

Docket Item #12
Planning Commission Meeting
May 5, 2015

Consideration of approval of the Planning Commission minutes of the public hearing meeting of April 9, 2015.

PLANNING COMMISSION ACTION, MAY 5, 2015: On a motion by Vice Chairman Dunn, seconded by Commissioner Macek, the Planning Commission voted to approve the minutes as submitted. The motion carried on a vote of 6 to 0 with Commissioner Lyle absent.

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

ALEXANDRIA PLANNING COMMISSION

April 9, 2015

7:00 P.M., Council Chambers

301 King Street, City Hall

Alexandria, Virginia

Members Present:

Mary Lyman, Chair
Stewart Dunn, Vice Chair
Maria Wasowski
Nathan Macek
David Brown
Stephen Koenig
Mindy Lyle

Staff Present:

Karl Moritz	Department of Planning & Zoning
Robert Kerns	Department of Planning & Zoning
Dirk Geratz	Department of Planning & Zoning
Kendra Jacobs	Department of Planning & Zoning
Jessica McVary	Department of Planning & Zoning
Al Cox	Department of Planning & Zoning
Tom Canfield	Department of Planning & Zoning
Katie North	Department of Transportation and Environmental Services
Megan Cummings	Department of Transportation and Environmental Services
Joanna Anderson	City Attorney

1. Call To Order

The Planning Commission meeting was called to order at 7:00pm. All members were present.

NEW BUSINESS:

2. Development Special Use Permit #2014-0006
Special Use Permit #2015-0012 - Boat Docking Facility
Special Use Permit #2015-0013 - Retail Shopping Establishment
Special Use Permit #2015-0014 - Restaurant
Transportation Management Plan SUP#2014-0102
2 and 3A Duke Street and 226 Strand Street (The Strand)
Robinson Terminal South

Public hearing and consideration of a request for: (A) A development special use permit, with site plan and modifications, to construct a mixed use development with an increase in the Floor Area Ratio (FAR), a cluster residential development, an increase in height from 30 feet to 50 feet, an increase in the number of penthouses, land without frontage, a parking reduction, and valet parking; (B) Special Use Permit for a facility used for docking of boats; (C) Special Use Permit for a retail shopping establishment; (D) Special Use Permit for a restaurant; and (E) Special Use Permit for a Transportation Management Plan; zoned W-1/Waterfront Mixed Use Applicant: RT South Associates LLC represented by Jonathan P. Rak, attorney

Division Chief Robert Kerns and Planners Dirk Geratz and Jessica McVary gave a presentation and answered questions from the Planning Commission.

Speakers:

Mr. Bob Youngentob, representing the applicant, spoke in support of the applications and provided a presentation.

Mr. Jonathan Rak, representing the applicant, spoke in support of the applications.

Ms. Holly Hull, 305 S. Union Street, expressed her appreciation that the density was not maximized on this site and support for the connections to the Potomac River.

Ms. Susan Askew, 34 Wolfe Street, summarized the efforts of the adjacent neighbors to address concerns related to the mass and scale of Building 3 and requested that the Planning Commission require additional setbacks along South Union Street. Ms. Askew also noted her opposition to the request for a parking reduction.

Mr. Bert Ely, 200 S. Pitt Street, spoke on behalf of the Friends of the Alexandria Waterfront and expressed concerns with the proposal. Mr. Ely noted that the mass, scale and height are excessive and the architectural character is not compatible with the Old and Historic Alexandria District. Mr. Ely expressed particular concern with the proposed parking and

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requested that future residents and visitors be prohibited from obtaining residential parking permits.

Mr. John Bordner, 908 Rolfe Place, spoke on behalf of the Ad-hoc Monitoring Group for Waterfront Construction and requested two amendments to the conditions of approval which addressed trucks and noise abatement on the weekends. Mr. Bordner also requested that the City designate an employee or Department to assist in the challenges associated with the simultaneous construction of several projects. He also opposed the proposed parking reduction.

Ms. Corinne Marlowe, 619 N. Columbus Street, spoke in support of the applications and noted that the proposal, including the promenade and open spaces, will activate the waterfront and provide additional public access to the waterfront.

