Docket Item #
Planning Commission Meeting
October 2, 2018

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of September 4, 2018 and continued to September 6, 2018.

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

ALEXANDRIA PLANNING COMMISSION
September 4, 2018, 7:00 p.m.
City Hall Sister Cities Conference Room
Alexandria, Virginia

Members Present:

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

Members Absent:

Melissa McMahon
Nathan Macek, Vice Chairman (Absent for September 6 Continuation Hearing)

Staff Present:

Karl W. Moritz	Department of Planning & Zoning
Christina Brown	Office of the City Attorney
Nancy Williams	Department of Planning & Zoning
Anh Vu	Department of Planning & Zoning
Katherine Carraway	Office of Management and Budget
Ann Horowitz	Department of Planning & Zoning
Sam Shelby	Department of Planning & Zoning
Robert Kerns	Department of Planning & Zoning
Dirk Geratz	Department of Planning & Zoning
Jose Carlos Ayala	Department of Planning & Zoning
Marlo Ford	Department of Planning & Zoning
Stephanie Sample	Department of Planning & Zoning
Richard Lawrence	Department of Planning & Zoning
Adele H. Gravitz	Department of Planning & Zoning
Carrie Beach	Department of Planning & Zoning
Emily Baker	Office of the City Manager
Sierra Latham	Department of Planning & Zoning
Radhika Mohan	Department of Planning & Zoning
Ashley Labadie	Department of Planning & Zoning
Heba ElGawish	Department of Planning & Zoning
Tony LaColla	Department of Planning & Zoning
Gary Wagner	Department of Planning & Zoning
Stephanie Free	Department of Planning & Zoning
Heather Diez	Department of Transportation and Environmental Services

1. Call to Order.
The Planning Commission Public Hearing was called to order at 7:05 p.m. All Members were present.

CONSENT AGENDA:

2. Special Use Permit #2018-0053
300 Stultz Road – Stevenson Park Ballfield Improvements
Public Hearing and consideration of a request for a Special Use Permit for a backstop structure in excess of 15 feet at Stevenson Park; zoned: POS/Public Open Space and Community Recreation.
Applicant: City of Alexandria Department of Recreation, Parks, and Cultural Activities

Beth Znidersic, Principal Planner with the City of Alexandria Department of Recreation, Parks, and Cultural Activities, presented the case and responded to comments made by the Planning Commission

Speakers:
Beth Znidersic, Principal Planner, representing the applicant responded to comments made by the Planning Commission that the backstop is consistent with the Neighborhood Park Plan and that the backstop is only one element in a series of upgrades planned for Stevenson Park. She notes that only the backstop triggered a need for a public hearing and thus was the sole focus of this Special Use Permit (SUP) application. She noted other improvements include a new dugout, fencing and bleachers to name a few.

Mr. Najeeb Baha, 278 Stevenson Square, a neighbor, stated that the new backstop and fencing would address concerns about damage to windows from stray balls. He expressed concerns about the parking in the area and suggested the City delineate parking that is for park users and parking that is not. He was also concerned that the neighbors were not adequately informed of the changes being made to the park.

Chair Lyman closed the Public Hearing.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Commissioner Brown, seconded by Vice Chair Macek, the Planning Commission voted to recommend approval of Special Use Permit #2018-0053 as submitted. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: Commissioner Brown pulled this case from the consent docket to ask some clarifying questions about how the proposal meets the 2015 Neighborhood Park Plan and why the backstop and fencing are planned of other park features which appear in greater need of replacement. In conclusion Commissioner Brown was satisfied with the response

given by staff from the Department of Recreation, Parks and Cultural Resources and found the proposal to be consistent with the Neighborhood Park Plan.

3. Special Use Permit #2018-0055
700 North Patrick Street - Old Town Salon and Spa
Public Hearing and consideration of a request for a Special Use Permit extension for a non-conforming hair salon use; zoned: RB/Townhouse.
Applicant: Sophea Nuth

PLANNING COMMISSION ACTION: Without objection, the Planning Commission voted to defer Special Use Permit #2018-0055 due to deficient noticing.

4. Special Use Permit #2018-0057
405 Fannon Street - Parking Reduction
Public Hearing and consideration of a request for a parking reduction; zoned: I/Industrial.
Applicant: 405 F, LLC, represented by M. Catharine Puskar, attorney

Speakers:
Mr. David Fromm, 2307 E. Randolph Ave., expressed concern about the parking reduction the applicant is requesting and how it may affect the neighborhood. He also wanted to clarify if the proposed parking configuration fronting the building will be available for public use or if it will be used for tenant patrons. He pointed out that Condition #14 of the report uses the word off-street when it should be called on-street parking and the proposed illustrative parking configuration does not take into consideration unloading area need it to support industrial uses.

Ms. Loraine Field, 2309 E. Randolph Ave, expressed no concerns about the parking reduction. However, her interest is related to Mount Jefferson Trail connectivity. She stated that the parking reduction depends on the pedestrian connectivity and that the Mount Jefferson Trail could be the point to connect to the site. She recommended adding a condition indicating that the applicant should improve the trail as part of their application.

Ms. Amy Slack, 2307 E. Randolph Ave, expressed safety concerns with some of the uses requested and the potentially hazardous conditions some of the uses may occur when there is a gas station near to the site.

Robert Brant, the attorney representing the applicant, spoke in support of the application and addressed public and Commissioners' comments, questions, and concerns.

Chair Lyman closed the Public Hearing.

Vice Chairman Macek spoke in support of the applicant's request. He stated that this is an excellent example of how to provide flexibility of the use of an existing building. He indicated the current parking design standards in the Zoning Ordinance may require more parking than necessary, thus creating an unnecessary burden to activate existing buildings.

