

Docket Item #14
Planning Commission Meeting
March 3, 2015

Consideration of approval of the Planning Commission minutes of the public hearing meeting of February 3, 2015.

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

ALEXANDRIA PLANNING COMMISSION

FEBRUARY 3, 2015

7:30 P.M., Council Chambers

301 King Street, City Hall

Alexandria, Virginia

Members Present:

Stewart Dunn, Vice Chair

Maria Wasowski

Nathan Macek

Mary Lyman

Mindy Lyle

David Brown

Members Absent:

Stephen Koenig

Staff Present:

Karl Moritz

Alex Dambach

Kendra Jacobs

Robert Kearns

Nathan Randall

Joshua Brooking

Catherine Miliaras

Gary Wagner

James Roberts

Dirk Geratz

Maya Contreras

Joanna Anderson

Department of Planning & Zoning

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City Attorney

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1. Call to Order.

The Planning Commission public hearing was called to order at 7:00 P.M.

Vice Chairman Dunn and Commissioners Lyman, Brown, Macek, Wasowski and Lyles were present. Commissioner Koenig was absent.

CONSENTCALENDAR:

2. Text Amendment #2014-0009

Rezoning #2014-0012

510 North Quaker Lane - Charles M. Goodman House

A) Initiation of a text amendment and a map amendment and B) public hearing and consideration of a text amendment and an amendment to the official zoning map to add the Charles M. Goodman House to the City's 100 Year Old Building List; zoned R 20/Residential Single Family. Staff: City of Alexandria Department of Planning and Zoning

Catherine Miliaras, Historic Preservation Planner, gave a presentation and answered questions from the Commission.

Speakers:

There were no speakers for this docket item.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Dunn, seconded by Commissioner Lyman, the Planning Commission voted to initiate the Map Amendment and Text Amendment #2014-0009. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

On a motion by Commissioner Lyman, seconded by Commissioner Macek, the Planning Commission voted to recommend approval of Text Amendment #2014-0009 and Rezoning #2014-0012. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

Vice Chairman Dunn removed this item from the consent agenda.

Reason: The Chairman noted that this case was a wonderful example of the preservation of a historic building outside of the historic districts and commended the current owners for their stewardship and care.

3. Special Use Permit #2014-0113

5055 Seminary Road Farmers Market at Southern Towers

Public hearing and consideration of a request to operate an outdoor food and crafts market; zoned RC/High Density Apartment. Applicant: Jim Nicholson

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2014-0113.

4. Special Use Permit #2014-0110
815 ½ King Street
Public hearing and consideration of a request for an increase in floor area ratio (FAR); zoned KR/King Street Retail. Applicant: Rob Kaufman

Planner Joshua Brooking gave a presentation and answered questions from the Planning Commission.

Speakers:

Rob Kaufman, applicant, spoke in support of the application and conditions as amended. Furthermore, he stated he would work with staff for retention of character-defining features and interior architectural elements.

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyman, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of the request, with amendments to Condition #2 and #4 regarding character-defining features and architectural elements as noted in staff's January 30th memo, and subject to all applicable codes, ordinances, and other staff recommendations. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

2. **AMENDED BY PLANNING COMMISSION:** Character-defining features including the tile lobby floor, the marquee and "OLD TOWN" signage shall be retained at their existing locations. If retention of the tile lobby floor is not possible, the applicant shall remove this element for preservation to the satisfaction of the Director of Planning & Zoning and Director of the Office of Historic Alexandria. If retention of the marquee and "OLD TOWN" sign is not possible, the applicant shall obtain approval from the Board of Architectural Review to modify or remove these elements. (P&Z) (PC)

4. **AMENDED BY PLANNING COMMISSION:** The applicant shall maintain and preserve interior architectural elements, such as the arch above the stage, to respect to the structures historic use as a theater to the satisfaction of the Director of Planning & Zoning and Director of the Office of Historic Alexandria. (P&Z) (PC)

Reason: The Planning Commission agreed with the staff analysis that the proposed Floor Area Ratio (FAR) increase is compatible with surrounding structures, and would have a minimal impact since there is no new building mass or additions are proposed.

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Commissioners noted that the closing of the historic theater use is a loss to King Street, but commended the applicant on his efforts in maintain the theater use ~~for the past year~~.

