

Docket Item #11
Planning Commission Public Hearing
February 7, 2023

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of February 7, 2023.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – FEBRUARY 7, 2023

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

ALEXANDRIA PLANNING COMMISSION

February 7, 2023, 7:00 p.m.

Council Chamber

Alexandria, Virginia

Members Present:

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

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
Patrick Silva	Department of Planning & Zoning
Mavis Stanfield	Department of Planning & Zoning
Nathan Randall	Department of Planning & Zoning
Carson Lucarelli	Department of Planning & Zoning
Stephanie Sample	Department of Planning & Zoning
Catherine Miliaras	Department of Planning & Zoning
Christopher Ziemann	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
Jack Browand	Recreation, Parks & Cultural Activities
Helen McIlvaine	Office of Housing

1. Call to Order.

The Planning Commission meeting was called to order at 7:03 p.m. All members were present at the call to order.

Chair Macek then read the following statement into record:

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“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.

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.

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.”

CONSENT CALENDAR:

Chair Macek inquired as to whether there were any changes to tonight’s Docket. Staff responded that there were no changes to the Docket.

2. Zoning Text Amendment #2022-00015
King Street Outdoor Dining sidewalk use permit validity dates
(A) Initiation of a Text Amendment: and (B) Public Hearing and consideration of a Text Amendment to change the permit validity dates for King Street Outdoor Dining on public sidewalks from April 1 - March 31 to October 1 - September 30.
Staff: City of Alexandria, Department of Planning & Zoning.

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Discussion:

Chair Macek inquired as to the reason for establishing fixed dates for the King Street Outdoor Dining annual term. Staff replied that although an annual term could be applied at the implementation stage, maintaining dates at this time provided the restaurants with a set time frame for expiration as staff works toward a revised program which would merge all outdoor dining in the public right-of-way (parklets and sidewalks) into one application. The revised application process is expected to launch in the fall.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to initiate Zoning Text Amendment #2022-00015. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Zoning Text Amendment #2022-00015. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

3. Special Use Permit #2022-00102
700 South Patrick Street
Public Hearing and consideration of a request for a Special Use Permit for the expansion of a non-complying automobile service station use; zoned CL/Commercial Low.
Applicant: Adam Aldie, LLC

Discussion:

Chair Macek expressed concern that the curb cut closure would mean that access to the property from anywhere in the City would require motorists to drive a mile out of their way into Fairfax County to access the service station from South Patrick Street/Route 1. He asked staff to comment on the reasoning behind recommending closure of the curb cut. Staff responded that the South Patrick Housing Affordability Strategy Plan called for improving pedestrian safety in this heavily trafficked area and the Condition #10 to close the curb cut complies with the plan goals. The Strategy Plan identified that residents on the east side of South Patrick Street/Route 1 felt they could not safely walk to the recreation amenities on the west side of Route 1 and reducing the number of curb cuts would contribute to improving pedestrian safety. Staff mentioned that the applicant expressed no issue with complying with the Condition #10. Chair Macek noted that it is currently not possible for pedestrians to cross South Patrick Street/Route 1 from that

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location, on the south side of Franklin Street, as no crosswalk or signal for pedestrians exists.

Commissioner Brown supported Chair Macek's concern regarding the closure of the curb cut, stating it was problematic to close an access point to a business that was not requested by the business owner and provided no access within the City limits.

Commissioner Manor also supported Chair Macek, stating that the closure could create other safety issues with motorists who did not have time to slow down enough to use the South Patrick entrance and who would then turn onto Franklin Street, to use that curb cut to access the service station.

Commissioner Lyle stated her agreement with Chair Macek's position, as did Vice Chair McMahon.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission moved to recommend approval of Special Use Permit #2022-00102, as amended, pursuant to the recommendation in the February 6, 2023 staff memorandum regarding Condition #2 and pursuant to the concurrence of the Planning Commission not to support Condition #10. The motion carried on a vote 7-0.

Reason: The Planning Commission generally agreed with the staff recommendations but differed as it relates to support for the Franklin Street curb cut access closure, Condition #10.

