

Docket Item #14
Planning Commission Meeting
October 3, 2017

Consideration of approval of the Planning Commission minutes of the public hearing meeting of September 5, 2017.

***** MINUTES *****

ALEXANDRIA PLANNING COMMISSION

September 5, 2017

7:00 P.M.

Durant Center, 1605 Cameron Street

Alexandria, Virginia

Members Present:

Mary Lyman, Chairwoman
Nathan Macek, Vice Chairman
David Brown
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
Ann Horowitz	Department of Planning & Zoning
Madeleine Simms	Department of Planning & Zoning
Femi Adelakun	Department of Planning & Zoning

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 5, 2017

The Planning Commission held a work session on September 5, 2017 prior to the public hearing to receive training on new City technology. The work session began at 6pm and was held at the Durant Center, 1605 Cameron Street.

1. Call to Order.

The Planning Commission public hearing was called to order at 7:00 P.M. Commissioner Lyle was absent. All other members were present.

CONSENT CALENDAR:

2. Special Use Permit #2017-0038
919 Duke Street
Public hearing and consideration of a request for a parking reduction and for setback and open space modifications to convert a building used for office to residential use; zoned: CL/Commercial Low.
Applicant: Katie Detweiler, represented by David Chamowitz, attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2017-0038.

3. Special Use Permit #2017-0048
1132 Prince Street (parcel address: 1130 Prince Street) - Harambee Books & Artworks
Public hearing and consideration of a request to continue operation of a non-conforming use; zoned: RM/Townhouse.
Applicant: Bernard Reaves

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to defer Special Use Permit #2017-0048.

4. Special Use Permit #2017-0064
44 Canal Center Plaza, Suite 401 - Café 44
Public hearing and consideration of a request to operate a restaurant; zoned: W1/Waterfront Mixed Used.
Applicant: Café 44, Inc.

This item was removed from the consent calendar.

Speakers: There were no public speakers.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski and seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of Special Use Permit #2017-0064 with amendments to Condition #3, and subject to all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6-0, with Commissioner Lyle absent.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 5, 2017

Reason: The Planning Commission partially agreed with the staff analysis.

Commissioner Wasowski inquired to staff about standard restaurant hours for businesses in this area. Commissioner Wasowski believed that the approved restaurant hours should be expanded to reflect hours typically approved of restaurants to allow the applicant flexibility.

Vice Chairman Macek commented on the applicant's business, noting that the 8 p.m. extended hours may be the built in flexibility due to the focus of the restaurant being breakfast and lunch.

5. Special Use Permit #2017-0069
725 South Pickett Street
Public hearing and consideration of a request for a parking reduction for an existing building used as a laundry facility; zoned: I/Industrial.
Applicant: ALSCO

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to defer Special Use Permit #2017-0069.

6. Text Amendment #2017-0007
CR Zone
(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a request for an amendment to Section 4-702 of the Zoning Ordinance to permit homeless shelters in the CR zone.
Staff: City of Alexandria Department of Planning & Zoning (P&Z)

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Text Amendment #2017-0007.

7. Subdivision #2017-0005
513 & 515 Duncan Avenue
Public hearing and consideration of a request for a subdivision with variations to re-subdivide two lots into a new configuration; zoned: RB/Townhouse.
Applicant: Nathan Shue, represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to approve Subdivision #2017-0005.

NEW BUSINESS:

8. Special Use Permit #2017-0071
Encroachment #2017-0002
728 North Henry Street - Mason Social
Public hearing and consideration of requests for: (A) a Special Use Permit for outdoor dining and for a parking reduction; and (B) an Encroachment into the public right-of-way for outdoor dining; zoned: CRMU-M/Commercial Residential Mixed Use.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 5, 2017

Applicant: Mason Social, LLC

Ann Horowitz, P&Z, presented the case and answered questions from the Commission.

Speakers: There were no public speakers.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Wasowski and seconded by Commissioner McMahon, the Planning Commission voted to approve Special Use Permit #2017- 0071 and ENC #2017-0002 with amendments to Conditions 4, 33, and 35. The motion carried on a vote of 6-0 with Commissioner Lyle absent.

Reason: The Planning Commission agreed with staff analysis.

