

Docket Item #10  
Planning Commission Meeting  
April 5, 2016

Consideration of approval of the Planning Commission minutes of the public hearing meeting  
of March 1, 2016

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

**ALEXANDRIA PLANNING COMMISSION**

March 1, 2016

7:30 P.M., Council Chambers

301 King Street, City Hall

Alexandria, Virginia

**Members Present:**

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

**Members Absent:**

None

**Staff Present:**

Karl Moritz	Department of Planning & Zoning
Kendra Jacobs	Department of Planning & Zoning
Alex Dambach	Department of Planning & Zoning
Robert Kerns	Department of Planning & Zoning
Ann Horowitz	Department of Planning & Zoning
Maya Contreras	Department of Planning & Zoning
Nathan Randall	Department of Planning & Zoning
Carrie Sanders	Transportation & Environmental Services
Ravindra Rout	Transportation & Environmental Services
Tamara Jovovic	Office of Housing
Helen McIlvaine	Office of Housing
Eric Keeler	Office of Housing
Joanna Anderson	City Attorney

## ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 1, 2016

### 1. Call to Order.

The Planning Commission public hearing was called to order at 7:30 P.M.

### 2. Election of Planning Commission officers for Chairman and Vice Chairman.

On a nomination by Vice Chairman Dunn, seconded by Commissioner Lyle, the Planning Commission unanimously voted to re-elect Mary Lyman as Chairwoman.

On a nomination by Commissioner Brown, seconded by Commissioner Koenig, the Planning Commission unanimously voted to elect Nathan Macek as Vice Chairman.

### **CONSENT CALENDAR:**

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3. Special Use Permit #2015-0136  
277 South Washington Street #110 - barre3 Alexandria  
Public hearing and consideration of a request to operate a commercial school; zoned: CD/  
Commercial Downtown.  
Applicant: barre3 Alexandria, represented by Michelle Rosati, attorney

**PLANNING COMMISSION ACTION:** By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2015-0136.

4. Special Use Permit #2015-0140  
1127 King Street, 2nd floor - Escape Quest  
Public hearing and consideration of a request to operate an amusement enterprise and for a parking reduction; zoned: KR/King Street Retail.  
Applicant: Escape Quest, LLC

**PLANNING COMMISSION ACTION:** By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2015-0140.

5. Development Special Use Permit #2015-0030  
5740 Edsall Road - Edsall Road Shell Gas Station  
Public hearing and consideration of a request for an extension and update to standard conditions of previously-approved Development Special Use Permit #2011-0032 to construct a full service gas station with a convenience store and a drive-thru carwash facility and a Special Use Permit request for a parking reduction; zoned CG/Commercial General. Applicant: NOVA Petroleum Realty, LLC represented by M. Catharine Puskar, attorney

**PLANNING COMMISSION ACTION:** By unanimous consent, the Planning Commission voted to recommend approval of Development Special Use Permit #2015-0030.

**NEW BUSINESS:**

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6. Special Use Permit #2015-0130  
Encroachment #2015-0007  
535 East Braddock Road (parcel address: 501 East Braddock Road) - Dos Amigos  
Public hearing and consideration of requests for: (A) an amendment to an existing Special Use Permit (SUP #2012-0039) for additional outdoor dining seats and a request for a parking reduction; and (B) an Encroachment into the public right-of-way for outdoor dining; zoned: CRMU-H/Commercial Residential Mixed Use/High.  
Applicant: Cucotan, LLC represented by Duncan Blair, attorney

Ann Horowitz (P&Z) and Alex Dambach gave a presentation and answered questions from the Planning Commission.

**Speakers:**

Richard Calderon, 505 East Braddock Road, spoke in support of the applications and stated that the restaurant was well-run and a good neighbor.

Duncan Blair, attorney, spoke in support of the proposals. He mentioned that the proposed encroachment into the public right-of-way would only incorporate areas that were already constructed in the public right-of-way as steps and ramps.

Chairwoman Lyman closed the public hearing.

**PLANNING COMMISSION ACTION:** On a motion by Commissioner Dunn, seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of Special Use Permit #2015-0130 and Encroachment #2015-0007, subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis. Vice Chairman Macek recognized the long-term success of the restaurant in a tenant space where a high rate of business turnover had previously existed.