4. Special Use Permit #2022-00103 4513 Duke Street

Public Hearing and consideration of a request for a Special Use Permit to amend Condition #3 for the extension of a temporary trailer use (amending SUP #2020-00105); zoned: CG/Commercial General.

Applicant: DHL Express US

Speakers:

Essete Gabriel, applicant, spoke in favor of the request and provided a testimony on the details and benefits of DHL's pop-up concept. Although the company introduced the pop-up units during COVID, it found the concept successful in terms of locating near its

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customer base and in operating sustainably through solar panels, and in the future, electronic bike deliveries.

Kelly Shepard, applicant, spoke in favor of the request, mentioning that the company is investing in the pop-up units as they have proven to be more scalable and environmentally sustainable than the two bricks and mortar sites they currently use, one which is closing soon.

Bruce Marsh, applicant, spoke in favor of the request, stating that the Alexandria pop-up trailer serves the nearby foreign-born community and provides international shipping access for start-up businesses.

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 Lyle stated her opposition to the extension provision of Condition #3 which would allow the applicant to extend approval of their Special Use Permit for an additional three years with approval of an Administrative Special Use Permit and favored only a two-year term. Commissioner Lyle stated her belief that the applicant should actively be making efforts to establish the location in a brick-and-mortar storefront and that the three-year extension provision was too long. Commissioner Lyle asked the applicant to clarify if this pop-up is intended to be a temporary solution until a brick-and-mortar lease can be secured or if they wished to operate the use permanent in its current form. The applicant responded that they did not plan on the trailer being approved indefinitely and they continue to look for alternative business models which comply with the regulations of the municipalities in which they operate.

Vice Chair McMahon inquired of the applicant why, if the pop-up concept has been successful in this location, they would not be able to continue their success in a brick-and-mortar storefront. Kelly Shepard responded on behalf of the applicant stating that brick and mortar DHL storefronts have not proved successful in this region when compared to their pop-up counterparts. Vice Chair McMahon stated that she feels the current request is different from other temporary trailer requests the Planning Commission has considered in the past in that the requests are usually intended to provide temporary relief or support to an existing brick and mortar business. She also stated her

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belief that staff consider updating the Zoning Ordinance to establish a better framework through which temporary use approvals like these could be considered.

Commissioner Brown stated his support for the comments expressed by Commissioner Lyle.

Commissioner Ramirez also stated her support for the comments expressed by Commissioner Lyle and expressed her concern about the trailer's location and its impact on pedestrian and vehicular traffic at the subject site.

Chair Macek too stated his support for the comments expressed by Commissioner Lyle, but also expressed his desire to see consistency with other recently approved temporary trailer Special Use Permit (SUP) Conditions that allowed a two year term with the opportunity for a three year extension through an administrative SUP. The Chair recognized that as the trailer had already been approved for two-years, he suggested amending Condition #3 to permit the trailer for only an additional three-years which would result in an overall five-year approval timeframe, consistent with the term allowances for other recent temporary trailer requests.

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 #2022-00103, as amended. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis, with the exception of the recommendation to permit the extension of the Special Use Permit for an additional three-years via Administrative Special Use Permit.

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5. Development Site Plan #2021-00016
4 East Oak Street and 7 East Chapman Street
Public Hearing and consideration of a request for a Development Site Plan with modifications to construct additions to an existing church building; zoned R-2-5/Single- and two-family zone.
Applicant: Redeemed Church of Our Lord Jesus Christ

Speakers:

David Shepherd, Assistant Pastor, Redeemed Church of Our Lord Jesus Christ, spoke in favor of the project. He indicated his excitement about the opportunity to grow his parish and asked for the Planning Commission's support of the application.

Nea Brown, Director of the Church's Capital Campaign effort, also spoke in favor of the project and asked for the Planning Commission's support.

Nancy Brown, East Oak Street resident, raised concerns about the height of the new addition. She also told the Planning Commission that she was concerned about the Church's public outreach and the new addition's potential to cast shadows on her property. She asked that the item be deferred to allow for a shade study to be conducted.

Joshua Bullock, Church Pastor, spoke in favor of the project. He addressed questions about community outreach and asked for the Planning Commission's support.

