

Docket Item #14
Planning Commission Meeting
October 3, 2017

Consideration of approval of the Planning Commission minutes of the public hearing meeting of September 7, 2017.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 7, 2017

***** MINUTES *****

ALEXANDRIA PLANNING COMMISSION

September 7, 2017

7:00 P.M

Durant Center, 1605 Cameron Street

Alexandria, Virginia

Members Present:

Mary Lyman, Chairwoman
Nathan Macek, Vice Chairman
David Brown (arrived at 9:45 P.M.)
Stephen Koenig
Melissa McMahon
Maria Wasowski

Members Absent:

Mindy Lyle

Staff Present:

Karl Moritz	Department of Planning & Zoning
Joanna Anderson	Office of the City Attorney
Nancy Williams	Department of Planning & Zoning
Kristen Walentisch	Department of Planning & Zoning
Alex Dambach	Department of Planning & Zoning
Robert Kerns	Department of Planning & Zoning
Ashley Labadie	Department of Planning & Zoning
Gary Wagner	Department of Planning & Zoning
Shaun Smith	Department of Planning & Zoning
Maya Contreras	Department of Planning & Zoning
Bob Garbacz	Department of Transportation & Environmental Services
Jeffrey Farner	Department of Planning & Zoning
Carrie Beach	Department of Planning & Zoning
Jose Ayala	Department of Planning & Zoning
Stephanie Free	Department of Planning & Zoning

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 7, 2017

1. Call to Order.

The Planning Commission public hearing was called to order at 7:10 PM Commissioner Lyle was absent. All other members were present. Commissioner Brown arrived at 9:45 PM for docket items #8 - #12.

CONSENT CALENDAR:

2. Master Plan Amendment #2017-0003
North Potomac Yard Small Area Plan Amendment
Consideration of a Resolution relaying the Planning Commission's recommendation on the amendments to the North Potomac Yard Small Area Plan chapter of the Master Plan considered by the Planning Commission on June 6, 2017

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Master Plan Amendment #2017-0003.

3. Special Use Permit #2017-0072
801 North Fairfax Street
Public hearing and consideration of a request for additional building height to accommodate rooftop appurtenances associated with mechanical equipment and roof top open space; zoned: OCM(50)/Office Commercial Medium (50).
Applicants: MFS-ABS WF, LLC and MFS WF, LLC, ABS WF, LLC and SFLP WF, LLC represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2017-0072.

NEW BUSINESS:

4. Special Use Permit #2017-0079
1008, 1010, & 1012 Madison Street & 727 North Henry Street (parcel address: 727 North Henry Street)
Public hearing and consideration of a request for a parking reduction for the change of use of the existing buildings on site. Currently proposed new uses include a fitness facility, juice bar, restaurant, and personal service business; zoned: CSL/Commercial Service Low.
Applicant: Iacone/Henry Street, LLC represented by M. Catharine Puskar, attorney

Ashley Labadie, P&Z, presented the case and answered questions from the Commission.

Speakers:

M. Catharine Puskar, attorney representing the applicant, spoke in support of the Special Use Permit (SUP) application and said her client is very excited about renovating and reusing this industrial warehouse building. She mentioned the four proposed uses will serve the surrounding walkable neighborhood and that there will be upgrades to the building that will make it attractive. She mentioned that she worked with staff on the staff recommendations and agrees with them. In terms of Conditions relating to a contribution

toward closure of identified curb cuts and a related staff Memorandum, Ms. Puskar emphasized that her client's contribution to the City comes with the intention that the curb cuts will be closed in a reasonable time frame. She mentioned that she understands she is not in a position to condition the City on when and what it does; however, the intention should be there to close the curb cuts as soon as possible. She mentioned that her original proposal asked for a refund if the curb cuts are not closed within the one year review by the Planning Commission that is already contained in the conditions. She acknowledged the staff language in the memorandum being different but acceptable and asked that the Planning Commission and staff commit to the curb cut closures and that her client's money not go somewhere else in the City where her client does not see the benefit.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion made by Commissioner McMahon and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2017-0079 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0. Commissioner Lyle and Commission Brown were absent for this case.

Reason: The Planning Commission agreed with staff analysis.

