

Docket Item #5

Planning Commission Meeting
July 2, 2013

Consideration of approval of the Planning Commission minutes of the public hearing meeting of June 4, 2013.

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

ALEXANDRIA PLANNING COMMISSION

JUNE 4, 2013

6:30 P.M., Council Chambers

301 King Street, City Hall

Alexandria, Virginia

Members Present:

Stewart Dunn, Vice Chair

Maria Wasowski

Nathan Macek

Mary Lyman

Derek Hyra

Members Absent:

John Komoroske, Chair

Eric Wagner

Staff Present:

Faroll Hamer

Joanna Anderson

Kendra Jacobs

Gwen Wright

Gary Wagner

Pat Escher

Dirk Geratz

Nathan Randall

Tony Somers

Steve Milone

Chris Spera

Daphne Knott

Department of Planning & Zoning

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City Attorney

Department of Transportation and Environmental Services

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – JUNE 4, 2013

1. Call to Order.

The Planning Commission public hearing was called to order at 6:30 P.M.

Vice Chairman Dunn announced that docket items would be called in the following order:
5, 15, 16A-E, 2-4, 6-17.

CONSENT CALENDAR

2. Special Use Permit #2013-0014

701 Prince Street Suite 200 (Parcel Address: 119 S. Washington Street) - Radiance Yoga
Public Hearing and Consideration of a request to operate a commercial school with more than 20 students; zoned CD/Commercial Downtown.

Applicant: Masuda Mohamadi

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

3. Special Use Permit #2013-0021

2900 Eisenhower Avenue - Private Academic School

Public Hearing and Consideration of a request to operate a private academic school; zoned OCM (100)/Office Commercial Medium (100).

Applicant: Stratford University

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

4. Special Use Permit #2013-0026

5234 Seminary Road - Child Care Home

Public Hearing and Consideration of a request for a child care home; zoned R-12/Single-family.

Applicant: Maria I. Robles

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED:

5. Section 9.06 Case #2013-0003
Eisenhower Avenue - Between Mill Road and Holland Lane
Public Hearing and Consideration of a request for Planning Commission to review whether the acquisition of property for use as public right-of-way for the Eisenhower Widening Project is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.
Staff: Department of Transportation and Environmental Services

City Engineer Emily Baker and Principal Planner Gary Wagner gave a presentation and answered questions from the Commission.

Speakers:

James Durham, requested that the Commission take a broad view of the intersection at Mill Road and Eisenhower Avenue and suggested that the City take specific steps to address the traffic at this intersection for the mid and longer term. He also stated that within seven years of completion of this project, the unsatisfactory conditions could return and that a proactive multijurisdictional approach is needed to promote viable transit solutions.

Duncan Blair, attorney representing DuMor Properties, LLC

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Mr. Macek, seconded by Ms. Lyman, the Planning Commission found the proposed acquisition to be consistent with the Master Plan and voted to approve Section 9.06 Case #2013-0003. The motion passed on a vote of 5 to 0. Chairman Komoroske and Mr. Wagner were absent.

Reason: The Planning Commission agreed with the staff analysis.

NEW BUSINESS:

6. Subdivision #2013-0003
11 East Reed Avenue
Public hearing and consideration of a subdivision request to divide the subject property into two lots; zoned RB/Townhouse.
Applicant: Classic Cottages, LLC by Duncan Blair, attorney.

Division Chief Stephen Milone gave a presentation.

Speakers:

Duncan Blair, attorney for the applicant, spoke in favor of the request.

PLANNING COMMISSION ACTION: On a motion by Ms. Lyman, seconded by Ms. Wasowski, the Planning Commission voted to deny the subdivision. The motion passed on a vote of 4 to 1, with Mr. Macek voting against. Chairman Komoroske and Mr. Wagner were absent.

Reason: The Planning Commission agreed with the staff analysis and stated that the proposed subdivision would not support the intent of the Infill regulations.

7. Subdivision #2013-0004

1000 -1002 Pendleton Street

Public hearing and consideration of a subdivision request, with variations, to divide the subject property into two lots; zoned CSL/Commercial Service Low.

Applicant: Classic Cottages, LLC by Duncan Blair, attorney

Planner Nathan Randall gave a presentation and answered questions from the Commission.

Speakers:

Duncan Blair, attorney for the applicant, spoke in support of the request.

Rick Pullen, 1004 Pendleton Street, asked for the request to be deferred so that the encroachment of the dwelling at 1002 Pendleton onto his property at 1004 Pendleton could be corrected. He raised concerns about mortgage financing and maintenance for future property owners of 1002 Pendleton given the encroachment matter and asked that a City-wide ordinance be considered to address similar encroachments throughout Alexandria.