Aaron Vinson, applicant's representative, praised staff's help with the project and addressed building height and community outreach matters. He asked for the Planning Commission's support of the project.

Mark Yoo, project Architect, spoke in support of the application. He thanked staff for their help with the project and asked that the Planning Commission allow changes to Condition #24 regarding the City's Green Building Policy.

Discussion:

Chair Macek supported the project and was pleased that the congregation was expanding after many decades in the community. He agreed with concerns about wording of Condition #24 and recommended a postponement on the final vote until later in the Docket so that both parties could craft alternative language.

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Vice Chair McMahon supported the project and expressed concerns about the proposed language in Condition #24. She supported the spirit of Condition but called for a more streamlined approach on future cases like the Church project, which propose new additions onto an existing, older building.

Commissioner Brown supported the project and asked staff for clarification regarding how height and average finished grade are measured. He also asked for clarification regarding the front and side-yard setback requests, which included questions about the architectural canopy. Commissioner Lyle supported the project but expressed concerns over the language proposed by staff in Condition #24. She requested that both parties reach a resolution on alternative language that clarifies the applicant's green building-related responsibilities.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Commissioner Manor, the Planning Commission voted to approve Development Site Plan #2021-00016, subject to all applicable codes and staff recommendations and with amendments to Condition #24 to simplify the sustainability/green building requirements. The motion carried on a vote of 7-0.

#24: CONDITION AMENDED BY PLANNING COMMISSION: The applicant shall comply with the following sustainability requirements. The applicant will be exempted from the requirement of obtaining actual certification from one of the four Green Building rating systems.:

- a. With the first final site plan submission, the applicant shall provide a written memorandum for the review and approval of the Director of Planning & Zoning that details how they will strive to achieve the standards objectives of one of the four certification rating systems identified in the 2019 Green Building Policy, ~~plus the pertinent priority performance points~~, for the new additions and significant renovations of the church building. The applicant must obtain approval of the memorandum from the Director prior to final site plan release.
- b. ~~The applicant shall be exempted from the requirement of obtaining actual certification through one of the four certification rating systems identified in the 2019 Green Building Policy from an approved third party entity upon satisfactory completion of subsection (a) above.~~

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- c. ~~If the applicant demonstrates, in good faith and to the satisfaction of the Director of Planning & Zoning, why the project cannot achieve one of the four certification rating systems identified in the 2019 Green Building Policy, , plus the pertinent priority performance points, the Director may allow the project to achieve a less rigorous green building standard.~~
- d. The plan set included in the first final site plan submission and the future building permit shall demonstrate consistency with the sustainable elements of the memorandum to the satisfaction of the Director of Planning & Zoning.
- e. The applicant shall provide evidence prior to the approval of the Certificate of Occupancy that the green building standards approved in the memorandum have been installed at the project consistent with memorandum, final site plan, and building permit approvals. (P&Z)(PC)

Reason:

The Planning Commission agreed with the staff analysis and with the applicant's request that Condition #24 be amended. It is noted that at the request of Chair Macek, the final vote was postponed until after the next docket item to allow staff and the applicant team adequate time to collaborate on crafting alternative Condition language for Condition #24. The motion to postpone consideration until after Docket Item #6 was made by Vice Chair McMahon and seconded by Commissioner Lyle. It passed unanimously. Following the postponement, staff presented a new version of Condition #24, as noted above.

NEW BUSINESS:

6. Master Plan Amendment #2022-00006
Rezoning #2022-00009
Development Special Use Permit #2022-10020
Transportation Management Plan Special Use Permit #2022-00104
Special Use Permit (Restaurant) #2022-00105
Special Use Permit (Medical Care Facility) #2022-00115
Special Use Permit (Athletic Club/Fitness Facility) #2022-00116
899 and 999 North Henry Street - Samuel Madden Homes
Public Hearing and consideration of requests for (A) amendment to the Braddock Road Metro Station Small Area Plan through the Braddock East Master Plan overlay to update the Land Use and Development Framework Tables; (B) amendment to the official zoning map to change the zone for the site from RB/Townhouse zone to RMF/Residential multifamily zone; (C) a Development Special Use Permit and Site Plan with modification to construct two mixed-income multifamily buildings on two blocks with 532 units and ground floor retail and day care center, including Special Use Permits to increase the floor area ratio to 3.0 in the RMF zone, for the utilization of Section 7-700 for Bonus Height and Density for the provision of affordable housing and a modification to the crown coverage requirement; (D) a Special Use Permit for a Transportation Management Plan; (E) a Special Use Permit for a restaurant with outdoor dining; (F) a Special Use Permit for a medical care facility; (G) a Special Use Permit for a health or athletic club or fitness facility; zoned RB/ Townhouse zone.
Applicant: Alexandria Redevelopment and Housing Authority, by its agents Samuel Madden Fairstead Developer LLC and MCRT Old Town LLC, represented by Steven M. Mikulic, Attorney