7. Special Use Permit #2015-0139  
3500 King Street - Sunoco, Inc. (R&M)  
Public hearing and consideration of a request to amend SUP #2004-0047 to add off-premises alcohol sales at an existing convenience store and gas station; zoned: CG/Commercial General. Applicant: Sunoco, Inc. (R&M), represented by Nathan Schmalhofer, agent

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Ann Horowitz (P&Z) and Alex Dambach (P&Z) gave a presentation and answered questions from the Planning Commission.

Speakers: There were no speakers on this item.

**PLANNING COMMISSION ACTION:** On a motion by Commissioner Wasowski, seconded by Vice Chairman Macek, the Planning Commission recommended approval of Special Use Permit #2015-0139, subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis. Commissioner Dunn inquired about the Police Department's position on the SUP amendment request and, if other combination convenience stores and automobile service stations sold off-premises alcohol in the City. Staff responded that Police had no objection to the applicant's request and that a similar business sells off-premises alcohol.

8. Master Plan Amendment #2015-0009  
Text Amendment #2016-0001  
Rezoning #2015-0005  
Coordinated Development District Concept Plan #2015-0008  
Development Special Use Permit #2015-0019  
Coordinated Sign Program Special Use Permit #2015-0115  
TMP Special Use Permit #2015-0116  
Special Use Permit #2016-0001  
Encroachment #2016-0001  
530 First Street (parcel address: 500 First Street) and 901 North Saint Asaph Street - ABC/Giant- Edens  
Public hearing and consideration of requests for: (A) Amendment to the Old Town North Small Area Plan chapter of the Master Plan to amend the land use designation for the site from CG to CDD#25 and to amend the height map for the site from 50 to 77 feet; (B) Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602 to establish CDD #25; (C) Amendment to the official zoning map for 530 First Street and 901 North Saint Asaph Street from CG to CDD#25/Coordinated Development District #25; (D) Coordinated Development District Concept Plan; (E) Development Special Use Permit, with modifications, and Special Use Permits for more than one rooftop penthouse and a parking reduction, to construct a mixed-use building with 232 residential units and ground-level commercial uses; (F) Special Use Permit for a Coordinated Sign Program; (G) Special Use Permit for a Transportation Management Plan; (H) Special Use Permit for multiple commercial uses; and (I) Encroachment request to locate an underground electric transformer in the public right-of-way; zoned CG/Commercial General.  
Applicant: Giant Alexandria E&A, LLC represented by M. Catharine Puskar, attorney

Nathan Randall (P&Z), Maya Contreras (P&Z), Robert Kerns (P&Z), gave a presentation and answered questions from the Planning Commission. Carrie Sanders (T&ES) and Ravindra Raut (T&ES) answered questions from the Commission about the traffic studies and impacts.

Speakers:

M. Catharine Puskar, attorney representing the applicant, spoke in favor of the request. She provided to the Commission a summary of the project which included the evolution of the building's design, a comparison of the number of parking spaces provided by the project to shopping centers in the City, and a description of its community benefits. Ms. Puskar answered questions from the Planning Commission regarding the parking reduction and encroachment requests. She also noted her agreement with the condition changes for SUP#2016-0001 as noted in staff's memorandum.

Agnes Artemel, 120 Madison Place, spoke in support of the project. She noted that the proposal would fulfill the goals of the 1992 Old Town North Small Area Plan and would introduce new vibrancy to the neighborhood, particularly given the establishment of new commercial uses in the designated Retail Focus Area. Ms. Artemel also expressed support for the internal loading areas and the varying building heights.

Thomas Hickok, 801 North Pitt Street, expressed concern about not knowing the individual commercial tenants anticipated for the site and about the traffic implications of the proposed higher density. He opposed the parking reduction request and noted his belief that Condition #31, prohibiting future residents from obtaining residential street parking permits, could be easily overturned.

