

Docket Item #12
Planning Commission Public Hearing
October 6, 2022

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of October 6, 2022.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – OCTOBER 6, 2022

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

ALEXANDRIA PLANNING COMMISSION

October 6, 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:

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
Robert Kerns	Department of Planning & Zoning
Ann Horowitz	Department of Planning & Zoning
Mary Christesen	Department of Planning & Zoning
Maya Contreras	Department of Planning & Zoning
Dirk Geratz	Department of Planning & Zoning
Patrick Silva	Department of Planning & Zoning
Alexa Powell	Department of Planning & Zoning
Nathan Imm	Department of Planning & Zoning
Anna Franco	Department of Planning & Zoning
Yon Lambert	Department of Transportation & Environmental Services
William Skrabak	Department of Transportation & Environmental Services
Jesse Maines	Department of Transportation & Environmental Services
Melanie Mason	Department of Transportation & Environmental Services
Alex Boulden	Department of Transportation & Environmental Services
Ryan Knight	Department of Transportation & Environmental Services
Brian Dofflemyer	Department of Transportation & Environmental Services

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1. **Call to Order.**

The Planning Commission Public Hearing was called to order at 7:03 p.m. Commissioner Brown arrived at 7:07 p.m., all other members were present at the Call to Order, with Commissioner Manor participating remotely under the Electronics Participation Policy for personal reasons.

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 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.

Additionally, a reminder to all, including Commissioners, Staff, and Speakers in the Chamber to please speak clearly into the microphone to ensure all are able to hear in a clear manner.”

CONSENT CALENDAR:

Chair Macek inquired as to whether there were any changes to tonight’s Docket. Staff responded that the applicant for Item #5 has requested deferrals for all Special Use Permits (SUPs) associated with that Item. On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, each of the SUPs under Item #5 were deferred, as reflected on pages 6 and 7 of these Minutes.

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2. Special Use Permit #2022-00058
3103 Park Center, Unit 1600
Public Hearing and consideration of a request for a Special Use Permit for a congregate housing facility use; zoned: CRMU-H/Commercial Residential Mixed Use-High.
Applicant: Sheltered Homes of Alexandria, represented by Mary Catherine Gibbs, attorney/agent.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Special Use Permit #2022-00058. The motion carried on a vote of 7-0 on the Consent Calendar.

3. Special Use Permit #2022-00061
516 Oronoco Street
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a health profession office and change in use from a non-complying personal service establishment to a health profession office.
Applicant: Stella Kim.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Special Use Permit #2022-00061. The motion carried on a vote of 7-0 on the Consent Calendar.

NEW BUSINESS:

4. Discussion Item - Changes to the Transportation Management Program (TMP).
Staff: City of Alexandria, Department of Transportation & Environmental Services

Thomas Hamed, Department of Transportation & Environmental Services (T&ES), gave a presentation regarding proposed changes to the Transportation Management Program (TMP) and solicited questions and comments from the Planning Commission:

- Chair Macek's Questions and Comments:
 - Congestion reduction vs. mobility improvement: Chair Macek indicated he prefers to see an emphasis on the latter. T&ES indicated it is looking to do both.

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- T&ES indicated that for legal reasons congestion reduction was utilized but T&ES will look into utilizing more multi-modal terminology too.
- Why sunset after 30 years? T&ES indicated that it is in line with what other jurisdictions, such as Arlington County, are doing.
 - Would properties older than 30 years be able to sunset without showing they have met objectives? T&ES indicated yes; they would be able to sunset under the new policy regardless of performance.
 - How did the 30/70 split get determined? Should it be flipped? T&ES indicated the 70 percent funded projects are those which T&ES believes would help more people; but, they can also look at more funding on the 30 percent designated side.
 - Comment - Concerned with specificity of the list; suggests more flexibility for new improvements.
 - Comment - Transportation Commission: recommended that this be docketed for Transportation Commission review/comments.
- Vice Chair McMahon's Questions and Comments:
 - Who would establish targets for goals? T&ES currently looks at a report called Commuter Connections/Date of the Commute and the index targets for single vehicles in that report to establish goals.
 - Comment - Setting targets will be harder than we think.
 - Comment - Allow for an escalating target, based on clear regional targets.
 - What is the role of the TMP Coordinator other than providing a check? T&ES indicated they provide a point of contact with the City and assist the City with outreach to building occupants.
 - Don't overlook properties in the middle - may need some more coordination from the on-site TMP Coordinator. T&ES indicated it is proposing that the vast majority of TMPs pay into a City fund; there are very large properties that would have a traditional TMP program.
 - Comment - Rationale for payment plans; may want to consider the possibility of a need for a steady stream of funds.
 - Comment - Suggest clarification of requirement/condition for due diligence of spending funds - reasonable standards.
 - Comment - Look at language in the conditions regarding first certificate of occupancy and timing for checks.
 - Comment - Consider consolidating Conditions #3 and #4 for the self-managed TMPs.