Commissioner Brown spoke in favor of the application and the opportunity to expand the ability of the building to continue to be temporarily used while the Oakville Triangle gets redeveloped in the near future.

Commissioner Wasowski agreed with the comments of Vice Chairman Macek and Commissioner Brown. She pointed out that the site is near Metroway and other modes of transportation. Consequently, employees can arrive using various modes of transportation, rather than an automobile. Commissioner Wasowski agreed with Mr. Froom regarding Condition #14 and asked for this condition to be removed.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2018-0057 with the deletion of Condition #14 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a voted of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

5. Special Use Permit #2018-0058
4620 A Kenmore Avenue (parcel address: 4550 Kenmore Avenue) - Doyle's Outpost
Public Hearing and consideration of a request for a special use permit for an amusement enterprise featuring laser tag, arcade games, and a virtual reality attraction; zoned: CG/Commercial General.
Applicant: Doyle's Outpost, LLC, represented by M. Catharine Puskar, attorney

Katherine Carraway, P&Z, presented the case and answered questions from the Planning Commission.

Speakers:
None

Chair Lyman closed the Public Hearing.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning

Commission voted to recommend approval of Special Use Permit #2018-0058 with the amendment of Condition #3 to read that the hours of operation shall be 7 am to 1 am daily, and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

6. Special Use Permit #2018-0059
300 South Pickett Street - The Trade Center Shopping Village Signage
Public Hearing and consideration of a request for a Special Use Permit for additional square footage for a sign and for signage above a roofline; zoned: CDD #8/Coordinated Development District #8.
Applicant: The Trade Center, LLC, represented by M. Catharine Puskar, attorney

Speakers:
None

Chair Lyman closed the Public Hearing

Vice Chairman Macek expressed support for the application and recognized the proposed amendments under Conditions #3, #4, and #5, addressing constitutional limitations and zoning ordinance regulations, as stated in the staff memorandum of August 31, 2018.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2018-0059 subject to revisions to Conditions #3, #4 and #5 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

7. Special Use Permit #2018-0068
6 Prince Street - Misha's Coffee House
Public Hearing and consideration of a request for a Special Use Permit amendment to add outdoor rooftop dining seats at an existing restaurant; zoned: W-1/Waterfront Mixed Use.
Applicant: Misha's at 6 Prince, Inc., represented by Mary Catherine Gibbs, attorney.

Speakers:

Mary Catherine Gibbs, applicant's attorney, supported the application and requested that the Commission consider an amendment to Condition #3 to allow flexibility in the number of seats.

Chair Lyman closed the Public Hearing

Vice Chairman Macek stated his support for the applicant's request for an amendment to Condition #3, requesting a 48-seat maximum at the restaurant with no more than 28 outdoor seats on the rooftop. He believed this arrangement would provide the applicant with flexibility to move seating between the indoor and outdoor spaces. Chair Lyman agreed with his position.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Commissioner Brown, seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of Special Use Permit #2018-0068 subject to an amendment to Condition #3 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent

Reason: The Planning Commission agreed with staff analysis.

8. Encroachment #2018-0009
815 Green Street
Public Hearing and consideration of a request for an Encroachment adjacent to 815 Green Street into the public right-of-way for a fence and existing steps; zoned: RM/Townhouse.
Applicant: Cecily Crandall

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

Speakers:
Cecily Crandall, applicant, requested that the Commission support her proposal as the termination of her fence at the property line appears incomplete and many properties on the 800 block of Green Street have installed fences extending to the sidewalk over the years.

Chair Lyman closed the Public Hearing

The case was removed from the consent calendar. Commissioner Brown expressed that he was inclined to deny the encroachment for the fence extension as the front yard of the applicant's property is already clearly defined.

Commissioner Koenig stated that the existing fence, terminating at the property line, creates a sense of open space in the public right of way which contributes to the public realm.

The Commissioners identified that the residences along the 800 block of Green Street have absorbed the public right of way as part of their front yards over the years without requesting encroachments and asked how the City considers this use of the public right of way.

Mr. Moritz, Planning Director, replied that enforcement is not taken unless complaints are registered with the City. He added that the department would explore the possibility of blanket encroachments for areas such as Green Street.

Chair Lyman, Vice Chairman Macek, and Commissioners Wasowski and Lyle expressed support for the encroachment request for a proposed fence extension and for the existing steps indicating that the proposal is compatible with the natural development of the areas in front residents' homes on this block.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Encroachment #2018-0009 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5 to 1, with Commissioner Brown voting against, and Commissioner McMahon absent.

Reason: The Planning Commission generally agreed with staff analysis.

9. Encroachment #2018-0011
100 East Luray Avenue
Public Hearing and consideration of a request for an Encroachment along Newton Street and adjacent to 100 East Luray Avenue into the public right-of-way to add a fence and provide side yard access at a residential property; zoned: R-2-5/Single and Two-family.
Applicant: Brian and Katherine Bartholomay

Heather Diez, T&ES, presented the case and answered questions from the Planning Commission.

Speakers:
Brian Bartholomay, applicant, stated that he would prefer the encroachment option, as recommended by staff.

Chair Lyman closed the Public Hearing

The case was removed from the consent calendar. Commissioner Brown questioned why the request was not reviewed as a vacation.

Staff replied that the Transportation and Environmental Services Department analysis determined that the City should maintain rights to the proposed area, rather than vacate the property, for the future installation of a sidewalk and the relocation of the utility strip.

Other Commissioners expressed support for the application as staff had advised the applicant to pursue an encroachment.

Commissioner Koenig stated that approval of an encroachment would not preclude a vacation review in the future if the public right of way use of the property changes in the future.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Encroachment #2018-0011 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5 to 1, with Commissioner Brown voting against, and Commissioner McMahon absent.