Chairwoman Lyman asked staff to elaborate on the staff Memorandum sent to Planning Commission in reference to the curb cuts on N. Henry Street and Madison Street. Staff responded by saying that its Memorandum clarifies Conditions 3 and 4 which require the applicant to provide a contribution toward closure of the existing curb cuts on N. Henry Street and Madison Street. Staff mentioned that the Memorandum mentions the exact contribution of \$7,000 to be contributed to the curb cut closures and that staff asks the applicant to position landscape features mentioned in Condition 3 in the way of the curb cut to prevent anyone from mistakenly pulling into the driveway in the interim time before the closures are complete.

Commissioner Koenig asked the applicant and/or staff to speak to the letter from Braddock Metro Citizen's Coalition that refers to the Bikeshare location as well as loading issues. He said he realizes these issues may fall outside of the constraints of the SUP review. Staff responded that they discussed the relocation of the Bikeshare and concluded that it would be beneficial for it to stay in its current location for several reasons, including: servicing of a bike station on the suggested N. Henry Street side of the corner would be impacted by the HOV lane that runs along that side of the property; they would have to check on whether or not the kiosk would get proper solar exposure in that location; the relocation would be on private property instead of in public right of way, like it is now; consequently, the expense of the relocation would fall on the applicant; and the existing Bikeshare facility is approximately 45' in length and the Henry Street side does not have enough room to accommodate such space needs. Staff understands the concerns regarding congestion of the sidewalk and noted that there is currently 6 to 7 feet of sidewalk clearance from the curb to the edge of the bike facility leaving adequate space to walk side-by-side. In regards to the loading issues, staff mentioned that there is an existing 25' loading zone located in front of 1006 Madison Street, which is next door

to 1008 Madison Street, an address that is part of the application. Staff also noted that the existing loading zone is separated from the existing curb cut on Madison Street by one parking space and, with the closure of the curb cut, there is room to do other things with the street.

Commissioner McMahon, during Commission discussion, stated that she thinks this is a great project in an interesting location as it is in between parcels that have been redeveloped. She mentioned that the project brings fun uses that are relevant and compatible with the people who live there today and will live there in the future and that they do not require a huge investment in the redevelopment of the site that would be potentially cost-prohibitive. She said that she likes the idea of being able to support interim and creative uses by small businesses that typically do not have the resources to go into a brand-new building. She mentioned the existing building has bones such that it can be renovated inside which brings flexibility to small businesses, as well. She recognized the constraints of the site as it pertains to the parking reduction but also its proximity to the Metro Station and the walkability of the neighborhood.

5. Subdivision #2017-0004

2416 Ridge Road Drive

Public hearing and consideration of a request for a subdivision to re-subdivide two lots into a new configuration; zoned: R-8/Single-family.

Applicant: Double JA Development, LLC represented by M. Catharine Puskar, attorney

Alex Dambach, P&Z, presented the case and answered questions from the Commission.

Speakers:

M. Catherine Puskar, applicant's attorney, spoke in support of the application, noting that the applicant agrees to maintain a minimum 40 percent canopy cover and that the existing house would be preserved with the proposed lot line adjustment.

Gardner Gillespie, 2414 Ridge Road Drive, stated his interest in the preservation of neighborhood character as it related to the construction of a new dwelling.

John Kelly, 909 Circle Terrace, representing four neighborhood residents, stated concerns related to the construction of a new house on the proposed new lot.

John Ordway, 2425 Ridge Road, stated opposition to the application citing the loss of trees on the proposed new lots.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to approve Subdivision #2017-0004. The motion carried on a vote of 5 to 0 with Commissioners Lyle and Brown absent.

Reason: The Planning Commission agreed with staff analysis.

Chairwoman Lyman and Vice Chairman Macek stated that the Planning Commission's review of a subdivision may only include a review of the proposal's consistency with the subdivision requirements of the Zoning Ordinance and the neighborhood character of existing lots. Staff confirmed that the character of a potential house on the new lot is outside the scope of the subdivision review, however, it would be subject to infill regulations and requirements at the building permit stage. Chairman Macek considered the proposal to be consistent with existing subdivision patterns in the area. Chairwoman Lyman inquired about the construction restrictions of the Resource Protection Area (RPA) on the site and Division Chief Alex Dambach responded that you can replace a building in the RPA but in the designated area shown on the associated map you would not be able to build.