Joan Drury, 1030 North Royal Street and representing VISION, expressed concerns about traffic and pedestrian safety in connection with the project, particularly at the intersection of North Washington and First Streets. She referenced her community group's December 12<sup>th</sup> letter to City Council and stated that a new traffic study for the project is needed based on VISION's independent traffic investigation. Mrs. Drury also expressed her concern about the lack of adequate opportunities for public input and answered questions from the Planning Commission about the VISION organization.

Edward Wachter, 1023 North Pitt Street, spoke in favor of the project and noted some concern about traffic and pedestrian safety in the vicinity of First Street.

Morrill "Bud" Marston, 1172 North Pitt Street, stated that he believes that the project is too large in size for the area and for the streets surrounding the site. He spoke against the increase in the height limit to 77 feet and noted concerns about the length of the traffic queue for traffic turning from North Washington Street onto First Street.

Andrea Stower, 524 Tobacco Quay, stated that her concerns, and the concerns of the Tobacco Quay community regarding development in the neighborhood, are being dismissed. She expressed her intent to join other community organizations to ensure that residents' voices are being heard by City staff and elected officials.

Dr. Daryl Drury, 1030 North Royal Street and representing VISION, expressed concerns about the traffic modeling and traffic standards that have been used in connection with this project. He referenced his community group's December 12<sup>th</sup> and March 1<sup>st</sup> letters

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and discussed the credentials of the individuals consulted in connection with the organization's independent traffic investigation.

Jim Ewalt, 600 Second Street, spoke about the proximity of the existing ingress/egress driveway for the Liberty Row community to the intersection of North Washington and First Streets. He explained his belief that difficult traffic conditions and dangerous pedestrian conditions exist on First Street.

Tom Soapes, 1035 North Pitt Street, spoke about the positive aspects of the project. He noted that the project would add needed services to the community such that the site would no longer be a "dead zone." He spoke in support of the internal loading area and noted the applicant's outreach efforts and responsiveness to community concerns. Mr. Soapes stated that the traffic improvements associated with the project would help to address traffic concerns.

Daniel Straub, 511 Bashford Lane and Co-Chairman of the Urban Design Advisory Committee (UDAC), spoke about the Committee's agreement with certain elements of the project, but also noted specific concerns that were raised in Committee meetings that need additional refinement. He disagreed with the representation in the staff report that UDAC has endorsed the project and asked the Commission to require unresolved matters to be considered at another UDAC meeting.

John Aucella, 635 First Street and representing Liberty Row Condominium Association, expressed concerns about traffic associated with the project, describing chaotic traffic and dangerous pedestrian conditions on First Street during peak hours. He stated that residents' concerns were not being heard and that opportunities for feedback were lacking. Mr. Aucella asked staff to reconsider this part of the process for future cases.

Linda Lord, 600 Second Street and representing Liberty Row Condominium Association, stated that her organization is not against redevelopment, but that it has concerns about certain elements of the project that could be cured upon further review. She noted concern that the large scale and mass of project would negatively impact the character of the neighborhood. Ms. Lord also expressed surprise at the number of land-use applications or exceptions to requirements being requested as part of the project.

Chairwoman Lyman closed the public hearing.

### **PLANNING COMMISSION ACTION:**

Commissioner Dunn made a motion to defer consideration of the land-use requests to a future hearing date. The motion failed for a lack of a second.

***Master Plan Amendment #2015-0009:***

On a motion by Commissioner Wasowski, seconded by Vice Chairman Macek, the Planning Commission voted to adopt the resolution and recommend approval of Master Plan Amendment #2015-0009 to amend the land-use designation in the Old Town North Small Area Plan for the property from CG / Commercial General to CDD#25 / Coordinated Development District #25 and to amend the height map in the Old Town North Small Area Plan to allow a maximum building height of 77 feet at the site. The motion carried on a vote of 6-0-1, with Commissioner Dunn abstaining.

***Text Amendment #2016-0001***

On a motion by Commissioner Wasowski, seconded by Vice Chairman Macek, the Planning Commission voted to initiate and recommend approval of Text Amendment #2016-0001 to amend Section 5-602 of the Zoning Ordinance to establish the CDD#25/Coordinated Development District #25 zone. The motion carried on a vote of 6-0-1, with Commissioner Dunn abstaining.