Reason: The Planning Commission generally agreed with staff analysis.

10. Text Amendment #2018-0009
Potomac Yard Design Advisory Committee
A) Initiation of a Text Amendment; and B) Public hearing and consideration of a request for a Text Amendment to the Zoning Ordinance to amend section 5-610(B) to amend the composition of the Potomac Yard Design Advisory Committee (PYDAC) to add an additional seat.
Staff: City of Alexandria Department of Planning & Zoning

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to initiate Text Amendment #2018-0009.

11. Development Special Use Permit #2017-0021
1200 North Quaker Lane - Episcopal High School Faculty Housing
Public Hearing and consideration of a request for a Development Special Use Permit to construct 6 single-family faculty homes on Goodwin Lane on the grounds of an existing private school; zoned: R-20/Single-family.
Applicant: Protestant Episcopal High School, represented by Duncan Blair, attorney

Speakers:
Duncan Blair, attorney representing Episcopal High School, stated that the area will be regraded, hence much of the tree loss, and two bio-retention ponds will be constructed to better manage the storm water. He also reported that the school has planted close to 600 trees since 2007.

Chair Lyman closed the Public Hearing

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Commissioner Brown, seconded by Vice Chairman Macek, the Planning Commission voted to recommend approval of Special Use Permit #2017-0021 subject to compliance with all applicable codes, ordinances and staff recommendations with conditions. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: Commissioner Brown expressed concerns regarding the number of trees being removed as part of this request. However, he noted that as part of his site visit he acknowledged that many trees were not in the greatest health and that the site is wet and has drainage issues.

12. Development Special Use Permit #2018-0015
2415 Eisenhower Avenue - Hoffman Block 8/Dunkin Donuts
Public Hearing and consideration of a request for a Development Special Use Permit to allow supply deliveries and loading and unloading activities between 4 am and 11 pm at a restaurant; zoned: CDD#2/Coordinated Development District #2.
Applicant: DVA Eisenhower-2415 LLC, represented by Frank Stearns, attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of DSUP #2018-0015 as submitted.

13. Information Items:
- Census 2020 Complete Count Committee
- Green Building Policy Update Task Force
- Temporary change to the composition of the Eisenhower West – Landmark/Van Dorn Implementation Advisory Group for the duration of the Landmark Mall re-planning process

PLANNING COMMISSION ACTION: This item was removed from consent. Vice Chairman Macek suggested the possibility of including a Planning Commissioner, namely Commissioner Koenig, as a member of the Green Building Policy Update Task Force.

Karl Moritz, Department Director, agreed with Vice Chairman Macek's suggestion to include Commissioner Koenig, as a Planning Commissioner member, given his knowledge of the subject; Mr. Moritz indicated the Department can make the recommendation known.

Chair Lyman spoke on how she believes including a Planning Commissioner on the task force would be a step towards improving communication between the Planning Commission and the Environmental Policy Commission.

Commissioner Koenig said he would be in agreement to serve in a Planning Commission slot on the task force rather than in a different slot.

To conclude the matter, Vice Chairman Macek stated that having a Planning Commission linkage on the Green Building Policy Update Task Force would be important to provide an understanding of the development process and the City's development regulations.

NEW BUSINESS:

14. Master Plan Amendment #2018-0003
450, 510, 601, 610, 619, 620, 621, 623, 631, 700 South Patrick Street, 1007 Franklin Street, 900 Wolfe Street, 901 Gibbon Street, 598, 416, 601 South Alfred Street, 431 South Columbus Street - Route 1 South Housing Affordability Strategy
A) Initiation of a Master Plan Amendment; and B) Public hearing and consideration of an amendment to the Southwest Quadrant Small Area Plan chapter of the Master Plan to incorporate the Route 1 South Housing Affordability Strategy.
Staff: City of Alexandria Department of Housing and Department of Planning & Zoning

Jeffrey Farner (P&Z), Ashley Labadie (P&Z), Tamara Jovovic (Office of Housing), and Christopher Ziemann (T&ES) presented the case and answered questions from the Planning Commission.

Speakers:
Brian Scholl, resident of Southwest Quadrant, while in support of the preservation of affordable housing in the City, spoke in opposition to the proposed Strategy. Mr. Scholl expressed concern over impacts of proposed density on the quality of life and character of the neighborhood; impacts on school capacity at Lyles Crouch; and traffic issues currently faced within the neighborhood. Mr. Scholl expressed a desire for a broader planning process to include a broader set of community goals than those identified in the proposed Strategy.

Maureen Dugan, resident of Greene Street, commented on the work done to prepare the proposed Strategy, complimenting the work. She indicated she is in support of affordable

housing. Ms. Dugan expressed concern about unintended consequences resulting from the proposed additional density, specifically traffic and parking impacts. Ms. Dugan also voiced concern about the accelerated pace of the process and thinks more time and work is needed.

Stafford Ward, homeowner on the 600 Block of Gibbon Street, expressed support for affordable housing but requested a broader planning approach to better understand the impacts of the proposed Strategy and outstanding issues. Mr. Ward identified five major concerns about the Strategy including the right to return process for existing residents; further defining the regulatory incentives; understanding the impacts on traffic via a comprehensive traffic study; student generation rates vs. student enrollment numbers; and the parallel process regarding Alfred Street Baptist Church (ASBC) and the related outstanding Memorandum of Understanding (MOU).

Lisa Kempe, homeowner in Old Town Court, was supportive of the City's proactive approach to addressing the affordable housing challenges but expressed concern about the narrow scope of the study. Ms. Kempe was concerned about the impacts of increased population density to the neighborhood outside of the core area and to the Southwest Quadrant as a whole. Ms. Kempe expressed concern about the pace of the process, communication of the process to residents of the entire Southwest Quadrant, and the impacts of the ASBC expansion on the entire neighborhood.