Mr. Phil Muse, 635 S. Henry Street, spoke in support of the proposal and noted that the redevelopment opens access to the waterfront and activates the site.

Mr. Greg Hudgins, 1128 Colonial Avenue, spoke in support of the proposal and noted that the contemporary design is appropriate for the historic context. He noted that the proposal creates a waterfront that is of the future for the future.

Mr. John Woods, 212 Wilkes Street, spoke in support of the proposal, particularly of the architecture.

Mr. Ernest Lehman, 621 N. Saint Asaph Street, spoke in general support of the application, but expressed concern that the applicant is not proposing to use geothermal technology, solar panels or green roofs on the project.

Mr. Dan Crowe, 1023 N. Royal Street, spoke in support of the application, noting the increased public access to the waterfront, the mixed-use development, the preservation of the historic structure and the design of the proposed development.

Mr. Robert Atkinson, 1009 Pendleton Street, spoke in support of the application. Mr. Atkinson referenced the importance of improving the waterfront and also noted that the design approach for the proposal is appropriate.

Mr. Jerry McAndrews, 12 Wolfe Street, expressed concern that the proposed parking is seriously inadequate. Mr. McAndrews noted that the proposal to accommodate the residential visitor parking within the commercial parking of the garage is inadequate.

Ms. Yvonne Weight Callahan, 735 S. Lee Street, noted that the commitment to barge should not result in the flexibility to restore the four additional units and expressed support for conditions which include considerations for adjacent and nearby property owners including pre- and post-construction surveys and an ombudsman.

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Ms. Sherry Schiller, 524 S. Pitt Street, stressed the importance of attention to detail during the implementation of the project to ensure a successful project. Ms. Schiller noted that the King Street Gardens were a design idea that was not successfully implemented or executed.

Ms. Katy Cannady, 20 E. Oak Street, expressed concern that the proposed buildings are not representative of the Alexandria character. Ms. Cannady noted that the promenade is a requirement of the settlement agreement and that the modern buildings will act as a barrier to the waterfront.

Mr. John Long, President and CEO of the Alexandria Chamber of Commerce, noted the rich history of commercial uses along the Waterfront and the general conformance of the proposal with the Waterfront Plan. Mr. Long spoke in support of the project but expressed concerns related to public access along the waterfront, the operation of the pier and barging access to the construction site.

Ms. Nancy Visser, 38 Wolfe Street, stated that barging will result in a silting problem for the privately owned slips and requested that the applicant remove silt to ensure that owners have access to their slips.

Mr. Michael Jennings, 10 Potomac Court, expressed concern with the proposed parking reduction request, including the proposal to accommodate residential visitors and the valet parking operation. Mr. Jennings also requested that the Planning Commission amend condition 76 to expand the monitoring area from 200 to 300 feet.

Ms. Elaine Johnston, representing the Historic Alexandria Foundation, endorsed the comments of the Waterfront Commission. Ms. Johnston advocated for public benefits which advance the Waterfront Plan and expressed concern that the historic interpretation has not been fully integrated into the design. Ms. Johnston also expressed concern with potential damage to historic properties by construction and hauling.

Mr. Arthur Tamayo, 113 S. Columbus Street, spoke in support of the application, particularly the public access to the waterfront for economic, social and community benefits.

Mr. Beal Lowen, 321 S. Lee Street, expressed concern with the proposed parking and requested that the Planning Commission not grant the approval of the parking reduction.

Ms. Lauren Stack, 210 Duke Street, spoke in support of the proposal, noting that the revitalization of the waterfront is overdue. Ms. Stack stated that the proposal is consistent with the vision of the Waterfront Plan, provides public benefits and integrates contemporary design into the historic context.

Mr. Van Van Fleet, 26 Wolfe Street, spoke on behalf of the Old Town Civic Association in opposition to the project. Mr. Van Fleet expressed concern with the mass, scale and architectural character, stating that the proposal does not have a connection to the Old and Historic Alexandria District. Mr. Van Fleet also expressed concern with the proposed parking.