***Rezoning #2015-0005:***

On a motion by Commissioner Wasowski, seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of the Rezoning #2015-0005 request to change the zoning designation of the property from CG/Commercial General to CDD#25 / Coordinated Development District #25. The motion carried on a vote of 6-0-1, with Commissioner Dunn abstaining.

***CDD Concept Plan #2015-0008, Development Special Use Permit #2015-0019 (with modifications and associated SUPs), Coordinated Sign Program Special Use Permit #2015-0115, TMP Special Use Permit #2015-0116, Special Use Permit #2016-0001, and Encroachment #2016-0001:***

On a motion by Commissioner Wasowski, seconded by Commissioner Lyle, the Planning Commission voted to delete recommended Condition #31, which would have excluded future residents of the project from obtaining residential parking permits, from Development Special Use Permit #2015-0019. The motion to delete the condition carried on a vote of 5-2, with Chairwoman Lyman and Commissioner Dunn voting against.

On a motion by Commissioner Wasowski, seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of the above-referenced requests, with the renumbering and other revisions to recommended conditions of SUP#2016-0001 as noted in staff's February 29th memorandum to the Commission, and subject to compliance with all applicable codes, ordinances and other staff recommendations. The motion carried on a vote of 6-0-1, with Commissioner Dunn abstaining.

**31.CONDITION DELETED BY PLANNING COMMISSION:** ~~Residential units shall not be eligible to receive residential parking permits unless a comprehensive policy that addresses new development and the residential parking permit program is adopted by City Council. (T&ES)~~



**ALL CONDITIONS OF SUP#2016-0001 AMENDED BY PLANNING COMMISSION AS FOLLOWS:**

Staff recommends approval of the Special Use Permit for day care centers; health and athletic clubs; personal service establishments; massage establishments; pet supplies, grooming, training with no overnight accommodation; private schools, academic or commercial, with more than 20 students on the premises at any one time; restaurants and outdoor dining; and retail shopping establishments, subject to compliance with all applicable codes and ordinances and the following conditions:

**For All Uses Listed Above:**

1. At no time shall the aggregate parking requirement, consistent with Zoning Ordinance parking requirements, for all commercial uses at the site exceed 324 spaces unless the applicant provides additional off-street parking spaces or receives separate Special Use Permit approval for a parking reduction exceeding the 85-space parking reduction requested as part of DSUP#2015-0019. (P&Z)
2. All commercial entrances along the commercial frontages of the building shall be required to be operable entrances. This requirement shall be included as part of the lease for each tenant. (P&Z)
3. The placement or construction of items that block the visibility of the interior of the store from the street and sidewalk (e.g. storage cabinets, carts, shelving, boxes, coat racks, storage bins, closets, etc.) shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. This requirement shall be included as part of the lease for each tenant. (P&Z)
4. Individual tenant signage shall be consistent with all conditions of the Coordinated Sign Program SUP (SUP#2015-0115) for this site. (P&Z)
5. The applicant shall control cooking odors, smoke and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
6. The use of loudspeakers or musicians outside is prohibited, unless otherwise approved through a noise variance permit.
7. The applicant will encourage patrons to utilize off-street parking options through the provision of information about the on-site garage on business websites. (T&ES)
8. The applicant shall require its employees who drive to use off-street parking. (T&ES)

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9. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Local Motion at 703-746-4686 or [www.alexandriava.gov/LocalMotion](http://www.alexandriava.gov/LocalMotion) for more information about available resources.
10. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
11. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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)

**For all uses listed above except restaurants (in addition to Conditions #1 – 11):**

12. The hours of operation for the business shall not exceed 5 a.m. to 12 midnight daily.

**For all uses listed above except day care centers; personal service establishments; pet supplies, grooming and training with no overnight accommodations; and retail shopping establishments (in addition to Conditions #1 – 11 and, as applicable, #12):**

13. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
14. This umbrella Special Use Permit shall be separated into discrete Special Use Permits for each tenant. Each tenant shall be subject to these approved conditions (or as may be amended in the future). (P&Z)
15. The applicant shall post the hours of operation at the entrance of each business. (P&Z)
16. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and, as applicable, on how to prevent underage sales of alcohol. (P&Z)
17. No food, beverages, or other material shall be stored outside. (P&Z)

