Docket Item #9 Planning Commission Meeting December 4, 2018

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting of December 4, 2018

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

ALEXANDRIA PLANNING COMMISSION

December 4, 2018, 7:00 p.m. City Council Chambers Alexandria, Virginia

Members Present:

Mary Lyman, Chair

Nathan Macek, Vice Chairman

David Brown Stephen Koenig

Mindy Lyle

Maria Wasowski

Melissa McMahon

Members Absent:

None

Staff Present:

Karl W. Moritz Department of Planning & Zoning

Christina Brown Office of the City Attorney

Nancy Williams Department of Planning & Zoning Department of Planning & Zoning Anh Vu Department of Planning & Zoning Ann Horowitz Department of Planning & Zoning Max Ewart Department of Planning & Zoning Sam Shelby Department of Planning & Zoning Robert Kerns Shaun Smith Department of Planning & Zoning Department of Planning & Zoning Tony LaColla Sara Brandt-Vorel Department of Planning & Zoning Department of Planning & Zoning Maya Contreras Nathan Randall Department of Planning & Zoning Robert Kerns Department of Planning & Zoning

1. Call to Order.

The Planning Commission Public Hearing was called to order at 7:05 p.m. All members were present at the call to order, with Commissioner Brown arriving at 7:16 p.m.

CONSENT AGENDA:

2. Special Use Permit #2018-0069

1 Cameron Street (Parcel Address: 5 Cameron Street) – Chart House Public Hearing and consideration of a request for a special use permit amendment for outdoor speakers at an existing restaurant; zoned: CD/ Commercial Downtown. Applicant: Alexandria Waterfront Associates Limited Partnership

<u>PLANNING COMMISSION ACTION:</u> Without objection, the Planning Commission voted to defer Special Use Permit #2018-0069. The motion carried on a vote of 6 to 0. Commissioner Brown was not present for the vote.

3. Special Use Permit #2018-0091

3401 Eisenhower Avenue (Parcel Address: 3699 Eisenhower Avenue)
Public Hearing and consideration of a request to amend SUP #95-0169 to replace
an existing 150-foot telecommunications monopole with a 190-foot monopole and
for a change of ownership; zoned: UT/ Utilities and Transportation.
Applicant: Crown Atlantic Company LLC., represented by Edward L. Donohue

<u>PLANNING COMMISSION ACTION:</u> By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2018-0091, as submitted. Commissioner Brown was not present for the vote.

4. Special Use Permit #2018-0092

317 Hooffs Run Drive (Parcel Address: 2000 Eisenhower Avenue)
Public Hearing and consideration of a request for a wine production use exceeding
3,500 square feet; zoned: CDD #11/ Coordinated Development District #11.
Applicant: Tristan Wright

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2018-0092, as submitted. Commissioner Brown was not present for the vote.

5. Special Use Permit #2018-0094

108 North Payne Street

Public Hearing and consideration of a request for a parking reduction with lot modifications for a commercial to residential use conversion; zoned: CD/

commercial downtown.

Applicant: NIRI Investments, LLC.

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2018-0094, as submitted. Commissioner Brown was not present for the vote.

6. Special Use Permit #2018-0039

765 John Carlyle Street and 1900 Eisenhower Avenue - Carlyle Block P Special Use Permit Extension

Public Hearing and consideration of a request for an extension in the period in which construction must be commenced under Section 11-418 of the Zoning Ordinance for Carlyle Special Use Permit (SUP #2015-00024) related to the construction of Carlyle Block P; zoned CDD #1/Coordinated Development District #1. Applicant: Carlyle Plaza, LLC

<u>PLANNING COMMISSION ACTION:</u> By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2018-0039, as submitted. Commissioner Brown was not present for the vote.

7. Special Use Permit #2018-0097

1458-1480 North Beauregard Street (Parcel Address: 1460 N. Beauregard) - The Shops at Mark Center

Public Hearing and consideration of a request to establish a coordinated sign program located at the existing Shops at Mark Center; zoned: CDD #21/Coordinated Development District #21.

Applicant: Morgan Properties Management Company, LLC.