Speakers:

Peter Siderovski, Alexandria Housing Affordability Advisory Committee (AHAAC), spoke in support of the project and said it was an exemplary affordable housing project.

J. Glenn Hopkins, President/Chief Executive Officer of Hopkins House, spoke about the Hopkins House Childcare Center that will be in the project and described the community need and support Hopkins House provides. He commended the community focus of the developers.

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Gail Rothrock, Historic Area Resource Committee, said that a letter was submitted from Sean Ayer, president, and that Historic Alexandria Resources Commission (HARC) had significant concerns with the project, saying it was in violation of the Parker-Gray Historic District standards and the Small Area Plan. She said that there was a reason that the Board of Architectural Review (BAR) did not endorse the project.

Jennifer Ayers, ALIVE! Executive Director, spoke in support of the project and described the significant need for food and other resources for struggling Alexandria residents. She said that the food hub, which will be located on site, will be nearby many struggling residents. The brick-and-mortar location can better reach nearby clients rather than the occasional mobile donations.

Joe Valenti, 1200 Braddock Place, said that he generally supported the project but felt that the project may contribute to making the existing intersection of Route 1 and First Street even more dangerous than it already is.

Kevin Harris, Alexandria Redevelopment and Housing Authority (ARHA) Citywide Residents Association and resident member of ARHA Board, spoke in support of the redevelopment.

Keith Pettigrew, ARHA President/Chief Executive Officer, said that Samuel Madden will be the crown jewel of the ARHA portfolio.

Ellen Mosher, 324 N St. Asaph Street, said that she was concerned about the proposal to allow a reduction in parking spaces below the minimum requirement.

Ayal Sharone, Old Town Commons Home Owners Association and 915 N Patrick Street, said that parking for residents needed to be included in an underground garage and not on the street.

Tonya Huston-Sims, 812 N. Patrick Street, ARHA Residents Committee, spoke about her support of the project and said she looked forward to living in the new community.

Philip Agee, Assistant Professor at the School of Construction and Director of the Virginia Center for Housing Research at Virginia Tech, talked about the Center's relationship with ARHA and involvement in the Samuel Madden project. They are working with ARHA on long-term property management and will host a workshop in the

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City to discuss Green Building best practices and that it will be very data focused and less building specific.

Elizabeth Jennings, resident of First Street, expressed concerns about parking, providing the same building amenities and resources as other multifamily buildings, and density, which will make the community more unsafe.

Ann Shack, 501 Tobacco Quay, questioned the added Bonus Height and Density provisions; asked where additional green space in the City would be provided; and how maintenance issues would be addressed in the future.

Steve Milone, 907 Prince Street, said he was concerned about the project's height, scale and mass and did not think it was appropriate in the Historic District.

Steve Mikulic, Attorney for the applicant, spoke in support of the project and clarified some responses and answered some questions. The project will be providing underground parking, and the long-term maintenance will be undertaken by ARHA's development partners.

Noah Hale, co-applicant, Fairstead, spoke in support of the project and answered various Commissioner questions related to Green Building and financing. He said that that project was very complicated financially because it is using a variety of different funding sources. He responded to Commissioner Koenig's questions about the viability of fewer units, and he said it was unlikely that was possible because there is a balance between the community spaces, including amenity space and non-profit space, along with the cost of Green Building elements. He said that he respected the BAR process and said that they responded to the Board's concerns through the four concept reviews. He said that he hoped that the BAR would be pleased with the additional design changes and material improvements.