Mary Catherine Gibbs, attorney on behalf of ASBC, responded to Mr. Ward's question about the MOU between ASBC and the City, stating the MOU is between ASBC and AHDC. Ms. Gibbs reinforced the church's commitment to affordable housing and the right to return for existing residents. Ms. Gibbs commented that the City's approach is proactive and provides the framework for affordable housing preservation with redevelopment. Ms. Gibbs expressed support of the Strategy and stated outreach was comprehensive and approval of the Strategy is the beginning of a longer process.

Cicely Crandall, resident of Green Street, was not in support of the proposed Strategy and believes the Strategy should take a more comprehensive approach taking into account other Plans and projects. Ms. Crandall expressed concern that the Strategy would drastically change the character of the neighborhood and impact traffic and safety and believed the civic engagement to the broader community was not thorough.

Dexter Bordes, representing ASBC as the Chair of the Affordable Housing Committee, expressed support for the Strategy. Mr. Bordes affirmed the church's mission for providing affordable housing and discussed the expiration of the Housing Assistance Payments (HAP) contracts that provide the affordable housing subsidy. Additionally, Mr. Bordes discussed the extent of resident engagement throughout the process to express

their concerns. Mr. Bordes commended the City's proactive approach that has incorporated input provided by residents and the community.

Geri Baldwin, resident of Heritage at Old Town, expressed concerns about the traffic within the neighborhood and the impacts of redevelopment to existing residents including unit sizes, relocation, and the affordability of rents.

Stephen Milone, resident at 907 Prince St and representing Old Town Civic Association, expressed concerns about impacts to parking, school capacity at Lyles Crouch, and realizing the streetscape and setback improvements as proposed by the Strategy. Mr. Milone was supportive that staff will continue to work on traffic improvements throughout the neighborhood. Mr. Milone suggested the Strategy name could have impacted engagement with residents and proposed renaming to the South Patrick Street Housing Affordability Strategy.

Jon Frederick, representing AHDC and member of AHAAC, expressed support for the Strategy and stated the proactive approach taken to preserve the affordable housing is in line with the tools and strategies identified in the Housing Master Plan. Mr. Frederick also stated that without the Strategy, the 215 existing affordable units will be lost and likely redevelop as townhouses. Mr. Frederick stated that the potential redevelopment can positively address neighborhood concerns including improved traffic, open space, and streetscape conditions.

Chair Lyman closed the Public Hearing

Vice Chairman Macek expressed support for the Strategy and indicated the planning process was appropriately paced given the scope and scale being considered. Additionally, three months were added to address community concern about the pace of the process. Pertaining to traffic, Vice Chairman Macek stated that the traffic issues are a result of regional through-traffic and will likely not change and the incremental increase resulting from the additional density would not be very substantial. Vice Chairman Macek also highlighted the proactive approach afforded by the Strategy and discussed additional benefits that come with the Strategy such as the improved open space and the flexibility for neighborhood retail in the area. Vice Chairman Macek requested to add the proposed staff language to page 3 of the Strategy that references the broader analysis beyond the core area in the Strategy. Additionally, Vice Chairman Macek suggested changing the name to the South Patrick Street Housing Affordability Strategy to be more specific to the area of the City and emphasize the neighborhood nature of the street.

Commissioner Wasowski expressed support for the Strategy and stated that this is a unique opportunity where the City is being proactive and not reactive to the affordable housing challenges as in other areas of the City. Commissioner Wasowski was optimistic

about the Strategy's approach to addressing the long-term challenge of securing affordable housing and providing services to residents during the redevelopment/relocation process, however, she understood redevelopment will be challenging for existing residents and disruptive.

Commissioner Koenig concurred with Vice Chairman Macek and Commissioner Wasowski in support of the Strategy and changing the name to the South Patrick Street Housing Affordability Strategy. Commissioner Koenig expressed support for the forward-thinking approach and discussed the economic costs to the City provided by the scenarios that included no additional density and/or preservation of the existing housing on the sites. Commissioner Koenig stated the conceptual solution included in the Strategy was appropriate for the Master Plan level and many of the identified issues such as traffic and building scale/ form can be addressed during the Development Special Use Permit process to make the density manageable and neighborhood- sensitive.

Commissioner Brown stated that he and Commissioner McMahon evaluated the Strategy as members of the Transportation Commission and determined the incremental impact on trips generated from the additional density would not exacerbate the regional traffic challenges experienced by the neighborhood due to its proximity to the Beltway. Commissioner Brown expressed support for Scenario 3 using additional density as the tool for preserving affordable housing as the proactive solution and recognized that the Strategy outlines short-, mid-, and long-term implementation subject to change as circumstances dictate. Commissioner Brown expressed support for the Strategy.

Commissioner Lyle also supported the name change and the Strategy overall. Commissioner Lyle expressed concern about student generation rates and for the estimated additional students. Finally, Commissioner Lyle stated that staff should continue to work with residents prior to the submission of development proposals especially those who are non-native English speaking.

Chair Lyman concurred with fellow Commissioners regarding the name change and support of the Strategy. Chair Lyman discussed that this Strategy provides a strategic and proactive approach to addressing the potential loss of affordable housing that would otherwise be lost, as well as addressing traffic and safety issues.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to adopt a resolution to recommend approval of MPA #2018-0003. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of MPA #2018-0003 with

amendments to change the name of the project to the South Patrick Street Housing Affordability Strategy; and adopt the staff recommended language for page 3 of the Strategy. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission generally agreed with staff analysis.