Vice Chair Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Mr. Macek, seconded by Mr. Hyra, the Planning Commission approved the request subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5-0 with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis and noted the City Attorney's position that the City does not have the ability to correct the type of encroachment existing between the properties at 1000-1002 and 1004 Pendleton in the manner requested by an adjacent neighbor.

8. Special Use Permit #2013-0018
1024 Cameron Street - Restaurant
Public Hearing and Consideration of a request to operate a restaurant; zoned CD/Commercial Downtown. Applicant: Peyman Eskandari

Planner Nathan Randall gave a presentation and answered questions from the Commission.

Speakers:

Arash Davachi, representing the applicant, spoke in favor of the request and offered to close the restaurant at 12 midnight on weekends in response to a neighbor's concern.

John Mercer, 115 Cameron Street, noted his general support for a restaurant use in this location and asked for an earlier weekend closing hour given the proximity of nearby residences.

Vice Chair Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Ms. Lyman, seconded by Ms. Wasowski, the Planning Commission recommended approval of the request, with an amendment to Condition #2 regarding hours of operation, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0, with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis and with the applicant's offer to close at 12 midnight on weekends instead of the originally-proposed 1 a.m.

2. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation of the restaurant shall be limited to between 10 a.m. and 10 p.m. Monday-Thursday, between 10 a.m. and ~~1 a.m.~~ 12 midnight Friday and Saturday, and between 11 a.m. and 8 p.m. Sunday. Meals ordered before 10 p.m. Monday-Thursday, before ~~1 a.m.~~ 12 midnight Friday and Saturday, or before 8 p.m. Sunday may be served, but no new patrons may be admitted and no new alcohol may be served and all patrons must leave by 11 p.m. Monday-Thursday, by ~~2 a.m.~~ 1 a.m. Friday and Saturday, and by 9 p.m. Sunday. (P&Z)(PC)

9. Special Use Permit #2013-0019
1116 King Street - Restaurant Expansion
Public Hearing and Consideration of a request to expand an existing grandfathered restaurant; zoned KR/King Street Urban Retail.
Applicant: Cyrille Brenac

Planner Nathan Randall gave a presentation and answered questions from the Commission.

Speakers: Cyrille Brenac, applicant, spoke in favor of the request.

PLANNING COMMISSION ACTION: On a motion by Ms. Wasowski, seconded by Mr. Macek, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0, with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis.

10. Special Use Permit #2013-0023
805 King Street - Apartment Hotel
Public Hearing and Consideration of a request to operate an apartment hotel and for required parking to be located more than 500 feet from the business; zoned KR/King Street Urban Retail. Applicant: PMA Properties 805 LLC

Planner Nathan Randall gave a presentation and answered questions from the Commission.

Speakers: Rob Kaufman, applicant, spoke in favor of the request.

PLANNING COMMISSION ACTION: On a motion by Mr. Macek, seconded by Ms. Wasowski, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0, with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis.

11. Special Use Permit #2013-0020
216 S. Peyton Street (Parcel Addresses: 210-216 S. Peyton Street and 335 Commerce Street)
- Capital Hostel
Public Hearing and Consideration of a request to operate a hostel (hotel) and a request for a parking reduction; zoned CD/Commercial Downtown.
Applicant: Capital Hostels, LLC

Planner Nathan Randall gave a presentation and answered questions from the Commission.

Speakers:

Paul Cianciolo, applicant, spoke in favor of the request, stating his belief that “hostel” is a misunderstood term. He discussed the details of his proposed facility, including his safety plans and intent to affiliate with Hosteling International. He also noted his interest in working with community institutions such as Saint Coletta’s and the Girl Scouts.

Rikkie George, 1600 Prince Street, spoke in support of the hostel proposal and noted that it

would provide a unique tourist experience.

Sam Forcey, 344 Commerce Street, spoke in opposition to the proposal. He stated that the hostel would negatively impact property values, that serving alcohol to young people could be problematic, that parking is difficult in the area, and that transient visitors could create security issues for the neighborhood.

Stephanie Rahnema, representing property owner at 127 South Peyton Street, spoke against the proposal. She noted her opposition to the request to serve alcohol, and believed the hostel would not be conducive to a neighborly atmosphere.

Peter Crowley, business owner at 200 South Peyton Street, spoke in opposition to the proposal. He stated his belief that the applicant should have discussed the proposal with him much earlier. He also discussed his concerns about parking, safety, and the need for guests to have outdoor space.

Steven Able, 808 North Iverson Street, expressed his concern about the impact of the proposal on the safety of his children and other children attending the day care centers located nearby.