Joe Muffler, co-applicant, Mill Creek Residential, and owner of the south building, said that even though their building will have deeply affordable and workforce housing, they are using traditional financing which makes funding sustainable building features and solar more difficult to achieve, though the building would be solar ready.

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

Discussion:

Commissioner Koenig commended the design of the project and the working relationship between the applicant and staff to bring the project forward within a compressed time schedule. He said he was pleased with the high number of affordable units (326) and the range of affordability, saying that this project will have a significant impact. He said that affordable projects often need to maximize density to make a project economically viable and the Residential Multifamily zone provides great opportunities for density but also creates challenges, specifically for projects in the historic district. He said that affordable housing financing is more flexible and open to promoting sustainable design and construction, more so than traditional financing. He asked about what controlled the maximum height of the project as it seems to conflict with the height map. Catherine Miliaras, P&Z, responded that the ruling Master Plan establishes the height and that when the height in the Small Area Plan is higher than the height in the Height Map, Section 7-700 can be used, allowing for additional height and density for the provision of additional affordable housing. He said that he supports the Energy Use Intensity (EUI) of 29.3 for the north building and is pleased it has become a Condition that the applicant will strive to meet. He inquired when the buildings would be solar active and strongly encouraged the applicant to install solar on the building during construction. He was disappointed that the south building target EUI was much lower and believed that there may be alternate funding sources to achieve – and exceed – the City’s Green Building Policy.

Commissioner Brown said that the project is consistent with the Small Area Plan. He noted that in recent years there has been a growing awareness of how zoning has impacted housing production and that the City is looking to make up for errors in its past that restricted housing construction. A good example is the Arlandria Small Area Plan where in the future the low-rise buildings will transform to mid-rise buildings. The City is starting to move beyond a focus on compatibility with single family zoning in order to meet the goals of providing affordable housing in the City. He was pleased that the BAR approved the Permit to Demolish because the project was constructed as segregated housing and he saw no reason to preserve the “character” of it. He said that the applicant should make an attempt to show the past history of the site in the form of photographs and text to remind people of segregation of the past.

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Vice Chair McMahon said that this is a great project for the Braddock neighborhood and that the design and scale work well in this location, which will include a lot of streetscape and public realm improvements that will improve pedestrian safety. She said that the updated Condition #29h created more confusion than the standard Condition and asked whether pedestrians would have to activate the walk button, which she felt was not appropriate here given that this is a high pedestrian area with a significant volume of traffic. She said that the Condition should be simplified and should prioritize the pedestrians over traffic. Ryan Knight, Department of Transportation and Environmental Services (T&ES), said the intent of the Condition was to provide comfortable and safe passage for pedestrians but that the Condition could be further clarified.

Commissioner Lyle said she was in strong support of the project. She said that the Green Building Condition is confusing and too detailed, and she doesn't think it allows for enough flexibility. She asked if the project didn't meet certain thresholds would the project not be constructed. Staff responded that there is flexibility built into the Condition language provided the applicant makes a good faith effort to meet the Green Building requirements.

Chair Macek asked staff about the Condition related to future residents not being eligible for Residential Parking Permits (RPP) and his concern that no parking study was conducted. He said that a developer should not be able to avoid the study and limit future residents' ability to get street parking. Shannon Tokumaru, T&ES, said that the site is currently within a RPP but the site was proposed to be removed due to the lack of a parking study. Chair Macek said that the City should be looking at the interest of future residents, not the applicant. The Chair also said he had concerns about the HARC letter and the BAR process because it shows the tension between the historic preservation groups and the City's affordable housing development needs. He questioned whether the BAR process could be improved to better work within the City's overarching goals of achieving a balance between transportation needs, affordable housing needs, open space, etc. He also agreed with Vice Chair McMahon about the Condition to require pedestrian activated signals at the cross walks, saying that pedestrian crossing signs should occur automatically. He said that pedestrians should be prioritized over automobiles. Ryan Knight, T&ES, responded to the Commissioners' questions and said that he would work to review the Condition to reflect the Commission's discussion. With respect to schools Chair Macek said that Alexandria City Public Schools' (ACPS) information related to school capacity issues were related to teacher shortages more so than the building

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capacity and that should be made clear, noting that approvals should be based on long-term building capacity rather than current staffing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Koenig, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Master Plan Amendment #2022-00006. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Rezoning #2022-00009. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Development Special Use Permit #2022-10020, as amended. The motion carried on a vote of 7-0.