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Ms. Kathryn Papp, 504 Cameron Street, requested that the Planning Commission review each of the special use permit requests separately and consider these approvals in the context of the Transportation Management Plan.

Mr. Melvin Garbow, 19 Wilkes Street, expressed concern with the proposed parking and noted that tandem spaces are inefficient and create additional problems.

Mr. Bob Wood, 711 Potomac Avenue, expressed concern with the mass, scale and architectural character of the proposal. Mr. Wood indicated that the proposal is inconsistent with the Waterfront Plan and special use permits should not be granted for additional floor area ratio and height.

Ms. Lynn Hampton, 215 Park Road, spoke in support of the application, noting that the proposal will be iconic on the waterfront. Ms. Hampton also indicated that the changing demographics of the City should be considered in the parking request.

Mr. Tim Morgan, 319 S. Union Street and President of the Waterford Place Homeowners Association, expressed concern with the mass and scale of Building 3, the proposed parking and construction management. Mr. Morgan stated that at least 15 percent residential visitor parking should be provided, the garage should include free valet parking, and off-site valet contract should be provided and the special use permit should limit the total number of restaurant seats.

Ms. Ana Gomez-Acebo, 100 Duke Street, expressed concern with the changing landscape of Alexandria and noted that the proposal does not meet the unique character and historic context of Alexandria.

Mr. Hal Hardaway, 311 S. Union Street, expressed concern with the proposed parking and noted that the parking situation has worsened. Mr. Hardaway also expressed concern that the proposal is incompatible with the surrounding neighborhood context, but did not his support for the rehabilitation of 2 Duke Street.

Mr. Trae Lamond, 4 Kennedy Street, spoke on behalf of Chadwicks Restaurant and stated that parking for all new and existing businesses is needed.

Mr. Philip Matyas, 200 North Pitt, recommended that the Planning Commission defer action to allow the community to develop a shared vision which benefits businesses and residents. Mr. Matyas also noted that additional parking at several of the anticipated development sites is necessary.

Mr. Boyd Walker, 1307 King Street, requested that the proposal consider space for the Alexandria Seaport Foundation and also requested that a historic report be required prior to the demolition of the existing Alexandria Marine Building.

Ms. Beth Gibney, 300 S. Lee Street, expressed concern with the proposed parking and requested that the applicant reconsider the parking.

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Ms. Gibney also noted that she supported the modern composition, but believed that a direction which recalled warehouses would be more appropriate.

Ms. Tina Lamareaux, 116 Wolfe Street, expressed concern with the impact of the development, the density of the buildings along Union and Wolfe Streets and the proposed parking.

Ms. Charlotte Hall, 205 The Strand, spoke on behalf of the Potomac Riverboat Company. Ms. Hall stated that parking in the waterfront area is a challenge and expressed concern with the proposed parking. She advocated for a creative solution to address parking for residents and businesses.

Mr. Peter Kilcullen, 464 S. Union Street, suggested that a public-private partnership be formed to provide additional parking below Point Lumley Park.

Ms. Hank Savitch, 128 Waterford Place, expressed concern with the building mass, scale, and height particularly the setbacks along S. Union Street. Mr. Savitch requested that the setbacks on S. Union Street be proportionate to the setbacks on Wolfe Street.

Ms. Susan Savitch, 128 Waterford Place, requested that the Planning Commission advocate for active, publicly accessible space.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Dunn, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Development Special Use Permit #2014-0006, Special Use Permit #2015-0012, Special Use Permit #2015-0013, Special Use Permit #2015-0014 and Transportation Management Plan SUP #2014-0102, subject to compliance with all applicable codes, ordinances, and staff recommendations, with amendments to DSUP conditions 1, 7, 31, 38, 46, 58, 59, 76, 134 and 138 and the addition of condition 16 in SUP #2015-0013. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis and recommendation that the proposal complied with the Waterfront Plan, but acknowledged full achievement of the Goals and Guidelines was challenging due to the elimination of the hotel envisioned on the site in the Waterfront Plan. The Commissioners discussed the importance of site activation and historic interpretation, the appropriateness of the mass, scale and architectural character and the adequacy of the proposed parking. The Planning Commission noted the parking challenges in the Old Town neighborhood, especially in the vicinity of Robinson Terminal South, but also noted that the Old Town Area Parking Study work group is looking at options for addressing these parking challenges comprehensively. Commissioners noted that the residential portion of the development proposal would have more than the minimum required parking and indicated that they agreed with staff's finding that the parking for the non-residential portion would be adequate. Commissioners also discussed the importance of the rear elevations in creating successful carriageways. The Planning Commission supported the staff recommendations which encouraged activation of the site, but deferred decisions on the