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5. **Applicant has requested for deferral of all items under Docket Item #5:**

Special Use Permit #2022-00042

4646 Seminary Road - Francis C Hammond Middle School Athletic Field Lights

Public Hearing and consideration of a request for a Special Use Permit to allow the installation of lighting for congregate recreational facilities at Francis C Hammond Middle School; zoned: R-8/Single-family zone.

Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Special Use Permit #2022-00042. The motion carried on a vote of 6-0.

Special Use Permit #2022-00043

1005 Mount Vernon Avenue - George Washington Middle School Athletic Field Lights

Public Hearing and consideration of a request for a Special Use Permit to allow the installation of lighting for congregate recreational facilities at George Washington Middle School; zoned: RB/Townhouse zone.

Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Special Use Permit #2022-00043. The motion carried on a vote of 6-0.

Special Use Permit #2022-00044

1501 Cameron Street - Jefferson Houston Elementary School Athletic Field Lights

Public Hearing and consideration of a request for a Special Use Permit to allow the installation of lighting for congregate recreational facilities at Jefferson Houston Elementary School; zoned: RB/Townhouse zone.

Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities

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PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Special Use Permit #2022-00044. The motion carried on a vote of 6-0.

Special Use Permit #2022-00045

4643 Taney Avenue - Patrick Henry Elementary School and Recreation Center
Athletic Field Lights

Public Hearing and consideration of a request for a Special Use Permit to allow the installation of lighting for congregate recreational facilities at Patrick Henry Elementary School; zoned: R-12/Single-family zone.

Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Special Use Permit #2022-00045. The motion carried on a vote of 6-0.

Special Use Permit #2022-00046

600 E Monroe Avenue - Simpson Stadium Park Athletic Field Lights

Public Hearing and consideration of a request for a Special Use Permit to allow the installation of lighting for congregate recreational facilities at Simpson Stadium Park; zoned: POS/Public open space and community recreation zone.

Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Special Use Permit #2022-00046. The motion carried on a vote of 6-0.

6. Special Use Permit #2022-00018

1605 and 1611 Mount Vernon Avenue

Public Hearing and consideration of a request for a Special Use Permit to allow for the continued use of a nonconforming vehicle parking and storage lot associated with an automobile sales and service use until December 31, 2045 (amending SUP #2010-00052); zoned: CL/Commercial Low.

Applicant: Alexandria Hyundai, LLC, represented by M. Catharine Puskar, attorney/agent.

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

Discussion:

Commissioner Koenig confirmed with staff that noncomplying uses may remain unchanged unless Special Use Permit (SUP) approval is granted for an expansion or intensification and nonconforming uses are accompanied by a SUP expiration date. Additionally, staff confirmed that the existing parking lot SUP expiration of 2025 purposely coincides with the SUP expiration of the service station located next door at 1601 Mount Vernon Avenue, freeing up the entire 1600 block for coordinated redevelopment. Department of Planning & Zoning Director Karl Moritz responded to a question about the difference in staff position from a 2010 SUP, in favor of a parking lot extension date. Director Moritz explained that the real estate market had collapsed at that time and economic conditions did not support redevelopment of the lot, unlike today when economic indicators strongly support the redevelopment potential for residential or commercial uses at the Hyundai lots.

Commissioner Koenig recognized that the business operator, Kevin Reilly, has had a positive impact on the Del Ray community; however, he believes the Planning Commission's decision rests on a larger community concept – conformance with the Small Area Plan. As decades have passed since the 1992 Master Plan change, that does not permit auto dealerships, and the 2005 approval of the Mount Vernon Area Business Plan, he considers the time is right now to move forward in compliance with the Master Plan. As such, he stated he would not support the SUP for the accessory parking lot as well as possibly not supporting the two SUPs for expansion of noncomplying uses.

Commissioner Lyle stated her support for the three SUP requests as developers have not inquired about the sites and Del Ray citizens largely support the continuation of the Hyundai business. She estimated that even if a developer were interested in the lots today, it would take 10-15 years before new buildings could be constructed.