On a motion by Commissioner Koenig, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Transportation Management Plan Special Use Permit #2022-00104, Special Use Permit #2022-00105, Special Use Permit #2022-00115, and Special Use Permit #2022-00116. The motion carried on a vote of 7-0.

Reason:

The Planning Commission agreed with the staff analysis and noted strong support for what they described as a great project that would create a large number of affordable housing units and provide improvements to the public realm. The Planning Commission supported the proposed edits to the Green Building Condition #45 included in the staff memorandum dated February 7, 2023 and recommended that staff update Conditions #29 (h) and #43 (and associated disclosure Condition #157) based on Commission discussion during the hearing.

#29. CONDITION AMENDED BY PLANNING COMMISSION: Provide the pedestrian improvements listed below to the satisfaction of the Directors of P&Z and T&ES. Complete all pedestrian improvements prior to the issuance of the final Certificate of Occupancy. (P&Z) (T&ES) ***

- a. Install ADA accessible pedestrian improvements serving the site.
- b. Construct all concrete sidewalks to City standards. The minimum unobstructed width of newly constructed sidewalks shall be eight feet in commercial, mixed-use, or other high-density areas.
- c. Sidewalks shall be flush across all driveway crossings.

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- d. All newly constructed curb ramps shall be concrete with detectable warning and shall conform to current VDOT standards.
- e. Provide separate curb ramps for each direction of crossing (i.e., two ramps per corner). Curb ramps shall be perpendicular to the street.
- f. Provide thermoplastic pedestrian crosswalks at all crossings at the proposed development.
- g. All crosswalks shall be high-visibility, white, thermoplastic ladder crosswalks as shown in the Manual on Uniform Traffic Control Devices (MUTCD). Alternative crosswalk treatments must be approved by the Director of T&ES.
- h. ~~Install audible pedestrian countdown signals and pedestrian activated push buttons in accordance with the City Standards. All pedestrian activated push buttons shall be accessible per ADA Accessibility Guidelines (ADAAG). (T&ES)~~ The design for the signal plans for the conversion of Madison Street and Montgomery Street outlined in Condition 60 shall include audible and accessible pedestrian countdown signals for all crossings and approaches to the satisfaction of the Director of T&ES, consistent with the action plan stated in the adopted Alexandria Mobility Plan. (PC)
- i. All below grade utilities placed within a City sidewalk shall be integrated with the adjacent paving materials and to minimize any visible impacts.

#43. CONDITION AMENDED BY PLANNING COMMISSION: ~~Per the City's Policy for Residential Parking Permits for New Developments, the development shall be removed from the Residential Permit Parking District 3 boundary. Provide a Parking Study with the first Final Site Plan submission to determine eligibility for District 3 Residential Parking Permit in accordance with City policy and to the satisfaction of the Director of T&ES. The status of the RPP eligibility will be noted on the coversheet of the FSP. (T&ES) (PC)*~~

#45. CONDITION AMENDED BY PLANNING COMMISSION: The project shall comply with the requirements of the current City of Alexandria Green Building Policy at the time of DSUP approval. Diligent pursuit and achievement of this certification shall be monitored through these requirements unless exempted by the certification rating systems and the Green Building Policy:

- a. Provide evidence of the project's registration with LEED, Green Globes, or Earthcraft (or equivalent) and any additional programs proposed in the Preliminary Plan submission with the submission of the first Final Site Plan and provide a draft checklist from the P&Z website showing how the project plans to achieve the certification and clearly indicate that requirements for the priority performance

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points are being met as defined by the City of Alexandria's Green Building Policy.