15. Special Use Permit #2018-0067
1501, 1503, & 1505 Mount Vernon Avenue - Charlie's on the Avenue
Public Hearing and consideration of a request for a Special Use Permit amendment to add outdoor seating and extend the hours of operation at an existing restaurant; zoned: CL/Commercial Low.
Applicant: NOVA Hospitality, LLC, represented by M. Catharine Puskar, attorney

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

Speakers:
Nathan Fenstermacher, 315 East Monroe Avenue, expressed concerns regarding the intensity of the use, citing specific issues related to noise.

Tim Herzog, 1406 Mount Vernon Avenue, presented his hesitations with the request due to noise and parking impacts. He supported maintaining Condition #19.

Melissa Harrison, 110 East Braddock Avenue, spoke in support of the application.

Michael James, 110 East Braddock Avenue, added his support for the request.

Tom Rosser, 1111 Belle Pre Way #116, supported the proposal, believing that conditions would alleviate impacts.

Heidi Nell, 1111 Belle Pre Way #116, supported the new business venture, speaking in favor of the application.

John Shettel, 404 East Nelson Avenue, expressed concerns related to noise, rodent control, and parking.

Gayle Reuter, 110 East Del Ray Avenue, spoke in support of the applicant's request.

M. Catherine Puskar, applicant's attorney, spoke in support of her client's request. She requested that the Commission consider amendments to conditions, including Condition #17 to allow loudspeakers, to Condition #18 for the provision of an employee parking management plan, to Condition #19 requiring the applicant to promote available nearby

parking. She also requested that the Commission strike references to deleted conditions from past reports in the staff report.

Chair Lyman closed the Public Hearing

Commissioner Wasowski voiced support for creating an environment that allows businesses to succeed and promotes dialogue between businesses and residents.

Vice Chairman Macek questioned the neighborhood standard for restaurant closing hours and staff replied that the majority close at 12 a.m., midnight. Karl Moritz, Planning Director, added that a future update of the Mount Vernon Avenue Business Area Plan could include a review of recommended closing hours in the commercial district.

Commissioner Lyle expressed that she believed the conditions overall were too restrictive on the business and specified the limit on the number of games in the outdoor area. In addition, she and Chair Lyman asked that staff review the report practice of including references to deleted conditions and past violations. Karl Moritz stated that these issues could be discussed at the Commission's upcoming retreat. The Commissioners discussed amendments to conditions to provide the applicant with flexibility in business operations.

Commissioners agreed to retain Condition #18 as proposed by staff and maintain the restriction on outdoor loudspeakers.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of SUP #2018-0067 subject to amendments from the Memorandum dated August 31 to Condition #37; to amendments to Conditions #2, #6, #19 and #36; and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission partially agreed with staff analysis.

16. Special Use Permit #2018-0060
1106 and 1108 King Street - Augie's Mussel House and Patio
Public Hearing and consideration of a request for a special use permit amendment to add indoor and outdoor seating, add outdoor live entertainment, extend hours of operation, and delete a condition requiring 15 off-street parking spaces at an existing restaurant; zoned: KR/King Street Urban Retail.
Applicant: Eat Augie's, LLC, represented by M. Catharine Puskar, attorney

Sam Shelby, P&Z, presented the case and answered questions from the Planning Commission.

Speakers:
Winifrede Ottinger, 1115 King Street, spoke in opposition to the request. She discussed the predominate residential character of the blocks surrounding the restaurant and the potential impacts the restaurant could have. She also expressed concerns about the timing of the written notice and placard, compliance with the Old and Historic District regulations, lack of engagement with neighbors, loading and unloading on King Street, and a smoker and firewood stored in the outdoor dining area.

Rodger Digilio, 1115 King Street, spoke in opposition to the request. He supported staff's recommendation for outdoor dining seats but was against outdoor live entertainment, loudspeakers, televisions, and games, citing noise concerns. He was also concerned about noise from indoor live entertainment. He stated that the case should be deferred so the applicant could incorporate his concerns.

Catherine Foltz, President, Old Town Business and Professional Association, spoke in support of the request stating that the concept, including live entertainment and games, is unique and could attract people to Alexandria.

Trae Lamond, Vice President, Old Town Business and Professional Association, spoke in support of the request, stating that it would bring vibrancy and energy to King Street.

Scott Shaw, Chairman, Alexandria Economic Development Partnership (AEDP), spoke in support of the request, identifying the uniqueness of the open patio space and the activation of "middle King Street."

Stephen Milone, President, Old Town Civic Association, spoke in opposition to the intensification of the outdoor dining area. He stated that no live entertainment outside should be permitted outdoors, stating proximity to residences. He also expressed concerns about enforcement of the Noise Control Ordinance.

Justin Sparrow, applicant, spoke in favor.

Commissioner Lyle asked Mr. Milone regarding Old Town Civic Association membership and whether the case was voted on by the board.

Cathy Puskar, attorney representing the applicant, presented the case and answered questions from the Planning Commission. She also gave an overview of outreach conducted. She emphasized that the restaurant is located within the Central Business District (CBD), noting that the Noise Control Ordinance specifies different regulations for sound generation within the CBD. She requested changes to Conditions #3 (outdoor seating), #11 (outdoor dining hours), #17 (outdoor loudspeakers and live entertainment),

and #50 (outdoor games). She stated the smoker on the outdoor patio would be removed. She assured that the improper loading on King Street would be rectified.

Chair Lyman closed the Public Hearing

Vice Chairman Macek supported the applicant's request for an amendment to Condition #3 regarding outdoor dining and allowing for a maximum capacity of 86 outdoor seats. He also expressed support for the applicant's requested amendments including #11 to extend outdoor dining hours to 1 am Thursday-Saturday and Condition #50 to allow for outdoor games as long as they remain subordinate to the primary restaurant use. Vice Chairman Macek did not support the applicant's request to amend Condition #17 to permit outdoor loudspeakers and televisions.

