Christina Zechman Brown	Office of the City Attorney
Nancy Williams	Department of Planning & Zoning
Jeff Farner	Department of Planning & Zoning
Tony LaColla	Department of Planning & Zoning
Ann Horowitz	Department of Planning & Zoning
Rachel Drescher	Department of Planning & Zoning
Patrick Silva	Department of Planning & Zoning
Marlo Ford	Department of Planning & Zoning
Robert Kerns	Department of Planning & Zoning
Nathan Imm	Department of Planning & Zoning
Anna Franco	Department of Planning & Zoning
Lalit Sharma	Department of Transportation & Environmental Services
Brian Dofflemyer	Department of Transportation & Environmental Services
Megan Oleynik	Department of Transportation & Environmental Services
Melanie Mason	Department of Transportation & Environmental Services
Alex Boulden	Department of Transportation & Environmental Services
Shannon Tokumaru	Department of Transportation & Environmental Services
Ryan Knight	Department of Transportation & Environmental Services
Judy Lo	Recreation, Parks & Cultural Activities
Ana Vicinanza	Recreation, Parks & Cultural Activities

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1. **Call to Order.**

The Planning Commission Public Hearing was called to order at 7:04 p.m., with Commissioner Brown participating remotely and Commissioner Ramirez arriving at 7:06 p.m. All other members were present at the Call to Order.

2. Election of Planning Commission Officers for Chair and Vice Chair.

On a nomination made by Commissioner Lyle, the Planning Commission voted to approve Nathan Macek as Chair for a period of one year. Commissioner Ramirez was not in Chamber at the time of the vote but later indicated her vote would have been in favor.

Chair Macek thanked the Planning Commission for their support. He then opened up nominations for Vice Chair.

On a nomination made by Commissioner Lyle, the Planning Commission unanimously voted to approve Melissa McMahon as Vice Chair for a period of one year.

The Chair and Planning Commission congratulated Vice Chair McMahon

Chair Macek then read the following statement into record:

If you wish to speak on a Docket Item and have not already signed up to do so, please fill out a Speaker Form online by following the “Sign Up to Speak” hyperlink present on the cover page of this evening’s Public Hearing docket or in person by filling out a hardcopy speaker form, which can be found on either materials tables (located immediately outside the Chambers or at the back of the Chambers), and providing it to a member of City Staff (Lia Niebauer).

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’ve heard 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 Chamber 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.

CONSENT CALENDAR:

Chair Macek inquired as to whether there were any changes to tonight's Docket. Commissioner Brown responded by indicating he wished to pull Docket Item #4 from the Consent Calendar.

3. Special Use Permit #2021-00115
3507 Mount Vernon Avenue
Public Hearing and consideration of a request for a Special Use Permit for the intensification of a non-complying general automotive repair use with the addition of automobile sales; zoned: NR/Neighborhood Retail (Arlandria).
Applicant: Kostadinov Pehlivanis

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 #2021-00115. The motion carried on a vote of 7-0.

4. Special Use Permit #2021-00126
3601 Richmond Highway
Public Hearing and consideration of a request for a Special Use Permit to waive the sign requirements of Article IX of the Zoning Ordinance for the installation of a digital text and graphic sign; zoned: CDD #19/Coordinated Development District #19.
Applicant: Volta Charging, LLC., represented by Robert D. Brant, attorney

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

Speaker:

Robert Brandt, applicant's attorney, Walsh, Colucci Lubeley & Walsh, stated his appreciation for the initial remarks made by Commissioner Brown and voiced his support for the City engaging in a wider policy discussion surrounding how this type of signage should be evaluated in the future. Mr. Brant noted that demand for Electrical Vehicle (EV) charging stations is surging and companies like Volta Charging LLC have found a unique way to implement market driven solutions to meet this demand. Mr. Brant requested the Planning Commission vote to recommend approval of the Special Use Permit (SUP).

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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 explained that despite initial concerns regarding the proposal, he was now ready to support it after confirming EV charging equipment is defined as an accessory use in the Zoning Ordinance. Commissioner Brown also applauded the applicant's entrepreneurship in finding a way to offer EV charging services at no cost to the user. After listening to the other Commissioners' discussion of the proposal, Commissioner Brown stated he was impressed with the points made by Chair Macek and Vice Chair McMahon on concerns they had and stated he would be voting in opposition to the proposal.

Chair Macek voiced his concern regarding the proposal, based on the idea that the request is not permitted by the City's Sign Ordinance. He voiced his belief that the request would more accurately be characterized as a request for outdoor advertising and, until the time the City develops a policy for how to evaluate and implement signage akin to that of this proposal, he could not support such proposals. Chair Macek inquired of staff whether the Department of Transportation and Environmental Services (T&ES) reviewed the proposal. Staff confirmed that T&ES did review the proposal and concluded that the proposed area of installation was appropriate and was unlikely to have negative impacts of pedestrian safety or driver distraction.