6. Master Plan Amendment #2017-0004

Text Amendment #2017-0006

Coordinated Development District Concept Plan #2017-0001

Development Special Use Permit #2016-0022

2551 Main Line Boulevard - Potomac Yard Landbay H/I East Multifamily

Public hearing and consideration of requests for: (A) a resolution to amend the Potomac Yard/Potomac Greens Small Area Plan chapter of the Master Plan to amend the maximum number of allowable dwelling units in Landbays H and I of Potomac Yard and to amend the maximum allowable building height at the site; (B) initiation of a Text Amendment; (C) Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602 to increase the maximum number of allowable residential dwelling units in Coordinated Development District #10; (D) amendment to Coordinated Development District #10 Concept Plan to increase the maximum number of allowable residential dwelling units in Landbays H and I; and (E) Development Special Use Permit, with modifications, to construct two multifamily residential buildings containing a total of 142 residential units; zoned: CDD #10 / Coordinated Development District #10.

Applicant: City of Alexandria (Text Amendment only) and Potomac Yard Development, LLC, represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to defer this item.

7. Rezoning #2017-0001

Development Special Use Permit #2014-0029

201 Cambridge Road - Bishop Ireton High School Modernization

Public hearing and consideration of requests for: (A) a Rezoning request to rezone a portion of 201 Cambridge Road from RC to R-8; and (B) a Development Special Use Permit, with site plan and modifications, to demolish the existing three story faculty residential structure and build a new three story classroom and cafeteria addition; zoned: R-8/Single-family & RC/High Density Apartment.

Applicant: Catholic Diocese of Arlington, represented by Mary Catherine Gibbs, attorney

Shaun Smith, Gary Wagner, and Robert Kerns, P&Z, presented the case and answered questions from the Commission.

Speakers:

Mary Catherine Gibbs, attorney representing the applicant, spoke in favor of the project and emphasized that the project has attempted to address the concerns of the neighborhood regarding parking and other transportation matters.

Dr. Thomas Curry, Head of School of Bishop Ireton, applicant, spoke in favor of the project.

Lisa Porter, President, Clover/College Park Civic Association, spoke representing the civic association in support generally of the expansion of the high school, but in opposition to the maximum enrollment of 950 students and also in regards to traffic/parking concerns of the neighborhood.

Bob Maxey, neighborhood resident, spoke in opposition to the expansion of the high school because of traffic and parking concerns.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: 1) On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Rezoning #2017-0001, subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0.

Reason:

The Planning Commission agreed with the staff analysis of the rezoning.

2) On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Development Special Use Permit #2014-00029, subject to compliance with all applicable codes, ordinances, staff recommendations, and amendments by the Planning Commission. The motion carried on a vote of 5-0.

Reason:

The Planning Commission agreed with staff's recommendations, but recommended the removal and modifications of several conditions, especially conditions that were requested by the Clover/College Park Civic Association adjacent to Bishop Ireton High School and were included in the Development Special Use Permit (DSUP) as conditions (Section U).

Planning Commission recommended the removal of the following conditions, with their reasons stated below:

Condition 30: ~~The parking lot will not be rented as satellite parking for nearby businesses on an ongoing basis that is not tied to school related activity or sponsored events. (P&Z)(T&ES)~~

Reason: Condition is a duplicate of condition 107

Condition 100: ~~Non-school related events on the exterior of the school building shall not exceed a total of two events per calendar year and shall be restricted to non-profit artistic centered programs available to the general public free of charge. Activities that satisfy these criteria may include, but are not limited to, Alexandria Symphony performances or United States Military Band performances.~~

Reason: Planning Commission recommended the removal of this condition because it was their position that it would be difficult to enforce and that this type condition has not been required of other public and private schools within the City. Planning Commission also believed that this may be overly restrictive.

Condition 101: ~~The following shall govern the use of the gymnasium and auditorium facilities:~~

a. ~~The use of the gymnasiums and auditorium shall be limited to school related activities, including but not limited to academic, religious, and cultural uses.~~

b. ~~These facilities shall not be rented or used for commercial activities.~~

c. ~~Evening use of the auditorium and/or gymnasiums shall end no later than 11:00 p.m.~~

Reason: Planning Commission recommended the removal of this condition because it was their position that it would be difficult to enforce and that this type condition has not been required of other public and private schools within the City. Planning Commission also believed that this may be overly restrictive.