Vice Chairman Macek stated that standard conditions related to outdoor amplified sound should be reviewed to ensure consistency with the City's goals related to King Street and the Central Business District (CBD). He also stated that some of these standard conditions are too restrictive, especially for businesses within the CBD.

Commissioner Wasowski asked for clarification regarding the City's Noise Control Ordinance within the Central Business District (CBD). She also asked for clarification on Condition #47 which requires employees who drive to park off-street. She also felt that Condition #10 which requires doors and windows to be closed during live performances is too prescriptive.

Commissioner Lyle expressed support for the request and the applicant's amendments. She stated that the applicant's proposal would bring increased activity to King Street. Chair Lyman asked for clarification regarding Condition #17 related to outdoor noise generation.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission moved to recommend approval of Special Use Permit #2018-0060 with amendments to Conditions #3, #11, and #50; deletion of Condition #37; and subject to all applicable codes, ordinances, and other staff recommendations. The motion carried on a vote of 6 to 0, with Commissioner McMahon absent.

Reason: The Planning Commission generally agreed with staff analysis.

The Planning Commission agreed to continue the September 4 Public Hearing to Thursday, September 6, 2018.

Thursday, September 6, 2018: Continuation of Tuesday, September 4th Planning Public Hearing

17. Special Use Permit #2018-0032
219 King Street - 219 King Street Restaurant
Public Hearing and consideration of a request for a Special Use Permit for the intensification of a grandfathered use to extend hours, add indoor and outdoor seats, and add live entertainment to an existing restaurant; zoned: KR/King Street Urban Retail.
Applicant: Yupaporn Chardentra, represented by Paul Solon, architect

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

Speakers:
Talmage Day, 113 N. Fairfax Street, supported the proposal although expressed concerns relating to past complaints submitted to the City regarding trash spillage, smoke odors, and outdoor cleaning. He asked that the applicant redirect the newly installed ventilation system away from nearby residents.

Barbara Day, 113 N. Fairfax Street, spoke in support of the proposal. She stated that the historic nature of Ramsay Alley benefited from the interesting businesses that bordered it.

Paul Solon, architect for the applicant, informed the Commission that the building is in need of renovation and the expansion of the restaurant would support renovation costs. He confirmed that applicant would install a ventilation system to discharge vertically and that improvements to the trash storage would be addressed.

Chair Lyman closed the Public Hearing

Commissioner Brown inquired about possible condition amendments related to concerns of trash maintenance in the alley and smoke odors. Staff replied that Condition #22 could be amended with language requiring the applicant to screen the restaurant trash area. The authority to regulate smoking in commercial buildings rests with the state and, subsequently, the ventilation of smoking areas falls under the jurisdiction of the state building code. Commissioner Brown thanked the speakers for illuminating the historic value of Ramsay Alley, which borders the restaurant at the rear of the property.

Commissioner Wasowski supported ongoing dialogue between the restaurant operators and nearby residents. She asked the applicant to confirm that the planned anticipation of a new ventilation system would improve neighbor conditions.

Chairwoman Lyman and Commissioner Lyle expressed support for the restaurant changes as it provides the business with the opportunity to upgrade its facility.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Brown and seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2018-0032 subject to an amendment to Condition #22 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0, with Vice Chairman Macek and Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

18. Special Use Permit #2018-0052
116 King Street - Urbano 116
Public Hearing and consideration of a request for a Special Use Permit amendment to add outdoor carry-out service to an existing restaurant; zoned: KR/King Street Urban Retail.
Applicant: Urbano 116, LLC

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

Speakers:
Justin Sparrow, the applicant, asked the Planning Commission to support the application for the outdoor carry-out window and requested flexibility with the hours of operation to match the hours of operation for the approved restaurant.

Chair Lyman closed the Public Hearing

Commissioner Lyle recommended extending the hours of operation of the outdoor carry-out window stating that she didn't believe the extended hours beyond 11 pm would create additional nuisance or obstruction of the sidewalk. Commissioner Lyle recommended amending Condition #29 to extend the hours of operation of the carry-out window to be: Sun-Wed: 7 am-Midnight and Thurs-Sat: 7 am-2 am.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Lyle and seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Special Use Permit #2018-0052 with the amendment to Condition #29 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0, with Vice Chairman Macek and Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

19. Encroachment #2018-0008
116 King Street - Urbano 116
Public Hearing and consideration of a request for an Encroachment adjacent to 116 King Street into the public right-of-way for a customer service line and access to an outdoor carry-out window; zoned: KR/King Street Urban Retail.
Applicant: Urbano 116, LLC

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

Speakers:
Justin Sparrow, the applicant, asked the Planning Commission to support the application for the outdoor carry-out window and requested flexibility with the hours of operation to match the hours of operation for the approved restaurant.

Chair Lyman closed the Public Hearing

Commissioner Brown questioned whether a 5'-2" sidewalk clearance is sufficient for pedestrian flow, especially at nighttime during the weekend when there are more pedestrians present. Staff explained that the clearance complies with the King Street Outdoor Dining requirements for a minimum of five feet of pedestrian right-of-way and is consistent with the current conditions of existing outdoor dining areas along King Street. Staff also added a review of the carry-out window service after six months of operations to Condition #25 in order to assess the impacts.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Lyle and seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of ENC #2018-0008 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0 with Vice Chairman Macek and Commissioner McMahon absent.

Reason: The Planning Commission agreed with staff analysis.

20. Encroachment #2018-0001
2701 Dewitt Avenue
Public Hearing and consideration of a request for an Encroachment adjacent to 2701 Dewitt Avenue and East Randolph Avenue into the public right-of-way for an existing fence; zoned: R2-5/Single and Two-family.
Applicant: Jesse and Rachel Houck

Ann Horowitz, P&Z, and Katye North, T&ES, presented the case and answered questions from the Planning Commission.