Special Use Permit #2018-0098

935 North Van Dorn Street (Parcel Addresses: 5331A Taney Avenue, 5331 Taney Avenue, 5440 Richenbacher Avenue, and 5364 Richenbacher Avenue) - Mark Center Apartments

Public Hearing and consideration of a request to establish a coordinated sign program to cover signage at Willow Run at Mark Center Apartment Homes; zoned: RA/Multifamily, R-5/ Single-family, and R-20/ Single-family.

Applicant: Morgan Properties Management Company, LLC.

Special Use Permit #2018-0107

1400 North Beauregard Street (Parcel Addresses: 1250 N. Beauregard Street, 5600 Sanger Avenue, and 5711 Sanger Avenue) - Mark Center Apartments Public Hearing and consideration of a request to establish a coordinated sign program to cover signage at Brookdale at Mark Center Apartment Homes; zoned:

CDD #21/ Coordinated Development District #21.

Applicant: Morgan Properties Management Company, LLC.

Special Use Permit #2018-0108

5411A Sheffield Court (Parcel Address: 5501 Sanger Avenue) - Mark Center Apartments

Public Hearing and consideration of a request to establish a coordinated sign program to cover signage at Lynbrook at Mark Center Apartment Homes; zoned: CDD #21/ Coordinated Development District #21.

Applicant: Morgan Properties Management Company, LLC.

Special Use Permit #2018-0109

5797A Rayburn Avenue (Parcel Addresses: 1350 N. Beauregard Street and 5650 Rayburn Avenue) - Mark Center Apartments

Public Hearing and consideration of a request to establish a coordinated sign program to cover signage at Stoneridge at Mark Center Apartment Homes; zoned: CDD #21/ Coordinated Development District #21.

Applicant: Morgan Properties Management Company, LLC.

<u>PLANNING COMMISSION ACTION:</u> By unanimous consent, the Planning Commission voted to recommend approval of Special Use Permit #2018-0097, Special Use Permit #2018-0098, Special Use Permit #2018-0107, Special Use Permit #2018-0108, and Special Use Permit #2018-0109, as submitted. Commissioner Brown was not present for the vote.

NEW BUSINESS:

8. Master Plan Amendment #2018-0006

Text Amendment #2018-0012

Rezoning #2018-0005

Coordinated Development District Conceptual Design Plan #2018-0005

Development Special Use Permit #2018-0006

Transportation Management Plan Special Use Permit #2018-0077

Vacation #2018-0002

880 and 890 South Pickett Street and 620 Burnside Place - Public

Storage/BoatUS

Public Hearing and consideration of requests for: (A) an amendment to the Eisenhower West Small Area Plan chapter of the Master Plan to amend the land use designation for the site to allow self-storage; (B) initiation of and a text amendment to the Zoning Ordinance to amend the provisions of Section 5-602(A) to establish CDD #26; (C) an amendment to the official zoning map to change the zone from I to CDD#26/Coordinated Development District #26; (D) for a

Coordinated Development District Conceptual Design Plan; (E) a Development Special Use Permit, with site plan and with modifications, to construct a self-storage building with ground-level commercial/production/wholesale/repair uses and including a Special Use Permit for a parking reduction; (F) a Special Use Permit for a Transportation Management Plan; and (G) vacation of public right-of-way adjacent to the intersection of South Pickett Street and Burnside Place; zoned: I / Industrial. (Eisenhower West Small Area Plan)

Applicant: City of Alexandria (Text Amendment only) and PS Southeast One. Inc.

Applicant: City of Alexandria (Text Amendment only) and PS Southeast One, Inc., represented by Mark Viani, attorney.

Nathan Randall (P&Z), Maya Contreras (P&Z), and Robert Kerns (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Dan Matula, applicant, spoke in favor of the project. He noted the collaborative nature of the planning process with City staff to achieve a project that meets Public Storage's needs while meeting goals and objectives of the Eisenhower West Small Area Plan. He also noted outreach to the community and answered a question from the Commission about the future multifamily building.