Condition 107: ~~The parking lot will not be rented as satellite parking for nearby businesses on an ongoing basis that is not tied to school related activity or sponsored events. (P&Z)(T&ES)~~

Reason: Planning Commission recommended the removal of the condition because they would like to encourage the ability of landowners to share parking with surrounding uses to mitigate parking issues and impacts.

The Planning Commission recommended amending the following conditions, with their reasons stated below:

Condition 34: A Transportation Demand Management (TDM) Coordinator shall be designated for the entire project upon application for the initial building permit. The name, location, email and telephone number of the Coordinator will be provided to the City at the time, as well as any changes occurring subsequently. This person will be responsible for implementing and managing all aspects of the TDM Model and the parking management program for the project. The aspects of the TDM Model and the parking management program shall be made readily available to the public through the school's website.

Reason: Planning Commission recommended amending this condition in order to add a requirement that the applicant provide the aspects of the approved TDM Model to the public through the school's website.

Condition 36: The TDM Coordinator will submit annual reports, transportation counts and modes of transportation surveys to the Transportation Planning Division. These documents shall be made readily available to the public through the school's website.

Reason: Planning Commission recommended amending this condition in order to add a requirement that the applicant provide the annual reports, transportation counts, and modes of transportation surveys to the public through the school's website.

Condition 98: All activities on Fannon Field shall end no later than 9 p.m. or dusk, whichever is earlier. ~~During the months of June and July, field activities shall end at 6 p.m., except for one camp that may continue activities on the field during a time no later than 7:30 p.m.~~

a. ~~School sponsored sports camps shall be considered accessory within the normal operations of school athletics and shall not be subject to this provision.~~

b. ~~Fannon Field may only be utilized on Sundays for a maximum of 5 events per year that may directly benefit the students of the school. These events shall exclude utilizing the field for spectator events.~~

c. ~~Spectator sports events held on Fannon Field may be rescheduled to Sundays subject to the limited amounts as described in condition 97(B), provided all civic associations that directly adjoin the boundaries of Bishop Ireton are notified prior to officially rescheduling the event.~~

Reason: Planning Commission recommend the removal of the majority of this condition because it was their position that portions of the condition would be difficult to enforce and may be overly restrictive.

Condition 104: The school shall police and control trash and litter on school grounds and areas within 75 feet of the school property lines.

Reason: Planning Commission recommended the inclusion of language that would require the applicant to control for any trash and litter that may be located within 75 feet of the school property.

8. Development Special Use Permit #2016-0039
1701 & 1705 North Beauregard Street - New West End Elementary School
Public hearing and consideration of requests for: (A) A Development Special Use Permit with site plan to amend SUP #96-103 to add a public school use to the site and a Special Use Permit for more than one mechanical penthouse; zoned: CDD#4/
Coordinated Development District #4.
Applicant: Alexandria City Public Schools

Maya Contreras, P&Z, presented the case and answered questions from the Commission.

Speakers:

Richard Newman, Arent Fox LLP, spoke for his client, the Association for Supervision and Curriculum Development (ASCD), whose property is located at 1703 N. Beauregard Street. He expressed concern about outreach and communication between his client and Alexandria City Public Schools (ACPS). He noted that they continue to discuss a number of on-site issues, including a physical separation between the two entities in the central courtyard, use of the Kiss & Ride area on Rayburn Avenue, school buses and potential queuing. He requested that alternatives be considered that would route traffic away from the front door of his client, such as moving the school buses to the service road between the buildings.

William Pfister, resident, spoke in support of the new school, noting the challenging overcrowding at neighboring West End schools, and the work that ACPS has put into finding a location for a new school.

J-Lynn Van Pelt, resident, spoke in support of the new school, as a parent and an educational professional. She discussed the benefits to the community of a new school located within the neighborhood, and the benefits for students to be able to attend a school with a smaller population.

Justin Aosalio, William Ramsey Parents Teachers Association (PTA), spoke in support of the new school. He noted the overcrowding that is occurring in other Alexandria schools, the dedication of staff, and need for the new location.

Richard Jackson, ACPS, discussed the process that ACPS has undergone to move forward, the benefits of adaptive reuse of the existing building, the construction timeline, and asked for Commission support in ACPS's ongoing endeavors.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of DSUP2016-0039, with the additions of Conditions 4d, 15c and 22b, as recommended by staff. The motion carried on a vote of 6-0.