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monetary contributions required in conditions 135 and 136 to the City Council for consideration. The Planning Commission supported the staff recommendation which accepted amendments to condition 138, only if the language within condition 136 remains unchanged.

Amendments to DSUP conditions:

1. **CONDITION AMENDED BY PLANNING COMMISSION:** The Final Site Plan shall be in substantial conformance with the following: the preliminary plan dated December 23, 2014; the supplemental information received January 30, 2015 and March 9, 2015; the scale, mass and general architectural character endorsed by the Old and Historic Alexandria District Board of Architectural Review (BAR) during five work sessions; the Certificate(s) of Appropriateness to be approved at a later date; and comply with the following conditions of approval. Wherever these conditions require the Applicant to maintain facilities, the Applicant may assign its obligations to its successors or the property owners association. (PC)
7. **CONDITION AMENDED BY PLANNING COMMISSION:** Work with staff to identify opportunities to activate the on-site publicly accessible open spaces and The Strand with art, which may include festivals or temporary exhibits and other programming through local art and cultural organizations. The applicant shall sponsor and fund a minimum of ~~five~~ seven on-site activities and/or exhibits per year to the greatest extent possible for ~~three~~ five years following the release of the final Certificate of Occupancy. The on-site activities and/or exhibits shall total a minimum of ~~\$25,000~~ \$15,000 per year. In the event ~~\$25,000~~ \$15,000 is not spent due to unforeseen circumstances, the balance shall be credited to the applicant for use during subsequent years to the satisfaction of the Director of RP&CA. The applicant or its assigned successors shall not preclude the continuation of these activities following the initial ~~three~~ five-year period by the City or a future governance structure, in the event such a structure is established. (RP&CA)(P&Z)(PC)
31. **CONDITION AMENDED BY PLANNING COMMISSION:** The structural integrity of the pier shall be evaluated by a licensed professional structural engineer registered in the Commonwealth of Virginia, and a pier condition survey shall be submitted to the satisfaction of the Director of T&ES prior to release of the final site plan. The applicant will be responsible for the costs of a third party review by a structural engineer of the City's choosing. Any structural deficiencies identified in the survey that would prevent the pier from being used as contemplated in the DSUP application shall be repaired by the applicant to the satisfaction of the Directors of T&ES, RP&CA and General Services.* (T&ES)(RP&CA)(GS)(PC)
38. **CONDITION AMENDED BY PLANNING COMMISSION:** No less than 600 square feet ~~A portion~~ of the first floor space designated as "amenity" for meeting rooms in Building 2 shall be made available to local community and non-profit organizations in addition to Alexandria City government agencies at least ~~12~~ 24 times per year for a minimum of 48 hours to the satisfaction of the Director of P&Z. The

space shall be made available during the hours of 8:00 a.m. to 10:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays on a space-available basis, upon request. As part of this requirement, this space may ~~shall~~ also be made available to uses complying with section 5-502(H) (i.e. uses which foster art, history and cultural awareness) and open for the enjoyment of the larger community a minimum of 4 times per year, consistent with the art programming required in condition 7. The condominium association has the authority to require refundable security deposits or institute alternative requirements for non-City government agencies, with the exception of charging user fees, to protect against damage. (P&Z)(**PC**)