5. Special Use Permit #2014-0120
1575 Kenwood Avenue (Parcel Address: 1603 Peach Street) Hertz Local Edition
Public hearing and consideration of a request to operate an automobile rental business; zoned CSL/Commercial Service Low with Proffer. Applicant: Hertz Local Edition

PLANNING COMMISSION ACTION: The Planning Commission noted the deferral of the request.

6. Special Use Permit #2014-0115
1318 King Street - A&B Auto Finance Company
Public hearing and consideration of a request for an amendment to previously approved Special Use Permit #2013 0084 to continue operation of a nonconforming automobile sales business; zoned KR/King Street Urban Retail. Applicant: Behrooz Raiszadeh represented by David L. Chamowitz, attorney

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

Speakers:

John O'Shaughnessy, representing the property owner, supported the request. He stated that he agrees with planning goals in general, but asked for additional time while he pursues redevelopment options for the site.

Behrooz Raiszadeh, applicant, spoke in favor of the request.

David Chamowitz, representing the applicant, spoke in favor of the request and noted the significance of the property changing ownership last year. He explained that the request for additional time to operate the business would occur while redevelopment approval is pursued and would provide additional rental income to the applicant and additional tax revenue to the City. He also asked for an amendment to Condition #19 to allow the business to operate until redevelopment approval is granted, or three additional years, whichever comes first.

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Macek, seconded by Commissioner Brown, the Planning Commission voted to recommend denial of the request. The motion carried on a vote of 6 to 0, with Commissioner Koenig absent.

Reason: The Planning Commission agreed with the staff analysis. Commissioner Macek noted that the circumstances leading to the Commission's prior recommendation of denial in 2014 had not changed in the past year. The Commission also acknowledged that, if the application had been recommended for approval with a three-year sunset clause as

requested, the applicant would not be precluded from applying for another extension in the future.

7. Rezoning #2014-0009
Development Special Use Permit #2012-0015
2805, 2807, 2807A and 2809 King Street - Alexandria Memory Care
Public hearing and consideration of requests for: (A) An amendment to the official zoning map to change the zone from R 8 to RB with proffers; and (B) A development special use permit and site plan, with modifications, to construct and operate a nursing home building; zoned R 8/Residential Single Family. Applicant: 2811 King Street LLC represented by M. Catharine Puskar, attorney

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

Speakers:

M. Catherine Puskar, attorney representing the applicant, spoke on behalf of the project.

Jim Kornick, 930 S. Fairfax Street, spoke in support of the project both because of a need for this type of facility and because of the compatibility with the location.

Sarah Pray, 615 Melrose Street, spoke in opposition to the project as being unsuitable for this location, even if there is a need for this type of facility.

Jack Taylor, spoke in support of the project both because of a need for this type of facility and because of the suitability with neighboring uses.

Bob Eiffert, representing the Commission on Aging, spoke in support to the project and in particular to the provision of subsidized units.

Katherine Dixon, representing the Affordable Housing Advisory Committee, spoke in support of the project.

Shelby Olsen, 638 Kings Cloister Circle, spoke in opposition to the project based on the likely impact on local neighbors.

Tim Bloechl, 100 Luna Park Drive, spoke in support of the project and of the likely need for such facilities.

Stan Gryskiewicz, 626 Kings Cloister Circle, spoke in opposition to the project and of the likelihood of future drainage problems, given the current problems on site.

Daniel Cotter, 620 Kings Cloister Circle, spoke in opposition to the project, questioned the staff evaluation that the proposal was an institutional use, and believed the proposal to be out of character with the neighborhood.

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Claude Stansbury, 635 Kings Cloister Circle, spoke in opposition to the project on the basis of compatibility with the neighborhood and questioned whether there was a need for the facility.

Nancy Jennings, 2115 Marlborough Drive, spoke in opposition to the project, and represented that the Seminary Hill Association voted to oppose the proposal as set out in their resolution.

Neeraj Vohra, 636 Kings Cloister Circle, spoke in opposition to the project, and believed the proposal to be out of character with the neighborhood.

Janet Barnett, 1101 N. Howard Street, spoke in support of the project and of the need for memory care facilities.

Michael Cook, 2724 King Street, spoke in opposition to the project as being inappropriately sited. Mr. Cook indicated that the proposal will likely lead to an increase in sirens, noise and parking impacts on neighbors and that there are many similar facilities already in the region.

Leon Turkevich, 501 Ivy Circle, spoke in opposition to the project, believed the project to be insensitive to neighbors, and questioned whether alternative sites were available for this type of facility.