Commissioner Brown supported Commissioner Koenig's comments and staff recommendations of denial. Although he hoped to see the Mount Vernon Avenue Small Area Plan revised within five years, he stressed the importance of adhering to the current plan, which he believes is still generally relevant.

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Vice Chair McMahon agreed with Commissioners Koenig and Brown. She expressed comfort with supporting staff recommendations of denial; however, she was willing to consider a differing opinion about the dealership sites. Nonetheless, Vice-Chair McMahon could not reconcile a 20-year extension to 2045 of the parking lot as economic conditions are not the same as 2010 and a 20-year extension would freeze redevelopment of the parking lot for several years.

Commissioner Ramirez noted her support for the SUP requests and disagreement with the staff recommendation. As the business is an integral part of the community, she believes it conforms to the Small Area Plan in terms of supporting the neighborhood character and culture of Del Ray. Allowing a 20-year extension of the parking lot would provide time for the City to determine what would be best for the site.

Chair Macek generally supported staff recommendations, indicating the parking lot creates a schism between the business districts to the north and south ends of the avenue. He believed the same rationale for adhering to the SUP termination date applied to the nonconforming parking lot as it did to the dealerships on King Street. He did not have issues with the 1700 and 1800 block proposals but would have liked to have seen the buildings closer to the street with parking behind the buildings, similar to the Pork Barrel redevelopment. Chair Macek found the continued existence of the dealerships on the lots acceptable until development was ready.

Speakers:

Sarah Haut, 228 East Nelson Avenue, spoke in support of the application as she believes the business is a benefit to the community and the area has blossomed since the 2005 Mount Vernon Avenue Business Plan was adopted.

Maria Wasowski, 306 Hume Avenue, spoke in support of staff recommendations of denial. Although she recognized the business operator as a great citizen, she believed it was important at this time to look forward and implement the overall aspirations of the Mount Vernon Area Business Plan, fostering an important north and south connection to the existing commercial centers.

Zachary DesJardins, spoke in opposition of the requests, noting that property tax assessments would increase if the lots were redeveloped and that the auto dealership could thrive at more appropriate location as other similar businesses have done before.

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Gail Reuter, 110 East Del Ray Avenue, spoke in support of applications, noting that the applicant is a supportive neighbor and the importance of maintaining an excellent business in the community. She stressed that the Del Ray civic and business groups support the continuation of the Hyundai dealership at its present location.

Kevin Reilly, applicant, expressed his appreciation for being part of the Del Ray community, detailing his support for charitable causes and an electric vehicle future. He detailed how he must comply with the Hyundai corporate rebranding program, which will cause him to invest \$7 to \$9 million in his business, hence his need to amortize the investment until 2045.

M. Catherine Puskar, applicant's attorney, spoke in support of the applications stating the community supports the proposals; negative impacts do not exist, and the Mount Vernon Area Business Plan has not been recently revised. She submitted proposed amendments to conditions for Planning Commission consideration.

PLANNING COMMISSION ACTION: On a motion by Commissioner Brown, seconded by Commissioner Koenig, the Planning Commission voted to recommend denial of SUP #2022-00018. The motion carried on a vote of 5-2.

Reason: The Planning Commission agreed with staff analysis to recommend denial to extend the expiration date of the accessory parking lot at 1605-1611 Mount Vernon Avenue from December 31, 2025 to December 31, 2045.

7. Special Use Permit #2022-00063
1707, 1709 and 1711 Mount Vernon Avenue
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a non-complying automobile sales and service use (amending SUP #2006-0019); zoned: CL/Commercial Low.
Applicant: Alexandria Hyundai, LLC, represented by M. Catharine Puskar, attorney/agent.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Commissioner Ramirez, the Planning Commission voted to recommend approval of SUP #2022-00063 as it conforms to the City Master Plan, subject to all conditions, code requirements, ordinances and amendments proposed by the applicant to Conditions #13, #29 and #42. The motion carried on a vote of 4-3.

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Reason: The Planning Commission disagreed with staff analysis.

8. Special Use Permit #2022-00064
1801 Mount Vernon Avenue
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a non-complying automobile sales and service use (amending SUP #2006-0021); zoned: CL/Commercial Low.
Applicant: Alexandria Hyundai, LLC, represented by M. Catharine Puskar, attorney/agent.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Commissioner Ramirez, the Planning Commission voted to recommend approval of SUP #2022-00064 as it conforms to the City Master Plan, subject to all conditions, code requirements, ordinances and amendments proposed by the applicant to Conditions #10, #34 and #45. The motion carried on a vote of 4-3.