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- b. Provide an updated copy of the draft certification scorecard/checklist prior to building permit release for above-grade construction to show compliance with the Green Building Policy. **
- c. Provide updated building energy performance analysis and documentation of anticipated building energy use intensity (EUI) (energy use per sq. ft.) of 29.3 or lower for the north building and 45 or less for the south building prior to release of the building permits for above-grade construction. ** (PC)
- d. Provide a draft commissioning plan and verification, if required by the Green Building Rating System and the building code, from a certified third-party reviewer that includes items "i" through "v" below, prior to receiving building permits for above-grade construction. **
 - i. A narrative describing the activities that will be accomplished during each phase of commissioning, including the personnel intended to accomplish each of the activities.
 - ii. A listing of the specific equipment, appliances, or systems to be tested and a description of the tests to be performed.
 - iii. Functions to be tested including, but not limited to, calibrations and economizer controls.
 - iv. Conditions under which the test will be performed. Testing shall affirm winter and summer design conditions and full outside air conditions.
 - v. Measurable criteria for performance.
- e. Provide updated water efficiency documentation for the priority performance points as defined by the City of Alexandria's Green Building Policy prior to building permit release for above-grade construction. **
- f. Provide updated documentation for the indoor environmental quality priority performance points as defined by the City of Alexandria's Green Building Policy prior to the release of building permits for above-grade construction. **
- g. Provide evidence that design phase credits (for the certifying party) have been submitted by the first Certificate of Occupancy. ***
- h. Provide evidence showing that the requirements for priority performance points for Energy Use Reduction, Water Efficiency and Indoor Environmental Quality are being met as defined by the City of Alexandria's Green Building Policy for Design Phase credits to the U.S. Green Building Council, Green Globes, or Earthcraft (or equivalent) prior to issuance of a Certificate of Occupancy. ***
- i. Provide documentation of actual EUI performance and applicable green building certification prior to ~~approval~~ release of the performance bond clearly indicating that the priority performance points requirement for Energy Use Reduction, Water Efficiency, and Indoor Environmental Quality have been achieved as defined by the City of Alexandria's Green Building Policy. (PC)*****

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- j. Failure to achieve the green building conditions above certification level, ~~as required by the City of Alexandria's Green Building Policy~~, will be evaluated by City Staff to determine whether a good faith, reasonable, and documented effort was made to achieve the certification level to the satisfaction of the Director of P&Z. (PC)

#157. CONDITION AMENDED BY PLANNING COMMISSION: If a parking study demonstrates that residents of the development are not eligible for RPP permits, a ~~A~~ Disclosure Agreement shall be created and distributed to all residential tenants that this development is not included in the Residential Permit Parking District and therefore residents are not eligible for Residential Permit Parking permits for on-street parking beyond posted time limits. If required, the Disclosure Agreement shall be provided prior to issuance of first Certificate of Occupancy. (P&Z) (T&ES) (PC)***

7. Rezoning #2022-00008

Development Special Use Permit #2022-10022

Transportation Management Plan Special Use Permit #2022-00111

3908 Elbert Avenue - Elbert Avenue Residences

Public Hearing and consideration of a request for (A) an amendment to the official zoning map to change the zone for the property from RA/Multifamily zone to RMF/ Residential Multifamily zone; and (B) a Development Special Use Permit to construct a new multifamily residential building including a Special Use Permit to increase the floor area ratio to 3.0 in the RMF zone; and (C) Special Use Permit for a Transportation Management Plan; zoned RA/Multifamily zone.

Applicant: Community Lodgings, Inc., represented by Mary Catherine Gibbs, attorney

Speakers:

Ingris Moran, representing Tenants and Workers United, spoke in support of the project and the provision of deeply-affordable housing units in general. She noted that the project represents an opportunity to live out the promise of the Arlandria-Chirilagua Small Area Plan.

Sandra Galeano, Elbert Avenue, expressed support for the proposal. She noted that she has lived in the neighborhood for 20 years and noted that everyone deserves an opportunity for affordable housing.

Mariela Raudales, Elbert Avenue, noted that she has lived in the City of Alexandria for 19 years and is currently a resident of the existing building at the site. She asked the Planning Commission to support the project, stating that she is looking forward to new housing given that the existing units have aged.

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Lisa Lettieri, Community Lodgings Board member and resident of E. Nelson Avenue, spoke in support of the project.