Commissioner Wasowski asked staff to confirm that the relocation of the trash receptacle and the location of the bus sign pole would not restrict sidewalk access for individuals using wheelchairs. David Soares from the Department of Transportation and Environmental Services (TES) responded that staff would coordinate the locations of these objects with the Transit Division to ensure appropriate access. Chairwoman Lyman and Commissioner Wasowski stated their support for the proposal as the hours of operation and the number of seats were fewer than those previously approved through the Special Use Permit (SUP) for the rooftop dining proposal, which was not constructed. Commissioner McMahon voiced support for the parking reduction citing the residential density of the neighborhood, the seasonality of outdoor dining, and the pedestrian traffic in the area. Chairwoman Lyman and Commissioner Brown recognized the Braddock Metro Citizens Coalition letter of support.

9. Subdivision #2017-0003
2619 & 2621 Randolph Avenue
Public hearing and consideration of a request for a subdivision with variations to re-subdivide two lots into a new configuration; zoned: R2-5/Residential Single and Two Family.
Applicant: Charles P. Halloran

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to defer Subdivision #2017-0003.

10. Special Use Permit #2017-0068
1504 A Mount Vernon Avenue (parcel address: 1502 Mount Vernon Avenue) - Hairy Situations Dog Grooming
Public hearing and consideration of a request for a parking reduction; zoned: CL/Commercial Low.
Applicant: Michael & Samira Hadeed

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

Speakers: Michael Hadeed, the property owner, spoke in support of the application and answered questions about the building storefront.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion made by Vice Chairman Macek and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2017-0068, subject to compliance with all applicable codes, ordinances, and staff recommendations but with an amendment to Condition #2 striking restrictions on the hours of operations. The motion carried on a vote of 6-0 with Commissioner Lyle absent.

Reason: The Planning Commission agreed with staff analysis.

Commissioner Brown asked about the current configuration of the storefront, where the doorway had previously been converted into a window. The applicant explained that this window would be converted back into a doorway for this business. Vice Chairman Macek asked about the restrictions proposed for the hours of operation suggesting that this type of restriction is unnecessary for this type of business. Other Commissioners expressed agreement stating that Condition #2 could be amended to eliminate the restriction on hours of operation while leaving in a requirement that animals not be kept at this business overnight. Additionally, Chairwoman Lyman asked about a suggestion from the Del Ray Citizens Association that the on-street parking near this site get converted to short-term parking. The applicant has been encouraged to work with neighboring businesses to contact the Traffic and Parking Board to make this request.

11. Special Use Permit #2017-0083
10 East Glebe Road (parcel address: 2 East Glebe Road) - Northside 10
Public hearing and consideration of a request to add outdoor dining, extend hours, and add off-premises alcohol sales to an existing restaurant; zoned: CL/Commercial Low.
Applicant: Meridian Place Foods Group, LLC

Madeleine Sims, P&Z, presented the case and answered questions from the Commission.

Speakers:

Applicants Ben Benson and Greg Dushaw answered questions from the Commission.

Edward Mills spoke in support of the request.

Chairwoman Lyman closed the public hearing.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Wasowski, and seconded by Commissioner McMahon, the Planning Commission voted to recommend approval of Special Use Permit #2017-0083 with amendments to Conditions # 3 and #25, and subject to compliance with all applicable codes, ordinances,

and staff recommendations. The motion carried on a vote of 6-0, with Commissioner Lyle absent.

Reason: The Planning Commission partially agreed with the staff analysis.

Chairwoman Lyman noted that the applicant has been subject to numerous violations of their SUP and inquired on whether the pattern of violations would continue if the request was approved. Land Use Division Chief Alex Dambach noted that any additional tickets would escalate and that violations have been corrected by the applicant.

Commissioner Brown commented on the applicant's decision to come in for added seats as a remedy for violations relating to excess outdoor dining seats. Commissioner Brown suggested a waiting period after a violation before requesting modifications.

Applicants Ben Benson and Greg Dushaw spoke in support of the request, noting that there was confusion between what was allowed after the second seating infraction was noted.

Commissioner Lyman requested that staff clarify procedures with inspections.