Reason: The Planning Commission disagreed with staff analysis.

9. Special Use Permit #2022-00028
1940 Duke Street - Carlyle Block C Rooftop Amendment
Public Hearing and consideration of a request for a Special Use Permit to increase the gross square footage allowable for Carlyle Block C within the allowed maximum for the Carlyle District and to amend the Design Guidelines for Block C which includes an increase in height from the maximum of 82 feet currently allowed (amending SUP#2020-00065); zoned: CDD #1/Coordinated Development District #1.
Applicant: I&G Direct Real Estate 25 LP, represented by Robert Brant, attorney

Commissioner Ramirez recused herself from Item #9.

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

Discussion:

The applicant, represented by attorney Robert Brant, also requested that Green Building Condition #70C be removed. Planning Commission did not agree with the applicant's

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request with Commission Koenig stating that the condition was a de minimis request simply asking for an exchange of information on how the addition will meet minimum LEED certified building standards. Chair Macek agreed with Commission Koenig.

Speaker:

Robert Brant, attorney, spoke on behalf of the Applicant.

PLANNING COMMISSION ACTION: On a motion by Commissioner Koenig, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Special Use Permit #2022-00028, with the incorporation of the applicant proposed amendment to Condition #70B as proposed in the applicant letter dated October 6, 2022. The motion carried on a vote of 6 to 0, with Commissioner Ramirez recusing herself.

Reason: The Planning Commission agreed with the staff analysis and conditions, with the exception of Condition #70B. The Planning Commission agreed with the applicant that retaining one additional column of the existing tower was not necessary for the architecture of the neighborhood and therefore made the following amendments to Condition #70B in red.

Planning Commission Amended Condition #70B, a: To ensure the disengagement of the tower ~~along Duke Street~~ **from the proposed board room**, ~~make the changes to the enclosure connection and~~ deepen the notch between the existing tower and the proposed board room as shown on Attachment #7. (P&Z)

10. Master Plan Amendment #2022-00004
Rezoning #2022-00005
Development Special Use Permit #2022-10014
2729 King Street - Woodbine Rehabilitation and Healthcare Facility Addition
Public Hearing and consideration of a request for: (A) Master Plan Amendment to change the height of the subject property to a maximum of 45 feet; (B) an amendment to the official zoning map to change the zone from R-8/Single-family to RB/Townhouse and; (C) a Development Special Use Permit and site plan to construct an addition to an existing nursing home, with modifications to both side yard setbacks to allow greater than 50% of the southern side yard for parking and to the zone transition setbacks and a special use permit for a parking reduction to reduce the number of required loading spaces and increase the percentage of compact spaces to 82%; zoned R-8 / Single-Family Zone.

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Applicant: Woodbine Property 1, LLC. represented by M. Catharine Puskar, attorney

Alexa Powell (P&Z) was the assigned staff member from the Planning Commission. The Planning Commission opted to forgo a presentation.

Discussion:

The Planning Commission had no questions for the applicant or staff on this item. Chair Macek recalled the previous Silverado Nursing Home development case next door which was the subject of significant community opposition. He noted the marked absence of contention in this case and attributed the lack of concern primarily to fears in the previous case not being realized and that this addition is setback significantly from King Street. Commissioner Brown expressed support for the project. He noted that the addition will be a benefit to the surrounding community by providing a facelift to the existing building and modernizing the facility to accommodate more private rooms, which are in high demand as a result of the pandemic, without changing the overall number of beds in the facility.

Speaker:

Cathy Puskar, representing the applicant, spoke briefly in support and agreed with staff's analysis of the project.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, and seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of a Master Plan Amendment #2022-00004, as submitted. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, and seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Rezoning #2022-00005, as submitted. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, and seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Development Special Use Permit #2022-10014, as submitted. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

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OTHER BUSINESS:

11. Commissioners' Reports, Comments, and Questions.

Commissioner Lyle reported that the Duke Street Transitway Advisory Group will hold several community meetings during the month of October.

Chair Macek reminded the Planning Commission that a Joint Work Session with the Environmental Policy Commission will be held on October 17, with Congressman Don Beyer scheduled to give remarks related to the Inflation Reduction Act and Sustainability Initiatives.

MINUTES:

12. Consideration of the minutes from the September 6, 2022 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 September 6, 2022. The motion carried on a vote of 7-0.

ADJOURNMENT

13. The Planning Commission Public Hearing was adjourned at 10:22 p.m.