Speakers:
Sue Kovalsky, 403 East Curtis Avenue, expressed support for the application, citing that other properties in Del Ray have fences located up to the sidewalk.

Jesse Houck, applicant, requested approval of his application. He explained that he installed the fence in the post holes of the previous fence after they moved to their home in November 2017. After a zoning inspector informed him that the fence exceeded the required maximum of 42 inches, he decided to lower the fence rather than explore a special exception from the Board of Zoning Appeals. He understands that he must adhere to the conditions of the encroachment, including removing the fence if the City needs access to the public right of way. He added that he has spoken to several neighbors who have no concerns about the fence.

Chair Lyman closed the Public Hearing

Commissioner Brown asked staff if fences required building permits and staff responded that they did not. He added that that absence of a building permit requirement precludes a confirmation of property lines. He suggested that the City reconsider methods to address existing encroachments other than encroachment applications and expressed support for the encroachment.

Commissioner Lyle supported the applicant's proposal as it was logical for a homeowner to install a new fence in the same location as a previous fence and that City maintenance would likely not be frequent. As other fences exist in the neighborhood which are built to the sidewalk edge, Chair Lyman believed that the applicant should not be singled out for installing the fence. She mentioned that report conditions would require the applicant to remove the fence if City maintenance is required.

Commissioner Wasowski believed that approval of the encroachment could set a precedent, however, she understood how the homeowner would be faced with a big burden to move it.

Commissioner Koenig stated that although the fence encroached into the public right of way, its location was compatible with the idiosyncratic design nature of the neighborhood. He added that the opaqueness of the fence provided sufficient visual clearance at the corner and stated his support of the request.

PLANNING COMMISSION ACTION: On a motion made by Commissioner Lyle and seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Encroachment #2018-0001 subject to compliance with all applicable

codes, ordinances, and staff recommendations. The motion carried on a vote of 5-0, with Vice Chairman Macek and Commissioner McMahon absent.

Reason: The Planning Commission disagreed with staff analysis.

21. Master Plan Amendment #2018-0002
Rezoning #2018-0002
Development Special Use Permit #2017-0020
Encroachment #2018-0006
Transportation Management Plan Special Use Permit #2018-0042
1200 & 1230 North Henry Street
Public Hearing and consideration of requests for: (A) a Master Plan Amendment to amend the Development Table & the Land Use table of the Braddock Metro Neighborhood Plan to list the individual sites located within the Route 1 Triangle Site (Site 8) and revise the zoning and maximum allowable floor area for this site; (B) a map amendment to amend the zoning from OCM(50) to CRMU-H; (C) a Development Special Use Permit with site plan and modifications to construct a multifamily residential building with ground floor retail and day care on a portion of the first and second floors including Special Use Permits to increase the maximum permitted floor area ratio to 2.5 and requesting bonus density and height for the provision of affordable housing pursuant to Section 7-700; (D) an Encroachment on North Fayette Street and North Henry Street into the public right-of-way for building canopies; and (E) a Transportation Management Plan Special Use Permit; zoned: OCM(50)/Office Commercial Medium (50).
Applicant: 1200 N. Henry, LLC, represented by M. Catharine Puskar, attorney

Stephanie Free, P&Z, presented the case and answered questions from the Planning Commission.
Speakers:
Judy Noritake, representing the Braddock Metro Citizens Coalition, spoke in support of the project. She noted the density and height proposed with the development is consistent with adjacent developments and the urban nature of the surrounding area. She also expressed enthusiasm for the neighborhood serving day care facility and the extension of N. Fayette Street to be completed by the adjacent development. Ms. Noritake suggested that the affordable housing units be provided at 80% AMI instead of 60% AMI to support work force housing in the area and to consider an additional retail entrance near the corner of N. Fayette Street and the future N. Fayette Street extension to support activation of the future park to the west to be completed with the development of Braddock Gateway Phase II.

Sara Pearlstien, a resident of the North East community, spoke in opposition of the proposed building height and asked the Commission to recommend revisions to the architecture to step the height of the northern gateway tower. She distributed a rendering

to the Planning Commission prepared by the architect which illustrated an eye level view of the building as viewed from the end of Bashford Lane, looking west, in support of her concerns. Ms. Pearlstien also noted her support for the neighborhood serving retail and open space that will be provided with this development.

Richard Cooper, representing the North East Citizens Association, expressed concerns for the amount of density proposed with this project and the proposed building height. Mr. Cooper advocated for a revision to the architecture, noting that there is no considerable stepping of the northern gateway tower and therefore the building design does not meet the Plan's goal to respect the height of the townhomes in the community across Route 1 to the east. He also noted that the abstract nature of the non-structural columns at the base of the gateway tower is not significant. Lastly, Mr. Cooper noted that additional funds are needed for improvements to Powhatan Park and urged the City to impose a requirement of significant funds to be dedicated to the park.

M. Catherine Puskar, representing the applicant, spoke in support of the project. Ms. Puskar distributed a plan to the Planning Commission which diagramed the distance of the highest points of the building to the nearest town homes on the east side of Route 1 in order to demonstrate that the height of the building will have minimal impact on the North East community. Ms. Puskar also noted that the proposed building height is necessary in order to provide the 11 units of affordable housing.

Ms. Puskar also spoke in regard to the application of the Braddock Open Space and Community Amenities Funds. The 2 primary points of discussion that Ms. Puskar raised are 1) Payment of the funds on the bonus density received through affordable housing and the day care exclusion, and 2) Application of the funds on the net vs. gross square footage of the building. She noted that the intent of the bonus density and day care exclusions are to incentivize developers to provide community benefits of affordable housing and day care and they should not be penalized by paying additional contributions based upon that square footage. She also noted that the staff report establishing the Braddock Open Space and Community Amenities Funds illustrates that the amount needed to fund the planned improvements will be achieved by payment of the funds on the net square footage of development.