46. **CONDITION AMENDED BY PLANNING COMMISSION:** The valet parking zone shall occur on-site. The loading and unloading of passengers and the temporary staging of passenger vehicles is not permitted to occur within the public right-of-way. The main valet station for drop off and pick up must be located on site (~~on internal private streets~~). (P&Z)(T&ES)(**PC**)
58. **CONDITION AMENDED BY PLANNING COMMISSION:** The total number of units shall not exceed 96. In the event the number of units increases from 92, as shown in the preliminary plan dated December 23, 2014 to 96, the applicant shall comply with all applicable Zoning Ordinance requirements, including but not limited to parking, lot size, open space and the provisions of Section 11-600. The Applicant may use tandem spaces to provide additional parking. (P&Z)(**PC**)
59. **CONDITION AMENDED BY PLANNING COMMISSION:** Per Section 11-418 of the Zoning Ordinance, the development special use permit shall expire and become null and void, unless substantial construction of the project is commenced within ~~36~~ 60 months after initial approval and such construction is thereafter pursued with due diligence. In the event substantial construction of the project is delayed due to the federal processing of the Letter of Map Revision based on Fill, the expiration of the development special use permit shall be extended to 60 months after initial approval. The applicant shall provide written status reports to staff 18 months and 36 months after initial approval to update the City Council on the project status if substantial construction has not commenced at such time. (P&Z)(**PC**)
76. **CONDITION AMENDED BY PLANNING COMMISSION:** Provide a Building Monitoring Plan, to include a plan for addressing damage to adjacent property, for adjacent and nearby structures that is approved by the Director of T&ES to detect building movement, settlement, and/or damage directly or indirectly attributed to the excavation or construction activities. The Building Monitoring Plan shall include a baseline survey prior to commencement of construction and a post-construction survey, if requested by the building owner. All properties within 200 feet of any property boundary of the subject site shall be afforded the opportunity to participate in the pre- and post-construction surveys. ~~Adjacent property owners shall be named as additional insured.~~ (T&ES)(**PC**)

134. **CONDITION AMENDED BY PLANNING COMMISSION:** Pursuant to the Waterfront Plan, provide a monetary or in kind contribution of ~~\$2,525,904~~ \$2,406,087 to be used for off-site improvements that contribute to the implementation of the Waterfront Plan. These contributions shall be due prior to the issuance of the final certificate of occupancy for the final waterfront building.
- a. The applicant shall make the following contribution which shall be deemed to equal ~~credited towards~~ the total monetary contribution:
 - i. Demolish the Alexandria Marine building (226 The Strand), remove all trash and debris on the site, and provide an interim condition to stabilize the property. Provide routine maintenance of the site (mowing, trash removal, etc.) for a period of no more than 3 years or until the commencement of construction of The Strand flood mitigation / park project by the City. Standard construction management requirements will apply to the demolition. Prior to demolition, the Applicant is required to:
 - a. Work with staff to request a Permit to Demolish from the Old and Historic Alexandria District Board of Architectural Review.
 - i. Perform the historic analysis required for the Permit to Demolish application and submit the analysis, as well as any other required documentation to the Department of Planning and Zoning. The City will prepare the Permit to Demolish application.
 - b. Complete a Phase I Environmental Site Analysis (ESA) and, if indicated, a Phase II site analysis, and provide associated documentation to the City.
 - ii. Dedicate the Alexandria Marine property, Parcel “E” and Parcel “M” (226 The Strand), to the City for the purpose of expanding Point Lumley Park consistent with the Waterfront Plan. (P&Z)(RP&CA)(T&ES)(**PC**)
138. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~The annual contribution rate to the City shall be reevaluated, with the funds from the contribution amount established in the condition #136 above credited toward the special service district, business improvement district or similar governance structure. If the City adopts a special service district, business improvement district or similar assessment, the annual contribution required by condition #136 shall be replaced by such assessment. The annual contribution rate to the special service district, business improvement district or similar governance structure~~ Such assessment shall not be less than the annual contribution rate as determined by condition #136. (P&Z)(**PC**)
Addition of condition 16 in SUP #2015-0013:
16. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall comply with the parking conditions approved in Development Special Use Permit #2014-0006, which is hereby incorporated into this Special Use Permit. (P&Z)(**PC**)

3. Adjournment

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The Planning Commission was adjourned at 12:55am.