Vice Chair Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Mr. Macek, seconded by Ms. Lyman, the Planning Commission recommended approval of the request, with an amendment to Condition #17 to require a six-month staff review in place of the standard one-year review, and subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 4-0-1, with Vice Chairman Dunn abstaining and Chairman Komoroske and Mr. Wagner absent.

17. **CONDITION AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for ~~one year~~ six months, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)(PC)

Reason: The Planning Commission agreed with the staff analysis.

12. Special Use Permit #2013-0022
600A S. Pickett St. - Auto Repair Shop

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Public Hearing and Consideration of a request to operate a general automobile repair business; zoned I/Industrial.

Applicant: Perfect Auto Detail, Inc.

Planner Nathan Randall gave a presentation.

Speakers: Sam Osei, applicant, spoke in favor of the request.

PLANNING COMMISSION ACTION: On a motion by Mr. Macek, seconded by Ms. Lyman, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0, with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis.

13. Special Use Permit #2013-0017

4740 Eisenhower Avenue - Dog Daycare

Public Hearing and Consideration of a request to operate a dog daycare with boarding and grooming services and overnight accommodation and a request for a parking reduction; zoned OCM (100) / Office Commercial Medium (100).

Applicant: Mary Kenkel

Planner Nathan Randall gave a presentation.

Speakers: Mary Kenkel, applicant, spoke in favor of the request.

PLANNING COMMISSION ACTION: On a motion by Ms. Lyman, seconded by Mr. Macek, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0, with Chairman Komoroske and Mr. Wagner absent.

Reason: The Planning Commission agreed with the staff analysis.

14A&B. Rezoning #2013-0002

Development Special Use Permit #2013-0004

Transportation Management Plan SUP #2013-0025

5801 and 5815 Duke Street - Landmark Mall

Public Hearing and Consideration of requests for: A) a zoning map amendment to change the zoning from CR/Commercial Regional to CRMU-M/Commercial Residential Mixed Use Medium; B) a development special use permit and site plan, with modifications, to construct a mixed-use town center including special use permits for retail over 20,000 sq. ft., increase in allowed floor area ratio, and an amusement enterprise; C) approval of a transportation management plan; zoned CR/Commercial Regional.

Applicant: The Howard Hughes Corporation represented by Jonathan Rak, attorney.

Division Chief Gwen Wright, Transportation Planner Daphne Cott and Planner Colleen Willger gave a presentation and answered questions from the Commission.

Speakers:

Jonathan Rak: Attorney representing the applicant.

Don Buch, 389 Livermore Lane, supports the project but raised concerns about the new development's impacts on the schools, the rapid transit getting slower, that some of the site furnishing may be considered public art, and that the developer contributions were not negotiated in consultation with the community.

Scott Anderson, 4523 Raleigh, #401, raised concerns about the vitality of retail, limited access to and from the site either for the pedestrian or the bicycle user and wanted to know what improvements are being proposed with this development.

Sharon Annear, 1118 N. Howard St., spoke about the history of the mall and wanted the City to make sure that it truly develops as a destination retail center and not just serving the immediate community.

Vice Chair Dunn closed the public hearing.

PLANNING COMMISSION ACTION:

Rezoning #2013-0002

On a motion by Commissioner Wasowski, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Rezoning #2013-0002 to change the zoning designation from CR/Commercial Regional to CRMU-M/Commercial Residential Use - Medium subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 5 to 0. Chairman Komoroske and Commissioner Wagner was absent.

Reason: The Planning Commission agreed with the staff analysis and found that the mixed use development was in keeping with the ultimate vision of the Landmark/Van Dorn Corridor Plan.

Development Special Use Permit #2013-0004 and Transportation Management Plan SUP #2013-0025

On a motion by Commissioner Macek, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of DSUP#2013-0004 and TMP-SUP #2012-0025 for a mixed use development of 713,000 sq. ft. of mixed development containing up to 400 dwelling units and up to 317,000 sq. ft. of retail, a transportation management plan, and several other special use permits/modifications. The Planning Commission also agreed for the purpose of clarification to modify conditions #6, # 55 and #110.

Reason: The Planning Commission agreed with the staff's determination that the proposed development is in conformance with the Landmark/Van Dorn Corridor Plan and other City adopted plans and policies. Furthermore, the Commission agreed that the changes to the conditions were consistent with the intent of the original condition and were merely points of clarification.