Vice Chair McMahon voiced her support for the comments made by Chair Macek and expressed her concern that the proposal did not meet the criteria needed for a waiver of sign requirements. She also voiced her concern that the proposed location of the signage relative to the subject site had the potential to negatively impact driver distraction and pedestrian safety. Mr. Brant, attorney for the applicant, responded by confirming that the applicant has never had a complaint from a property owner or report of incident involving a driver or pedestrian as a result of their existing charging station signage in the Washington Metropolitan Area.

Commissioner Manor inquired of the applicant as to the cost to install the charging stations and what the advertisement revenue would be. Tommy Li, representing the applicant, Volta Charging, LLC., noted installation costs can range from \$50,000-\$100,000 for two charging units, but did not have data on the advertisement revenue generated.

Commissioner Lyle inquired of staff whether their approval of the SUP would open the door to additional charging stations being installed at the site free of City review. Staff responded that any new proposals would require the same review process as the current

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request and would be required to meet the same criteria required for a waiver of sign requirements.

Commissioner Koenig inquired whether the staff review of the SUP request included a review of the potential pedestrian-vehicular impacts as a result of the signage installation. Staff confirmed that the staff review did include the review of potential safety impacts, with staff concluding such impacts were unlikely to occur. Commissioner Koenig inquired whether approval of this request would set a precedent for the installation of additional charging stations at the site. Staff responded that any additional requests for a waiver for similar proposals would be evaluated on a case-by-case basis. Commissioner Koenig echoed Chair Macek's desire to see a wider City policy in place before approving signage akin to that of this proposal. Commissioner Koenig inquired of Mr. Brant whether similar digital signage approved for the North Potomac Yard Innovation Campus site was similarly located near areas of pedestrian-vehicle interaction. Mr. Brant confirmed that the digital signs approved at the Innovation Campus site were located near such areas.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend denial of Special Use Permit #2021-00126. The motion carried on a vote of 7-0.

Reason: The Planning Commission disagreed with the staff analysis.

NEW BUSINESS:

5. Discussion Item: Auxiliary Apartments in Commercial Zones Text Amendment
Staff: City of Alexandria, Department of Planning & Zoning

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

Questions raised by the Planning Commission included the following and staff indicated that they would be following up on addressing them more fully in the weeks ahead especially in execution of the associated community engagement process.

Vice Chair McMahon inquired as to whether there has been a comparison between non-residential parking regulations and multi-family parking regulations. Staff indicated that a comparison has been considered and there is some similarity.

Chair Macek inquired as to whether residents of such auxiliary dwellings not located on King or Washington Streets are eligible for Residential Parking Permits (RPP). Staff responded that it is

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communicating with the Department of Transportation & Environmental Services to seek clarification regarding that question. Chair Macek also inquired as to whether a house in a commercial zone qualifies for a RPP. Staff indicated that if the house has a residential classification under the Zoning Ordinance it is believed that it could qualify for a RPP based upon the occupancy of the house. Staff reiterated that additional clarification relating to these questions will be secured. Chair Macek also indicated that this proposal is something important to consider and it will be interesting to see what type of public feedback is received from the community engagement process.

6. Zoning Text Amendment #2022-00001

Extension of Temporary Program for Business Relief and to Address Public Need Related to COVID-19 to June 30, 2022 and to delete language related to existing City ordinances.

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to extend the expiration of an existing temporary program for business relief from April 1, 2022 to June 30, 2022 and to delete language related to existing City ordinances.

Staff: City of Alexandria

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

Speakers:

None.

Discussion:

Chair Macek recognized that the Text Amendment included deletions of temporary pandemic-era programs that led to permanent ones. Vice Chair McMahon appreciated how the temporary programs allowed for innovative experimentation and served to support the permanency of some emergency initiatives.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to close the Public Hearing and initiate TA #2022-00001. 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 recommend approval of TA #2022-00001, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7-0.

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Reason: The Planning Commission agreed with the staff analysis.

7. Development Special Use Permit #2021-10015
345 Swann Avenue (formerly part of 403 and 300 Swann Avenue) - Oakville Triangle
Block C2 - Park
Public Hearing and consideration of a request for a Development Special Use Permit with
Site Plan to construct a 0.72 acre publicly accessible privately owned and operated open
space park on Parcel 706 Oakville Triangle; zoned: CDD #24/Coordinated Development
District #24.
Applicant: Stonebridge Associates Inc.

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

Speakers:

Devin A. Reese, 2401 East Randolph Avenue, raised concerns about the project,
particularly regarding the impact the project will have on the natural character of Mount
Jefferson Park and the habitat quality for wildlife.

Amy Slack, 2307 East Randolph Avenue, raised concerns about the amount of integration
between the proposed project and Mount Jefferson Park, believing the design of both
parks are more reflective of parks seen in urban areas. Ms. Slack would particularly like
to see water features in the design of the subject property.

David Fromm, 2307 East Randolph Avenue, asked for a deferral of the Development
Special Use Permit so that the design of Oakville Block C2 Park can be redesigned to
revert to a more naturalistic park design. Mr. Fromm stated that the subject property has
brought formal City park design into the design of the naturalistic design of Mount
Jefferson Park.