Craig Harvey, 509 Janney's Lane, spoke in opposition to the project as being out of character with the neighborhood.

Brett Egusa, 612 Melrose Street, representing the Taylor Run Citizen's Association spoke in opposition to the project as being inappropriate for the location and because the use expands the allowable uses in an institutionally-designated area.

John Harley, 2722 King Street, spoke in opposition to the project and questioned why no master plan study was requested of the applicant and whether the project should be in conformance with the commercial standard for a Transportation Management Plan.

Alan Harwood, 608 Melrose Street, spoke in opposition to the project, believed staff's assessment was insufficient and considered that the project did not meet the standard of 'do no harm' which should be applied.

Teresa Cotter, 620 Kings Cloister Circle, spoke in opposition to the project as being inappropriately sited.

Sandra Vura, 608 Melrose Street, spoke in opposition to the project, as likely to lead to a decrease in value to the City overall when the effects on local real estate are considered, and that the local community was being portrayed as anti-senior, which was inaccurate.

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Alan Dubow, 601 Little Street, spoke in support of the project, noting that dementia care provision is specialized and largely unavailable locally and that traffic impacts from such facilities are usually less than at other senior care.

Matt Morris, 638 Kings Cloister Circle, spoke in opposition to the project due to the increase in traffic, potential problems for emergency vehicles accessing the site and to any unsafe condition which may occur by adding an extra curb cut at this location.

William Goff, spoke in opposition to the project due to the use in respect to its surroundings; traffic, stormwater and parking impacts; and that the zoning ordinance includes reference that nursing home is a commercial use.

Pete Osman, 622 Kings Cloister Circle, spoke in opposition to the project and was concerned that the lot was being subject to being over-built.

Kevin Posey, 507 Carlisle Drive, spoke in support of the project considering the likely increase in need for this type of facility and as a suitable development of a vacant lot adjacent to an existing nursing home.

Jeanne Harley, 2722 King Street, spoke in opposition to the project as the local character of the neighborhood is likely to be harmed.

Carolyn Griglione, 1416 N. Ivanhoe Street, spoke in support of the project and noted that changes to a neighborhood of this sort are often positive in the long run.

Margurite Lang, 14 W. Rosemont Avenue, representing the Rosemont Citizens' Association, noted that although the Association did not vote on the proposal, the majority of neighbors she had spoken to supported it. Ms. Lang spoke in opposition, particularly to the re-zoning and questioned what would happen if the property were resold.

Kyle Rogers, 2802 King Street, spoke in opposition to the project as being inappropriate to the location, and noted that single family homes would be more appropriate to develop on the site.

Louise Welch, 2207 King Street, spoke in opposition to the project as being too large for the site and of the likely impacts on residents from traffic, noise and construction.

Dan Cassil, 635 Kings Cloister Circle, spoke in opposition to the project as the proposal does not meet the master plan's goals to protect the neighborhood, and is unlikely to make a large impact on the City's need for senior care.

Pete Benavage, 5066 Fairbanks Avenue, spoke in support of the project, noting the need for this type of facility and that the location is appropriate given the neighboring uses.

Paul Alfieri, 614 Melrose Street, spoke in opposition to the project which is likely to have a detrimental impact on the neighborhood.

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Lynn Hampton, 215 Park Road, spoke in support of the project as the use is compatible with adjacent uses.

Dennis Auld, 215 Park Road, spoke in support of the project given that the traffic and parking impacts are likely to be light and questioned whether single family homes are desirable next to the cemetery.

Alexandra Johnson, 802 Albany Avenue, spoke in support of the project and of the likely need for this type of facility.

Anne Haynes, 204 Elm Street, noted that AARP supports the project and that the City has not accommodated a facility like this for a prolonged period.

Mark Munson, 806 Albany Avenue, had a statement read on his behalf in opposition to the project due to traffic impacts, including when Sunday church traffic is considered in addition.

Jack Sullivan, 4300 Ivanhoe Place, spoke in opposition to the project, noting the resolution which was written by the Seminary Hill Association and that the decision to re-zone the property potentially sets a precedent for similar re-zonings of institutionally designated land across the City.