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18. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
19. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
20. The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of discrete SUP approval, the business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES) (T&ES)
21. All waste products including but not limited to organic compounds (solvents and cleaners), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
22. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-1920 regarding a security survey for the business and robbery readiness training for all employees. (Police)

**For day care centers only (in addition to Conditions #1- 22):**

23. The applicant shall provide adequate drop off and pick up facilities that minimizes impact on pedestrian and vehicular traffic.
24. The applicant shall provide a pick-up and drop-off plan for the review and approval of the Director of Planning & Zoning that demonstrates the provision of adequate pick-up/drop off facilities for the proposed day care center.

**For restaurants and outdoor dining only (in addition to Conditions #1-11 and #13-22):**

25. The hours of operation for indoor seats shall be limited to between 6 a.m. and midnight Sunday-Thursday and 6 a.m. to 1 a.m. Friday and Saturday. For indoor seating, meals ordered before 12:00 midnight Sunday-Thursday or 1 a.m. Friday and Saturday may be sold, but no new patrons may be admitted and no alcoholic beverages may be served after 12:00 midnight Sunday-Thursday or 1 a.m. Friday and Saturday and all patrons must leave by 1 a.m. Sunday-Thursday or 2 a.m. Friday and Saturday. (P&Z)
26. The hours of operation for any outdoor dining areas shall be limited to between 7 a.m. to 11p.m., daily. The outdoor dining area shall be cleared of all diners by 11p.m. and shall be cleaned and washed at the close of each business day that it is in use. The outdoor dining area shall not include advertising signage, including on umbrellas. (P&Z)

27. The maximum number of restaurant seats permitted for this development shall be 841 seats, unless additional parking, per the Zoning Ordinance requirements, is provided for any increase in seats above this number, within the garage or in an off-site location approved by the Director of T&ES. Off-site parking provided to satisfy this requirement shall be secured prior to the opening of the restaurant. (P&Z)(TES)
28. Live entertainment shall be limited to the indoor seating area to provide ambient / background music for patrons and should be subordinate to the restaurant use. Noise levels shall not exceed 60 decibels measured at the property line per the Alexandria City Code. (P&Z)
29. Food delivery service to customers may be allowed from the restaurant(s) subject to the review and approval of the Director of Planning & Zoning and subject to the following minimum standards:
  - a. One dedicated off-street parking space shall be available for each delivery vehicle operating at any one time from the restaurant; and
  - b. The delivery vehicle parking shall not cause the commercial uses at the site to exceed the 85-space parking reduction approved in DSUP#2015-0019; and
  - c. Delivery vehicles shall not park on-street at any time they are located in the vicinity of the restaurant (P&Z)
30. On and off premises alcohol service may be permitted. Beer or wine coolers may be sold in at least 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z)
31. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)

~~For All Uses Listed Above:~~

- ~~1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)~~
- ~~2. This umbrella Special Use Permit shall be separated into discrete Special Use Permits for each tenant. Each tenant shall be subject to these approved conditions (or as may be amended in the future), provided that in no case may the maximum number of indoor and outdoor seats for all restaurant uses at the subject property exceed 841. (P&Z)~~
- ~~3. At no time shall the aggregate parking requirement, consistent with Zoning Ordinance parking requirements, for all commercial uses at the site exceed 324 spaces unless the applicant provides additional off street parking spaces or~~

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~~receives separate Special Use Permit approval for a parking reduction exceeding the 85-space parking reduction requested as part of DSUP#2015-0019.~~

- ~~4. The applicant shall post the hours of operation at the entrance of each business. (P&Z)~~
- ~~5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and, as applicable, on how to prevent underage sales of alcohol. (P&Z)~~
- ~~6. No food, beverages, or other material shall be stored outside. (P&Z)~~
- ~~7. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)~~
- ~~8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)~~
- ~~9. The applicant shall control cooking odors, smoke and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)~~
- ~~10. The use of loudspeakers or musicians outside is prohibited, unless otherwise approved through a noise variance permit. (T&ES)~~
- ~~11. The applicant will encourage patrons to utilize off-street parking options through the provision of information about the on-site garage on business websites. (T&ES)~~
- ~~12. The applicant shall require its employees who drive to use off-street parking. (T&ES)~~
- ~~13. The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of discrete SUP approval, the business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES) (T&ES)~~
- ~~14. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods.~~

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Contact Local Motion at 703-746-4686 or [www.alexandriava.gov/LocalMotion](http://www.alexandriava.gov/LocalMotion) for more information about available resources.