Hal Cardwell, 2401 East Randolph Avenue, requested modifications to the proposed
design of the subject property to better achieve integration with the natural character of
Mount Jefferson Park. Mr. Cardwell requested modifications to paths and pathway
materials, landscaping, and berms, and requested water features and minimal lighting for
the park.

Matt Mulder, 2403 East Randolph Avenue, stated that the proposed pathways and other
design elements of Oakville Block C2 will lead to degradation of the undeveloped nature
of Mount Jefferson Park and will displace wildlife. Mr. Mulder requested adjustments to
the design of the subject property to reduce the impact on Mount Jefferson Park.

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Duncan Blair, project attorney, Land, Carroll & Blair, PC, spoke in support of the proposal. Mr. Blair stated that the proposed park design was created with a great deal of public input and considered the passive use of Mount Jefferson Park in its design. He noted that the intent of Oakville Block C2 is to be a room adjacent to Mount Jefferson Park for community use and that the design of Mount Jefferson Park is being unchanged with this proposal. Mr. Blair clarified that the subject property will be maintained by the association of Oakville triangle and will use water for irrigation as minimally as possible.

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 6-0-1, with Commissioner Ramirez abstaining.

Discussion:

Vice Chair McMahon asked for clarifications from staff on several items, including the use of turf grass in public parks, the irrigation system for the park, and recent changes to the design of Mount Jefferson Park. Overall, Commissioner McMahon stated that the Oakville Block C2 Park is a nice park design and includes several features that will be enjoyable and that will meet the needs of the community. She noted that pathway materials may be a sensible solution since a private entity is expected to maintain the park. Vice Chair McMahon also noted that there are smart pathway connections between Oakville Block C2 Park and Mount Jefferson Park and that defined pathways may actually keep park visitors off of landscaping and by doing so, preserve wildlife habitat. She asked staff to consider grasses that would increase benefits to biodiversity.

Chair Macek also asked for clarifications from staff on several items, including the differences of irrigation strategies for public and privately owned park land, if changes to Mount Jefferson Park are being considered at the Public Hearing, the connection points between the subject property and Mount Jefferson Park, impacts on wildlife, if water features were considered in the park design, who the park was designed to serve, and if there were changes to previous design concepts. Staff responded to the questions, along with Duncan Blair, attorney for the project, in his statement above. Chair Macek stated that he concurs with Vice Chair McMahon's comments and noted that incorporating the concerns stated in the Public Hearing would be helpful, if possible. Overall Chair Macek stated that the park will be a nice feature for this area of the city.

PLANNING COMMISSION ACTION: On a motion by Commissioner McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Development Special Use Permit #2021-10015, as submitted. The motion carried on a vote of 6-0-1, with Commissioner Ramirez abstaining.

Reason: The Planning Commission agreed with the staff analysis.

OTHER BUSINESS:

8. Commissioners' Reports, Comments, and Questions.

Chair Macek provided an update on the joint letter of the Environmental Policy Commission (EPC), Planning Commission and Transportation Commission regarding the recommendations to City Council on the Climate Emergency. Chair Macek thanked Vice Chair McMahon, Commissioner Lyle, and Commissioner Koenig for their involvement with the process. He stated that the EPC has moved forward with meetings with Council Members.

Commissioner Koenig asked, regarding the joint letter, if there has been any response from City Council about the letter thus far. Chair Macek does not believe there has been a formal response from the City Council, but that the EPC Chair has noted that they are pushing for a City Council Item to discuss these matters further.

Commissioner Koenig provided an update that the Potomac Yard Metro Station Implementation Group did not meet this past Monday but that an update was provided to City Council at their last legislative meeting that progress is at 75% complete. Additionally, the opening date is still anticipated to be the fourth quarter of 2022. Commissioner Koenig also provided an update on the Potomac River Generating Station project and stated that a remediation and sustainability related public meeting was recently held. The sustainability portion of the presentation was essentially a public version of the carbon neutrality analysis draft.

Department of Planning & Zoning Director Moritz provided an update that the joint meeting of the City Council, the Planning Commission and the Alexandria Redevelopment & Housing Authority (ARHA) board has been cancelled with more information to come.

Vice Chair McMahon, building off Commissioner Koenig's update related to the Potomac River Generating Station, stated that she and Commissioner Brown met on site with community members who live in Marina Towers to discuss their concerns related to the transportation network connection to Slaters Lane. Vice Chair McMahon also mentioned that in the Transportation Commission hearing in February they received an update on Duke Street in Motion. An outreach process update was provided at the meeting and the Vice Chair noted the issue of receiving sufficient and representative survey responses. She identified the issue as something that has been an ongoing challenge generally. Vice Chair McMahon welcomed further discussion on this topic.

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MINUTES:

9. Consideration of the minutes from the February 1, 2022 Planning Commission meeting.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to approve the minutes of February 1, 2022, as submitted. The motion carried on a vote of 7-0.

ADJOURNMENT

10. The Planning Commission Public Hearing was adjourned at 9:28 p.m.

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