Chair Lyman closed the Public Hearing

The Commission discussed the application of the Braddock Open Space and Community Amenities Funds on the bonus density received for the provision of affordable housing pursuant to Section 7-700 and the day care exclusion pursuant to Section 1-400. Commissioner Brown asked the applicant if the ultimate monetary amount anticipated by the Plan to fund the open space and amenity improvements within the plan area could be achieved through application of the funds on the net square footage of development

rather than the gross square footage. The applicant answered that it would. Mr. Moritz added that the word "gross" was not an incidental word used within the staff report approved by City Council at the time the funds were established and that a concern at that time was that developers would under-develop due to the economic climate at that time and application of the funds on the gross square footage would ensure proper funding is secured for the necessary improvements. In regard to the application of the funds on the bonus density, Mr. Moritz noted that it is not inherent in bonus densities that contributions cannot be applied and other payments, such as sewer tap fees, are applied to bonus densities, including affordable housing, due to the expected impacts.

Commissioner Koenig noted the exceptional quality of the project's architecture and community benefits that will be provided with this development and noted concern that this issue may cause an impact to affordable housing. Commissioner Brown noted that he believes the applicant's case for application of the funds on the net square footage of the building is more favorable than staff's; however, staff has reasonable concerns to advocate for the gross. He also echoed Commissioner Koenig's concern on the impact to affordable housing. Chair Lyman agreed with Commissioner Koenig and Commissioner Brown's comments regarding the impact to affordable housing. Commissioner Wasowski expressed concern that including square footage added through bonus density in the calculation of the Braddock Open Space and Amenities Funds contributions could undercut the recently approved City policy of allowing 30% bonus density as opposed to the previous policy of 20%. She praised Ms. Noritake and the Braddock Metro Citizens Coalition for their involvement with the project and noted to the concerned neighbors in the North East community that she believes the building is far enough away from their community that the impact of the building height will be minimal and that the proposal will have positive impacts on their neighborhood. Chairwoman Lyman, Commissioner Brown and Commissioner Koenig agreed with Commissioner Wasowski's comments regarding the height of the building. Commissioner Lyle noted the project's consistency with the Braddock Metro Neighborhood Plan and stated that she agrees with the other Commissioners' statements regarding the success of the proposal and hopes the questions regarding the Open Space and Amenities Fund contributions applied to bonus density and square footage are resolved so that the project can move forward.

Commissioner Brown asked staff if the Braddock Open Space and Amenities Funds could be applied to improvements at Powhatan Park. Staff responded by stating that the funds are for use within the Braddock Metro Neighborhood Plan area; however, the development of Braddock Gateway was required to make a monetary contribution to off-site improvements at Powhatan Park and although this contribution is secured, additional funding is needed to implement the improvements in the park improvement plan prepared by the Department of Recreation, Parks and Cultural Activities.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval to adopt a resolution for Master Plan Amendment #2018-0002. The motion carried on a vote of 5 to 0, with Vice Chair Macek and Commissioner McMahon absent.

On a motion by Commissioner Wasowski, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Rezoning #2018-0002, Development Special Use Permit #2017-0020, Encroachment #2018-0006, and Transportation Management Plan Special Use Permit #2018-0042 subject to all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 5 to 0, with Vice Chair Macek and Commissioner McMahon absent.

The Commissioners maintained a neutral position on amendments to staff Condition ion #124 regarding the application of the Braddock Open Space Fund and the Braddock Community Amenities Fund in order to reserve judgement for City Council due to the nature of the item in question being a matter of policy.

Reason: The Planning Commission agreed with the staff analysis with judgement reserved for City Council to make amendments to Condition #124.

22. **The applicant has requested a deferral for this item**

Development Special Use Permit #2018-0003
Special Use Permit #2018-0064 (Hotel and Additional Mechanical Penthouse)
Special Use Permit #2018-0063 (Restaurant)
Special Use Permit #2018-0040 (Parking Reduction and Valet Parking)
Transportation Management Plan Special Use Permit #2018-0041
Encroachment #2018-0005
114 South Washington Street & 699 Prince Street
Public hearing and consideration of requests for: (A) a Development Special Use Permit and site plan with modifications to construct a hotel with increased floor area ratio from 1.5 to 2.5 in the CD zone and a parking reduction to reduce the number of required loading spaces (114 S. Washington Street); (B) Special Use Permits for a hotel and to allow an additional mechanical penthouse (699 Prince Street); (C) a Special Use Permit for a restaurant (114 S. Washington Street); (D) Special Use Permits for a parking reduction to provide required parking spaces off-site and for valet parking (699 Prince Street and 114 S. Washington Street); (E) a Special Use Permit for a Transportation Management Plan (114 S. Washington Street); and (F) an Encroachment into the public right-of-way for a marquee sign on 699 Prince Street; zoned: CD/Commercial Downtown.
Applicant: J. River 699 Prince Street, LLC, represented by M. Catharine Puskar, attorney

This Land Use and Development (Planning Commission Items) was deferred

OTHER BUSINESS:

23. Commissioner's Reports, Comments, and Questions

MINUTES:

24. Consideration of the minutes from the June 5, 2018 Planning Commission meeting.

PLANNING COMMISSION ACTION: The Planning Commission will consider the June 5, 2018 Minutes at the October 2 Planning Commission meeting.

ADJOURNMENT

25. Adjournment

The Planning Commission meeting was adjourned at 10:23 PM on Thursday, September 6, 2018.