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Macek, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Rezoning #2014-0009 subject to proffers. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

On a motion by Commissioner Lyman, seconded by Commissioner Wasowski, the Planning Commission voted to add condition 27A and amend conditions 33, 34 and 35 of Development Special Use Permit #2012-0015. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

On a motion by Commissioner Macek, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Development Special Use Permit #2012-0015 as amended. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

[CONDITION ADDED BY PLANNING COMMISSION]:

27. A. The mid-day shift change at the Alexandria Memory Care facility shall occur no less than one hour before or after the shift change at the adjacent Woodbine Rehabilitation and Healthcare facility. (PC)

[CONDITIONS AMENDED BY PLANNING COMMISSION]:

33. The applicant will admit persons to these beds whenever the project has maintained 95% occupancy (62-beds) for a period of 30 consecutive days after commencing operations. (Housing)(PC)
34. The persons in these beds will not be discharged as long as the applicant is able to adequately care for them even if the facility's occupancy subsequently falls below 95%. and their monthly fees are paid in accordance with the terms of their admission agreement. (Housing)(PC)
35. The applicant shall develop a Memorandum of Understanding with the City of Alexandria to be approved prior to the release of the Final Site Plan which outlines the following: The criteria used to qualify such individuals, and the means of marketing the program to reach individuals with limited financial resources who will benefit from the discounted rate, and a contingency plan if the project never reaches 95% occupancy. (Housing)(PC)

Reason: The Commission agreed with the staff analysis and noted the concerns of the neighbors. There was discussion that the location was appropriate given the neighboring uses and that any impact on neighboring residential areas is mitigated by the fact that King Street, the cemetery and the adjacent Woodbine site all serve to act as a buffer. The Commission supported the staff analysis of the proposal being compatible with the Northridge / Rosemont Small Area Plan, and to its adjacent uses.

The Commission noted that the proposal had evolved over time to better fit with the site and the neighborhood.

The concerns over traffic raised by some residents were considered by the Commission to be unlikely to have significant impact under the proposal, given the low number of trips estimated and by the current traffic volume.

On the subject of setting precedence, the Commission discussed the need to look at any future re-zoning and development cases involving institutionally-designated properties on their own merits, and that any such review would have to look at the individual circumstances of the application and the site. Commissioner Dunn voiced concern that the approval may set a precedent for the Woodbine site to redevelop and asked the applicant to clarify their intentions to redevelop that site. The applicant responded that they did not have current plans to expand Woodbine.

Commissioner Dunn also requested staff verify that the final site plan process would continue to apply the maximum floor area ratio requirement to the proposal. Staff agreed that the FAR would continue to be reviewed at final site plan for compliance with the Ordinance, once the applicant has full designs for building and mechanical systems.

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The Commission asked staff to look at the pedestrian crossing on King Street, and any mitigation which may help pedestrians.

8. Master Plan Amendment #2014-0010
Rezoning #2014-0010
Development Special Use Permit #2013-0023
Transportation Management Plan SUP #2014-0105
Encroachment #2014-0007
513 & 515 North Washington Street – The Mill
Public hearing and consideration of requests for: (A) An amendment to Old Town North Small Area Plan chapter of the Master Plan to amend the land use designation from RM to OC; (B) An amendment to the official zoning map for rezoning Lot 502 from RM to OC with proffers; (C) A Development Special Use Permit and Site Plan, with modifications, to construct a residential building, including a special use permit for a parking reduction, per Section 8-100 of the Zoning Ordinance and modifications for a side yard setback, per Section 4-806(A)(2)(a); (D) a special use permit for a transportation management plan; and (E) encroachment in the public right of way for a proposed perimeter fence, zoned OC/Office Commercial and RM/Residential Medium. Applicant: CAS Riegler represented by Duncan Blair, attorney

Principal Planner Dirk Geratz and Planner Maya Contreras gave a presentation and answered questions from the Planning Commission.

Speakers:

Duncan Blair, attorney representing the applicant, spoke on behalf of the project.

Brandon Lenk, Cooper Carry, architect for the project, spoke on behalf of the project.

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, seconded by Commissioner Lyman, the Planning Commission voted to adopt the resolution and recommend approval of MPA#2014-0010. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

On a motion by Commissioner Wasowski, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Rezoning #2014-0010. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

On a motion by Commissioner Macek, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Development Special Use Permit #2013-0023 as amended, Transportation Management Plan SUP #2014-0105 and Encroachment #2014-0007. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

[CONDITION ADDED BY PLANNING COMMISSION]:

5(g). Refine the design of the park pathway access point on N. Washington Street to provide a welcoming and accessible entrance.