15. ~~The applicant shall comply with the parking conditions approved in Development Special Use Permit #2015-0019, which is hereby incorporated into this Special Use Permit. (P&Z)~~
16. ~~Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)~~
17. ~~All waste products including but not limited to organic compounds (solvents and cleaners), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)~~
18. ~~The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-1920 regarding a security survey for the business and robbery readiness training for all employees. (Police)~~
19. ~~The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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)~~

~~For All Uses Listed Above Except for Restaurants:~~

20. ~~The hours of operation for the business shall not exceed 5 a.m. to 12 midnight daily.~~

~~For Day Care Centers:~~

21. ~~The applicant shall provide adequate drop-off and pick-up facilities that minimizes impact on pedestrian and vehicular traffic.~~
22. ~~The applicant shall provide a pick-up and drop-off plan for the review and approval of the Director of Planning & Zoning that demonstrates the provision of adequate pick-up/drop-off facilities for the proposed day care center.~~

~~For Restaurants and Outdoor Dining:~~

23. ~~The hours of operation for indoor seats shall be limited to between 6 a.m. and midnight Sunday Thursday and 6 a.m. to 1 a.m. Friday and Saturday. For indoor~~

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~~seating, meals ordered before 12:00 midnight Sunday Thursday or 1 a.m. Friday and Saturday may be sold, but no new patrons may be admitted and no alcoholic beverages may be served after 12:00 midnight Sunday Thursday or 1 a.m. Friday and Saturday and all patrons must leave by 1 a.m. Sunday Thursday or 2 a.m. Friday and Saturday. (P&Z)~~

- ~~24. The hours of operation for any outdoor dining areas shall be limited to between 7 a.m. to 11p.m., daily. The outdoor dining area shall be cleared of all diners by 11p.m. and shall be cleaned and washed at the close of each business day that it is in use. The outdoor dining area shall not include advertising signage, including on umbrellas. (P&Z)~~
  - ~~25. The maximum number of restaurant seats permitted for this development shall be 841 seats, unless additional parking, per the Zoning Ordinance requirements, is provided for any increase in seats above this number, within the garage or in an off-site location approved by the Director of T&ES. Off-site parking provided to satisfy this requirement shall be secured prior to the opening of the restaurant. (P&Z)(TES)~~
  - ~~26. Live entertainment shall be limited to the indoor seating area to provide ambient / background music for patrons and should be subordinate to the restaurant use. Noise levels shall not exceed 60 decibels measured at the property line per the Alexandria City Code. (P&Z)~~
  - ~~27. Food delivery service to customers may be allowed from the restaurant(s) subject to the review and approval of the Director of Planning & Zoning and subject to the following minimum standards:
    - ~~d. One dedicated off street parking space shall be available for each delivery vehicle operating at any one time from the restaurant; and~~
    - ~~e. The delivery vehicle parking shall not cause the commercial uses at the site to exceed the 85 space parking reduction approved in DSUP#2015-0019; and~~
    - ~~f. Delivery vehicles shall not park on street at any time they are located in the vicinity of the restaurant (P&Z)~~~~
  - ~~28. On and off premises alcohol service may be permitted. Beer or wine coolers may be sold in at least 4 packs, 6 packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z)~~
- ~~Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)~~

Reason: The majority of the Planning Commission agreed with the staff analysis and with the recommended changes to the umbrella SUP conditions as discussed in staff's memorandum. Although some concern was expressed about adequate and meaningful opportunities for community input and about the Urban Design Advisory Committee (UDAC) process, a motion to defer the request was unsuccessful. The majority of the