Reason:

The Planning Commission agreed with the staff analysis, with the recommended additions to the following Conditions:

Condition 4: **CONDITION AMENDED BY STAFF:** Provide the following modifications to the landscape plan and supporting drawings:

- a. With the first Final Site Plan submission, finalize design for new trees and plantings in the central courtyard to generally correspond with the portion of the site that is owned by the adjacent property.*
- b. With the first Final Site Plan submission, finalize design for load-rated EVE within the central courtyard. Design shall be integrated with the proposed and existing landscape. *
- c. Maintain the existing fifty foot (50') minimum landscape area along the frontage of North Beauregard Street. Particular care should be taken to ensure that construction activities do not impact this area.
- d. Prior to submittal of the first Final Site Plan, coordination with the adjacent property owner should occur to finalize a design incorporating a means of physical separation between the two properties, such as a landscaped hedge or fence. City staff will review as part of the Final Site Plan. Maintenance agreements should be incorporated into the owner agreements between the property owners.* (P&Z)

Condition 15: **CONDITION AMENDED BY STAFF:** Building materials, finishes, and relationships shall be subject to review and approval by the Department of Planning and Zoning for substantial conformance to the Preliminary Plan and the architectural style

and materials of the existing buildings. The following submissions shall be provided to review the materials, finishes and architectural details, prior to selection of final building materials:

- a. Provide a materials board that includes all proposed materials and finishes at first Final Site Plan. *
- b. The materials board shall remain with the Department of Planning and Zoning until the final certificate of occupancy, upon which all samples shall be returned to the applicant.*** (P&Z)
- c. ACPS staff will monitor the playground noise and functionality of the fencing and provide an update to City staff, once the school has been operational for three (3) months. If additional screening or other measures are required, staff will review as an administrative item and potentially require additional fencing or similar measures, as needed. (P&Z)

Condition 22: CONDITION AMENDED BY STAFF: The design and allocation of parking shall be subject to the following to the satisfaction of the Directors of Planning and Zoning (P&Z), Transportation and Environmental Services (T&ES) and Code Administration:

- a. All parked vehicles shall be prohibited from encroaching on the proposed streets, pedestrian walkways, or emergency vehicle easements. All users shall be notified of this prohibition.
- b. ACPS and City staff will monitor traffic during the first three (3) months of operation and determine whether additional signage is required along N. Highview Lane, Rayburn Avenue and the service drive. (P&Z)(T&ES)(Code)

Discussion:

Vice Chairman Macek stated that he was initially skeptical about the proposal when it was discussed, but has been heartened by the community support and the innovative design shown in adapting the school. He also expressed support for the pedestrian improvements, on and off-site, as he had been concerned about pedestrian access.

Commissioner Koenig concurred with Vice Chairman Macek, and noted that the ACPS Long Range Educational Facilities Plan had discussed reuse of an existing building. He commended ACPS for the collaboration efforts, as urban schools on smaller sites appear to be the model going forward.

Commissioner Wasowski concurred with her fellow Commissioners, and noted that this project is a benefit for the City as it repurposes an obsolete office building as a community asset.

Chair Lyman stated support for the project as a creative reuse of an underutilized building that would assist in mitigating the existing overcrowding in the West End schools.

9. Master Plan Amendment #2017-0006
Eisenhower East Small Area Plan Amendment
(A) Initiation of a Master Plan Amendment; and (B) Public hearing and consideration of a resolution to amend blocks 4, 5, 6A, and 20 within the Eisenhower East Small Area Plan chapter of the Master Plan.

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Applicant: City of Alexandria Department of Planning & Zoning

Jeffrey Farner, Carrie Beach, and Jose Ayala, P&Z, presented the case and answered questions from the Commission.

Speakers:

Mary Catherine Gibbs, attorney representing Paradigm, the contract purchaser of Block 20, spoke in support of the Master Plan Amendment (MPA), stating that the MPA and the associated forthcoming DSUPs support findings from the fiscal impact, land use, and office competitiveness analyses that the City completed. She noted that Block 20 is requesting two changes: conversion of use and additional height, and that both changes as implemented by her client, will enhance Eisenhower East.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to initiate Master Plan Amendment #2017-0006. The motion carried on a vote of 6 to 0. On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to adopt the resolution and recommend approval of Master Plan Amendment #2017-0006. The motion carried on a vote of 6 to 0.