Ben Benson continued, mentioning that Southside 815 has been in existence for over 20 years with late hours and they have not had any problems. Mr. Benson then further explained that the restaurant and parking lot for this project face Glebe Road, a busy road. The applicant noted that he was not aware of any complaints regarding late night use of the parking lot. The applicant also spoke that the parking lot is already used after 1:00 a.m. for customers and staff. The applicant then requested that in lieu of a 12:00 midnight closing hour that the Planning Commission consider at least a 1:00 a.m. weekend closing hour, and/or a late closing hour for holiday eves.

Commissioner McMahon asked the applicant if they have been in contact with their neighbors. Greg Dushaw, responded that he had hand delivered notices to surrounding homes, and reiterated supporting the 1:00 a.m. closing hour.

Edward Mills spoke in support of the request.

Vice Chairman Macek noted the history of violations was a concern, and noted that businesses should be monitored. He then noted that areas outside of the King Street Outdoor Dining Overlay must go through the SUP and occasionally the encroachment process. He also noted that there were no violations of noise, and that there are few restaurants open past 1:00 a.m., noting three restaurants that were close to residential areas with late hours. Vice Chairman Macek opened discussion on expanding the operating hours until 2:00 a.m., though if no support was to be had amongst Commissioners, that he would support a 1:00 a.m. closing hour.

Chairwoman Lyman inquired about Chez Andree's operating hours under the grandfathered provisions. Staff responded that the operating hours are 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and 6:00 a.m. to 12:00 midnight Friday and Saturday.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 5, 2017

Commissioner Wasowski noted that the Majestic Lounge in Del Ray may not be the best example of comparison, noting that there have been complaints in the past regarding late night noise.

Chairwoman Lyman then noted that if hours were extended that the review period should be shortened to six months.

Commissioner Brown noted he was not persuaded that Southside 815 was not a comparable example to the situation at 10 East Glebe as the neighborhood is not arranged in the same way.

Commissioner Koenig expressed concerns, but supported Vice Chairman Macek's argument for added hours.

Chairwoman Lyman opened discussion on differentiating between weeknight and weekend hours. Commissioner Wasowski then noted that many holidays fall during the week, and proposed adding holiday hours until 2:00 a.m., to accommodate the applicants' request.

Commissioner McMahon supported the request noting that there exists a process for members of the public to file complaints or request the SUP to be docketed if problems arise.

Commissioner Wasowski asked staff if the six-month review included checking with Civic Associations or notifying neighbors. The Director of Planning and Zoning, Karl Moritz, responded that he would not want the Planning Commission placing a condition on staff, however, conditions can be added on the restaurant to contact Civic Associations. Commissioner Wasowski then expressed concerns over adding conditions. Vice Chairman Macek then inquired if Inspectors would visit at late night hours. Director Moritz then responded that on the occasion Inspectors would go out though there is precedent for those visits, such as complaints.

Commissioner Wasowski made a motion to amend Condition #2 so that indoor hours are limited to 6:00 a.m. to 12:00 midnight on weekdays and 6 a.m. to 2:00 a.m. Friday, Saturday, and state and federal holiday eves. The Vice Chairman Macek proposed a substitute amendment of 6:00 a.m. to 1:00 a.m. on Sundays to Thursdays, and 6:00 a.m. to 2:00 a.m. Friday, Saturday and state and federal holidays. Commissioner McMahon seconded it. The substitute motion carried 6-0. The substitute motion then became the motion as amended to also include the six months review by amending Condition 25. Commissioner McMahon seconded the motion and it was approved 6-0.

OTHER BUSINESS:

13. Commissioners' Reports, Comments and Questions

Planning Director Karl Moritz addressed comments regarding the public hearing placarding process.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 5, 2017

Vice Chairman Macek gave a brief update on recent activities of the Parking Standards for New Development Task Force.

Commissioner McMahon mentioned her hopes to have received an update on the Andrew Adkins project.

Commissioner Koenig expressed his interest in receiving updates on the topics that were discussed at the August 18, 2017 Planning Commission Retreat.

MINUTES:

14. Consideration of the minutes from the June 7, 2017 and June 14, 2017 Planning Commission meetings.

Without objection, the Planning Commission voted to defer the minutes from the June 6 & 14, 2017 meetings until the September 7, 2017 meeting.

20. Adjournment

The Planning Commission meeting was adjourned at 8:43 P.M.