Reason:

Commissioner Wasowski asked whether the annex building was proposed to be the same color as the existing building, requested clarification on the proposed location of the encroachment, in terms of the location and the overall length of the fence, and whether the visitor parking requirements could be amended, given potential changes to the parking standards. Staff noted that the color of the annex building will not be the same color in order to distinguish it from the historic building. The color will be approved by the OHAD BAR. In response to a Commissioner question about whether the project would have to continue to lease additional parking spaces if, in the future, parking requirements are reduced, staff ~~Staff also~~ noted that Councilmember Wilson suggested establishing a process as part of the parking standards amendments to reconcile existing parking with the new standards without going through a formal hearing. Staff will be exploring this option.

Commissioner Macek also asked about the location of the encroachment for the fence, particularly with regard to the proposed pocket park, and whether the mannequin would be retained in the cupola. He also noted that the 11Y express bus passes by the site, and requested that staff continue to work with WMATA to potentially add a stop at this location. Staff will follow up with WMATA.

Commissioner Brown noted that one of the trees proposed for removal, a sycamore on Pendleton Street, is located on the property line between the applicant's property and the City right-of-way. The applicant provided an assessment of the tree by an independent arborist, and Commissioner Brown requested that Council be provided with a follow-up from the City Arborist John Noelle. Staff has subsequently reviewed the tree removal and the assessment with Mr. Noelle, who has stated that he concurs with the independent assessment and does not recommend retaining the sycamore.

Commissioner Brown also expressed concern with the staff report's analysis of the rezoning request, in light of the upcoming Old Town North Small Area Plan. Acting Planning Director Moritz clarified that the rezoning may proceed since the City Council directed staff to process rezoning requests ahead of the Small Area Plan start. He noted that staff would clarify this in future staff reports.

The Commission supported staff's recommendation of the fence location, with an encroachment of no more than three feet into the public right-of-way, with the recommendation that staff and the applicant coordinate with the Old and Historic Alexandria BAR during the Final Site Plan process to determine the best location. The Commission requested that this also be coordinated with a redesign of the proposed park entrance off of N. Washington Street to make the entrance more generous and welcoming, as reflected in new condition 5g.

9. Development Special Use Permit #2014-0005
3100 Jefferson Davis Highway (Parcel Address: 3104 Jefferson Davis Highway) - Marino's Restaurant
Public hearing and consideration of a request for an extension to the date of expiration of a previously approved Development Special Use Permit #2010-0004, with modifications, to construct an addition to the existing building including Special Use Permit approval to operate two restaurants; zoned CSL/Commercial Service Low. Applicant: Ather Subzwari represented by Mike Razavi, engineer

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

Speakers:

Ather Subzwari, the applicant, spoke in support of the project.

Vice Chairman Dunn closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of Development Special Use Permit #2014-0005. The motion carried on a vote of 6 to 0 with Commissioner Koenig absent.

Reason: The Commission agreed with the staff analysis, and that the extension request allows for a small business to expand as an interim use at a location which is likely to redevelop along with many other parcels on the west side of Route 1.

The Commission asked staff to look at improving the condition of the alley to the north of the site.

ORAL REPORTS BY MEMBERS OF THE PLANNING COMMISSION:

No oral reports were given.

OTHER BUSINESS:

Information Item:

Demographic Update

Discussion Item:

Potomac Yard Metrorail Station - An update on the Draft Environmental Impact Statement (DEIS) process for the Potomac Yard Metrorail Station, an infill Metrorail station located between the National Airport and Braddock Road

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Metrorail stations on the Blue and Yellow lines in the vicinity of the Potomac Yard Development. The update will provide information on opportunities to learn about project impacts and how to submit comments on the DEIS.

PLANNING COMMISSION ACTION: The Planning Commission noted the deferral of the Other Business Items.

MINUTES:

10. Consideration of approval of the Planning Commission minutes of the regular public hearing of January 6, 2015.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Dunn, seconded by Commissioner Lyman, the Planning Commission voted to approve the meeting minutes of January 6, 2015 as amended. The motion carried on a vote of 6 to 0, with Commissioner Koenig.

The following changes were made to the January 6, 2015 meeting minutes.

In the comments made by Fitz Woodrow Jr for docket item #11, insert the words “skilled nursing facility” to clarify that the speaker was referring specifically to the skilled nursing facility at Goodwin House when discussing the need for upgrades, not the entire Goodwin House facility.

Correct strikethrough notations on conditions 2 and 5 to reflect the amendments to the operating hours for docket item #6.

11. Adjournment

The Planning Commission meeting was adjourned at 12:40 am.