Michael Dodson, Elbert Avenue, noted that he is one of the signatories of the August 2022 letter from neighbors expressing concerns about the project. He noted that he supports affordable housing and the Arlandria-Chirilagua Small Area Plan. He expressed concern about the cumulative effect of development projects in the neighborhood. He appreciated the dialogue at community meetings and expressed disappointment that the neighborhood may not be eligible for some of the transportation-related solutions that have been discussed.

Mark Makary, Elbert Avenue, noted that he and other neighbors welcome new residents to the neighborhood but have traffic-related concerns. He asked for consideration of an extended “cut-back” or loading zone in front of the site to help prevent Elbert Avenue from being blocked by delivery vehicles.

Mary Catherine Gibbs, Attorney representing the applicant, spoke in support. She stated that this project should be celebrated, particularly given its provision of deeply affordable housing. She noted that 16 emails of support have been forwarded to the Planning Commission and clarified that a loading zone is still being proposed along the frontage of the project site to help with delivery vehicles. She disagreed with the inclusion of Condition #101, noting that although the revised version contained in staff’s February 7, 2023 memorandum is an improvement, her clients still object to the requirement of a developer contribution in advance of the adoption of a policy.

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

Discussion:

Commissioner Manor asked the applicant to further describe the objection to the Condition #101, including the revised version offered by staff. The applicant noted that the monetary contribution would contribute to a funding gap for the project. Commissioner Lyle expressed concern about requiring a developer contribution in advance of the adoption of the policy and considered whether she would support the

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inclusion of any version of the Condition at all. She asked for developer contributions policies to be brought forward more quickly following adoption of a Small Area Plan.

Chair Macek expressed support for the project, including staff's recommended revisions to Condition #101. He noted that the revisions struck a good balance between the need for improved open space in the neighborhood (as expressed in the Small Area Plan) and the applicant's need for greater certainty about the contribution.

Vice-Chair McMahon also voiced her support for the project and for the revised Condition #101. She also stated that she had visited the site and noted the narrow width of Elbert Avenue and the presence of many vehicles on the street. Although not concerned about the provision of off-street parking as a part of this project, she encouraged staff to look into creative solutions to some of the existing vehicle-related issues neighbors have raised.

Commissioner Brown stressed the general importance of ensuring adequate public facilities, including schools, in connection with development projects.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Rezoning #2022-00008. The motion carried on a vote of 7-0.

On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Development Special Use Permit #2022-10022 and Transportation Management Plan Special Use Permit #2022-00111, subject to all applicable codes and staff recommendations, and with revisions to Condition #101 as outlined in staff's February 7th memorandum to Planning Commission. The motion carried on a vote of 7-0.

101. CONDITION AMENDED BY PLANNING COMMISSION: The applicant shall provide a developer contribution: a) consistent with applicable provisions of the Arlandria/Chirilagua developer contribution policy as adopted by City Council or b) in an amount equal to \$5.00 for each net square foot of development above the pre-approval maximum FAR of 0.75, whichever is less. The contribution, which shall be adjusted for inflation annually each January 1st following approval of this request, shall be provided to the City prior to the release of the final site plan or within 30 days of final City Council adoption of the policy, whichever occurs last. (P&Z) (PC) *

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Reason: The Planning Commission agreed with the staff analysis.

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OTHER BUSINESS:

8. Commissioners' Reports, Comments, and Questions.

Chair Macek noted that the Joint PC-EPC Working Group has finalized their joint letter, and it is available on the Planning Commission docket. Chair Macek stated that this letter ties the City's climate plans and goals to the City's entitlements process. Chair Macek stated that this letter will move forward to City Council.

Commissioner Koenig reported that the Potomac Yard Metrorail Implementation Work Group held their final in person meeting. The group will continue as a way to communicate to the neighborhood. Commissioner Koenig also stated that the target for beginning of revenue service for the Metrorail Station is May 2023.

MINUTES:

9. Consideration of the minutes from the January 5, 2023 Planning Commission meeting.

The minutes of January 5, 2023 were not presented. They will be presented at the March Planning Commission meeting for action.

ADJOURNMENT

10. The Planning Commission Public Hearing was adjourned at 12:04 a.m.