Discussion:

Commissioner Koenig asked whether staff anticipates that the Block 20 DSUP will follow later in the fall. Staff noted that Block 20 is currently tracking for December.

Commissioner Brown asked whether the additional above grade parking being proposed for Block 6A roughly matches the additional height under consideration, and whether the allowable gross square footage (AGFA) is still below the Coordinated Development District (CDD) maximum. Staff responded in the affirmative to both questions.

Commissioner Koenig indicated his support for the Master Plan Amendment (MPA). The findings of the fiscal impact, land use, and office competitiveness analyses shared with the Planning Commission in their May work session support the proposed amendment. He commended staff for proposing a strategic surgical amendment that was comprehensive yet focused and for the cogent, concise staff report. He further stated that the work was completed in a timely way to support the subsequent Development Special Use Permits (DSUP)s for Blocks 6A (to be heard on the same evening), and Blocks 20 and 4/5 later in the fall. He commended the proposal for 6A to adaptively reuse an obsolete office building by including the parking within the existing envelope of the building and increasing the height of the building to offset the parking square footage. He noted that he has also been following the progressing proposal of Block 20 through the Design Review Board (DRB), and finds it to be a thoughtful and skillful architectural design, improved by the collaborative process of DRB. He concluded by stating that he is in support of everything in the MPA.

Commissioner Wasowski noted that she supports the amendment and commented on the compelling message illustrated by the pie charts showing the employee-resident ratio per

the 2003 Eisenhower East Small Area Plan compared to the ratio under the proposed amendment, and that she is pleased to see that the MPA is being adjusted to the reality of how people live and work today.

Commissioner Macek indicated that he is very supportive of the MPA, especially commending staff on the quick timeframe within which it was completed. He also noted that he looks forward to a time in the future when residents in Eisenhower East come speak out at Planning Commission, as it will mean that we have created a place that people want to be.

Commissioner Brown asked about the proposed height changes in the MPA, and whether his fellow Commissioners believe there is a height that is *too* tall.

Commissioner Koenig responded by saying that a pedestrian on the street cannot perceive the difference between a 250-foot or 310-foot building. He stated that he supports the maximum height possible at the Metro Station to capture density within walking distance of the station, as well as the benefit of differentiation in the City skyline.

10. Development Special Use Permit #2017-0015
Coordinated Development District Concept Plan #2017-0002
Encroachment #2017-0003
Special Use Permit #2017-0092
Transportation Management Plan SUP #2017-0097
200 Stovall Street - Hoffman Block 6A
Public hearing and consideration of requests for: (A) an amendment to previously-approved CDD Concept Plan #2016-0001; (B) amendment to previously-approved Development Special Use Permit #2000-0028, with modifications; (C) an Encroachment for residential balconies into the public right-of-way; (D) a Special Use Permit for increased penthouse height; and (E) an amendment to previously-approved Transportation Management Plan SUP #1998-0043; zoned CDD #2/Coordinated Development District #2.
Applicant: Perseus Realty, LLC, represented by Ken Wire, attorney

Stephanie Free, Gary Wagner, & Robert Kerns, P&Z, presented the case and answered questions from the Commission.

Speakers:

Ken Wire, attorney representing the applicant, answered questions from the Commission.

Adam Peters, representing Perseus Realty, clarified some concerns that several Planning Commissioners had.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Brown, the Planning Commission voted to approve DSUP2017-0015, CDD2017-0002, Special Use Permit 2017-0092, Encroachment 2017-0003, and Transportation Management Plan Special Use Permit 2017-0097, with

amendments to Conditions #9d, 9e, 10, and 89; deletion of Conditions #3j, 10e, 14, and 17c(ii).