6. CONDITION AMENDED BY PLANNING COMMISSION: Provide a site irrigation and/or water management plan developed installed and maintained to the satisfaction of the Directors of RP&CA, P&Z and Code Administration. If a landscape irrigation system is not provided, applicant shall:

- a. Provide an exhibit that demonstrates that all parts of the site can be accessed by a combination of building mounted hose bibs and ground set hose connections.
- b. ~~If no site irrigation system is installed,~~ Provide external water hose bibs continuous at perimeter of building. Provide at least one accessible, external, water hose bib on all building sides at a maximum spacing of 90 feet apart.
- c. Hose bibs, ground set water connections and FDCs must be fully accessible and not blocked by plantings, site utilities or other obstructions.
- d. Install all lines beneath paved surfaces as sleeved connections.
- e. Locate water sources and hose bibs in coordination with City Staff. (P&Z)

55. CONDITION AMENDED BY PLANNING COMMISSION: Provide additional information on the design of the roadways with the first final site plan submission, including horizontal curve data, design speeds, and plan and profiles of each proposed road. All new roads shall be designed generally in conformance with the DSUP plan, and to the extent reasonably feasible, shall conform to City public street standards to the satisfaction of the Director of T&ES. *(T&ES)

140. CONDITION AMENDED BY PLANNING COMMISSION: ~~Contributions shall be made per attached exhibit prior to the release of the final site plan. Attachment #1. Applicant shall contribute \$1,000,000.00 to the City for implementation of the Transitway, including purchase of transit vehicles, and/or for pedestrian/bicycle improvements off-site in Holmes Run Neighborhood (at the discretion of T&ES). This contribution shall be made at the time of issuance of the first certificate of occupancy for the first new retail or residential building. (A list describing the value of in-kind and monetary contributions to be made by the applicant is attached as Attachment #1.)~~

15. Development Special Use Permit #2013-0008
2210 Eisenhower Ave. - Hoffman - Blocks 11 & 12
Public Hearing and Consideration of a request for an extension of a previously approved development special use permit with site plan (DSUP #2009-0004) to construct residential/retail mixed use buildings; zoned CDD #2 / Coordinated Development District.
Applicant: Hoffman Company, LLC by Jonathan Rak, attorney

Principal Planner Gary Wagner gave a presentation and answered questions from the

Commission.

Speakers: Ken Wire, attorney representing the applicant, spoke in support of the application.

PLANNING COMMISSION ACTION: On a motion by Ms. Lyman, seconded by Ms. Wasowski, the Planning Commission voted to recommend approval of DSUP #2013-0008, subject to compliance with all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 5 to 0. Commissioners Komoroski and Wagner were absent.

Reason: The Planning Commission agreed with the staff analysis and recommendations.

16.A-E. Master Plan Amendment #2013-0002

CDD Concept Plan #2013-0001

Development Special Use Permit #2012-0028

TMP SUP #2013-0027

Encroachment #2013-0001

2250 Mill Road - Eisenhower East Block 19 - Residential

Public Hearing and Consideration of requests for: A) an amendment to the Eisenhower East Small Area Plan chapter of the Master Plan to increase the building height and floor area for Block 19; B) an amendment to the CDD concept plan to adjust floor area and height limits and to correct a use designation; C) an amendment to a previously approved development special use permit, with site plan, (DSUP #2012-0023) to construct a residential building and open space including a density bonus for affordable housing per Section 7-700; D) an amendment to a previously approved transportation management plan, TMP SUP #2012-0065; E) encroachments into the public right-of-way; zoned CDD #2/Coordinated Development District.

Applicant: Paradigm 2250 Mill LLC by Mary Catherine Gibbs attorney

Principal Planner Gary Wagner gave a presentation and answered questions from the Commission.

Speakers: Mary Catherine Gibbs, attorney representing the applicant, spoke in support of the application.

PLANNING COMMISSION ACTION:

Master Plan Amendment #2013-0002

On a motion by Mr. Macek, seconded by Ms. Lyman, the Planning Commission voted to adopt Resolution MPA #2013-0002. The motion carried on a vote of 5 to 0. Commissioners Komoroski and Wagner were absent.

Coordinated Development District Concept Plan #2013-0001

Development Special Use Permit #2012-0028

Transportation Management Plan Special Use Permit #2013-0027

Encroachment #2013-0001

On a motion by Mr. Macek, seconded by Ms. Lyman, the Planning Commission voted to recommend approval of CDD Concept Plan #2013-0001, DSUP #2012-0028, TMP SUP #2013-0027, and ENC #2013-0001, subject to compliance with all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 5 to 0. Commissioners Komoroski and Wagner were absent.

Reason: The Planning Commission agreed with the staff analysis and recommendations.

OTHER BUSINESS:

No other business was discussed.

17. Consideration of approval of the Planning Commission minutes of the hearing on May 7, 2013.

On a motion by Mr. Macek, seconded by Mr. Hyra, the Planning Commission voted to approve the minutes of May 7, 2013. The motion carried on a vote of 5 to 0. Commissioners Komoroski and Wagner were absent.

ADJOURNMENT:

The Planning Commission meeting was adjourned at 11:10 p.m.