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Planning Commission emphasized several benefits of the project during its discussion, such as consistency with the 1992 Old Town North Small Area Plan (OTN SAP) including the Retail Focus Area, the mixed-use nature of the project in general, and the internal loading areas. Additional positive elements of the project, such as the transitional height including a lower height near the corner of First and North Pitt Streets, the varied massing, the provision of open space, and the two levels of underground parking, were also discussed among the Commission members. The majority believed that questions regarding the provision of affordable housing, traffic at North Washington and First Streets, and the requested 3.5 FAR were adequately addressed. Commissioner Wasowski discussed the ongoing Old Town North Small Area Plan update and City Council's prior acknowledgment that projects could move forward prior to any adoption of the updated plan. A majority of the Commission also supported the removal of Condition #31 that would have prohibited residential street parking permits for future residents.

### **MINUTES:**

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9. Consideration of the meeting minutes for the February 2, 2016 and February 4, 2016 Planning Commission hearings.

**PLANNING COMMISSION ACTION:** On a motion by Commissioner Dunn, seconded by Vice Chairman Macek, the Planning Commission voted to approve the minutes of the February 2 and February 4 meetings as amended by Vice Chairman Macek. The motion carried on a vote of 6 to 0, Commissioner Koenig was absent for this item.

The minutes of February 2 and February 4 are revised as follows:

- Correct the spelling of Robert Kerns' last name in staff listing on page 2 of both the 2/2 and 2/4 minutes.
- In the 2/4 minutes, correct the testimony of Elliott Bell-Krasner to read "He stated that historic preservation issues should be given the same weight as ~~preservation~~ housing issues."
- In the 2/4 minutes, page 7, Ramsey case, Planning Commission action, insert the following sentence at the end of the paragraph that begins "Commissioners stated that they were in complete support": "Commission Macek suggested that the City facilitate discussions with ARHA, residents, the historic preservation community, and other interested citizens regarding the nature of and resources available to support historic preservation of public housing, outside of a specific development application."



**OTHER BUSINESS:**

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Discussion Item: Affordable Housing

Tamara Jovovic, Helen McIlvaine and Eric Keeler gave a presentation of the Office of Housing's role in providing affordable housing, and presented information on trends in affordable housing needs. Staff also presented some of the ways in which the City addresses the lack of affordable housing and works with developers to provide affordable housing units through the voluntary monetary contributions to the Housing Trust Funds, the Section 7-700 bonus density/height program, and rezonings (including CDDs). Ms. Jovovic also presented future policy and programmatic tools to increase the provision of affordable housing.

Commissioner Wasowski asked how the time limits for affordable onsite units are established. Ms. Jovovic responded that staff conducts an analysis to compare a number of factors including cost of rent, number of units, the amount of bonus density or height, and public amenities that are being provided.

Commissioner Dunn stated that the Virginia legislature is considering legislation to make it illegal for jurisdictions to pressure developers into making contributions.

Commissioner Dunn asked if there are any similar national trends. Mr. Keeler explained a new law in California that requires a fee per unit. He also stated that other neighboring jurisdictions, outside of Virginia, have more flexibility in what they can require.

**ORAL REPORTS BY MEMBERS OF THE PLANNING COMMISSION:**

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Vice Chairman Macek noted that the Transportation Commission endorsed the concept plan for the West End Transit Way. He stated that the next step is for City Council to reaffirm the plan.

Vice Chairman Macek also stated that the last work group of the Ad Hoc Signage Group is March 7 to discuss the regulation of private signage.

Commissioner Dunn discussed the issue of allowing video testimony at Planning Commission meetings.

On a motion by Commissioner Dunn, seconded by Vice Chairman Macek, the Planning Commission voted to include the following language in the procedures for speakers at Planning Commission meetings. The motion carried on a vote of 7 to 0.

"All speakers, including the applicant, must appear in person in order to provide verbal testimony to the Planning Commission. No verbal testimony will be taken by video."

Vice Chairman Macek clarified that this language was not intended to exclude videos of graphic presentations.

9. Adjournment

The Planning Commission meeting was adjourned at 11:12 p.m.