The Planning Commission recommended deletion and/or amendment of the following Conditions as noted below:

3j. **CONDITION DELETED BY PLANNING COMMISSION:** ~~Remove mid-block crossing on Mandeville Lane.(P&Z)(T&ES)~~

9d. **CONDITION AMENDED BY PLANNING COMMISSION:** Construct an on-site, exterior demonstration mock-up panel of proposed materials, finishes, and relationships at full-scale for review and approval prior to final selection of building materials. The ~~mock-up panel~~ demonstration shall be constructed and approved prior to ordering final building materials. **

9e. **CONDITION AMENDED BY PLANNING COMMISSION:** The ~~mock-up panel~~ demonstration shall be located such that it shall remain on-site in the same location until it is reviewed and approved by the Director of Planning and Zoning. (P&Z)

10. **CONDITION AMENDED BY PLANNING COMMISSION:** Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Certified (or equivalent) for the building. ~~The applicant shall, in good faith, strive to achieve LEED Silver (or equivalent) for the commercial interiors to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES.~~ Diligent pursuance and achievement of this certification shall be monitored through the following:

10e. **CONDITION DELETED BY PLANNING COMMISSION:** ~~If applicable, provide documentation of LEED Silver Certification from USBGC (or equivalent) for the commercial interiors within two years of obtaining a final certificate of occupancy of the commercial space.~~

14. **CONDITION DELETED BY PLANNING COMMISSION:** ~~Provide guards that are 42 inches in height along open sides of the stairways and landings which are located 30 inches above the floor or grade below. The width between the balusters shall be no wider than 4 inches and the handrails are to be a minimum of 34 inches and a maximum of 38 inches. (Police)~~

17c(ii).**CONDITION DELETED BY PLANNING COMMISSION:** ~~The playground shall be made accessible to the general public during the hours of 6pm to sunset Monday through Friday, all day on weekends, and all day on weekend holidays when the center is closed. Appropriate signage indicating public hours shall be provided.~~

89. CONDITION AMENDED BY PLANNING COMMISSION: In the event that the residential units convert to condominiums, Present a disclosure statement to future buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:

Reason: The applicant provided a letter to the Planning Commission on September 5th with a list of contested staff recommended conditions of approval. Subsequently, staff provided a Memorandum in response to the applicant's letter to the Planning Commission with justifications for retention of Conditions 3j, 6b, 9d, 9e, 10f, 14, 17c(ii), 83, 84, 89, and 90; amendment of Condition 10, and deletion of Condition 10e.

The Planning Commission agreed with the applicant's request to eliminate Condition 3j and keep the existing mid-block crossing on Mandeville Lane to accommodate natural pedestrian movement lines from the residential lobby on Block 6A to the potential retail and grocery uses on the north side of Mandeville Lane. Conversely, the Commission agreed with staff's justification for retention of Condition 6b to provide adequate access to hose bibs for irrigation of plant material and sidewalk clean-up.

The Commissioners also recommended amendment of Conditions 9d and 9e to offer flexibility from the standard condition which would typically require that the applicant provide an on-site mock up panel, while still ensuring that staff has the opportunity to review the building materials at a full scale in daylight. The Commission felt that flexibility in these conditions is needed because of the adaptive reuse of the building and the expedited nature of the improvements to begin this fall.

The Planning Commission and staff agreed to amend Condition 10 and delete Condition 10e to provide flexibility in the City's Green Building Policy which would allow the entire building to achieve a green building certification level of LEED Certified, or equivalent, without requiring LEED Silver for the retail portion of the building since the ability to achieve LEED Silver, or equivalent, for the retail space may be hindered by qualities of the existing structure. The Commission did not support the applicant's request to eliminate Condition 10f, which requires a minimum green building certification of LEED Certified, or equivalent, for the entire building.

Additionally, the Commission recommended reclassifying the requirements of Condition 14 to a Finding in the City Department Code Comments Section, and to delete Condition 17c(ii) to provide flexibility in marketing the commercial space at the corner of Mandeville Lane and Swamp Fox Road as a day care center with outdoor play space.

Chair Lyman recommended that staff and the applicant continue to work together to resolve the language of Conditions 83 and 84 in regards to the requirement for a noise study prior to the City Council Hearing on September 16th.

The Commission also recommended an amendment to Condition 89 in regard to the disclosure statement requirements for future buyers since the nature of the residential units is rental apartments and not units for purchase.

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Lastly, the Planning Commission agreed with staff's justification for retention of Condition 90 regarding bike share contribution, emphasizing the importance of contributions to City amenities.

OTHER BUSINESS:

11. Commissioners' Reports, Comments and Questions

No other business was discussed.

MINUTES:

12. The minutes for the June 6 and June 14, 2017 meetings were deferred.

13. Adjournment

The Planning Commission meeting was adjourned at 11:45 P.M.