Mark Viani, attorney representing the applicant, spoke in support of the request. He explained how the project evolved, with additional time and expense on the part of the applicant, from a "by-right" plan to one that helped to implement the Eisenhower West Small Area Plan. He described the resulting plan as one that meets the needs of Public Storage while being more consistent with the Plan, specifically regarding the inclusion of the multifamily use, the open space dedication, and the removal of the existing parking lot. He highlighted recent architectural changes to the building and noted that the applicant team would continue to refine the façade of the building to achieve the staff-recommended design from the December 3rd memorandum. He also answered questions from the Planning Commission regarding the matter of flipping the two uses at the site, noting that developers with whom he has spoken have recommended residential uses adjacent to Backlick Run like in the proposed Coordinated Development Districts (CDD) Concept Plan.

Arthur Impastato, Medlock Lane resident, spoke in opposition to the proposal. He stated that, based on his participation as a member of the Eisenhower West Small Area Plan Steering Committee, a self-storage facility was not envisioned as part of the Small Area Plan approval process. He believed that the proposal would jeopardize development in the area and set a bad precedent. He also answered questions from the Planning Commission.

Martin Menez, Cameron Station Civic Association President, urged the Commission not to support the project. He stated that the self-storage use would not be compatible with the vision of the Plan and recommended limits on such uses within the Plan area. He believed the construction of a self-storage facility would be a disincentive to new development and make potential mixed-use projects less desirable. He stated that approval of this request would open the door to other similar requests in the future.

Joe Luce, representing Passport Auto Group and Velsor Properties, described his clients' concerns that this first development in the Small Area Plan would negatively impact future redevelopment opportunities on their properties near the project site. He stated that, although he is not opposed to the uses, the current project configuration would not be consistent with the Plan's goals. He recommended that the uses on the site should be flipped.

Ken Wire, attorney representing the owner of 869-912 S. Pickett Street, stated that the "by-right" option should not be feared as much as has been stated. Noting his involvement in the Eisenhower West Small Area Plan approval process, he questioned whether the Plan's principle of having multifamily/mixed-use in this neighborhood should be changed so soon after adoption. He advocated for flipping the two major uses at the site. He also fielded questions from Commissioner Brown, including whether a fundamental disconnect was present given that the Plan didn't change the zoning of the site but that the proposal would be consistent with the current zoning.

George Barbee, owner of 950 S. Pickett Street, noted his family's ownership of the property for decades and his participation in the Eisenhower West SAP approval process. He spoke of the importance of multifamily residential and mixed uses in this portion of the plan and the presence of a node of such uses specifically near the site. He recommended that the two major uses proposed at the site should be flipped.

Nick Fairbanks, owner of 840 S. Pickett Street, also noted his family's ownership of property for many years. He explained his understanding that the Eisenhower West SAP would encourage residential/mixed-use development in the future. He advocated for flipping the two major uses proposed at the site.

Chair Lyman closed the public hearing.

Discussion:

Commissioner Brown asked staff about the use of CDDs in general and specifically in this location. He inquired about the future timing of the construction of the multifamily building and particularly about its anticipated maximum height. He questioned the application of the Small Area Plan's height recommendations to this site for the future multifamily building. Chair Lyman and Commissioner Lyle expressed concern about

whether the multifamily building would be constructed within 15 years and whether the parking lot use could continue indefinitely. Staff responded that the interim parking lot includes a 15-year expiration for the use and that any continuation of that use, or any changes to Phase 2 of the CDD Concept Plan, would need further approval from Planning Commission and City Council.

Vice Chairman Macek asked about the proposed clarification to the Eisenhower West Small Area Plan in which self-storage uses would now be explicitly excluded from the definition for "PWR" (production/wholesale/repair) uses. He also recommended that the Master Plan Resolution be amended to incorporate the clarification. Commissioner Brown asked whether the intent of the Eisenhower West Small Area Plan was to remove industrial uses and staff noted the Plan's inclusion of PWR uses.

Commissioner Lyle described the efforts of the West End community to fund, create, and implement the Eisenhower West Small Area Plan. She stated that a self-storage facility was never envisioned in the Plan and would negate the work that has been done to create it. She expressed strong dismay about the public outreach process and questioned opposition to the potential flipping of the two major uses at the site. Chair Lyman asked why the property or others weren't rezoned as part of the approval of the Eisenhower West Small Area Plan. Commissioner Lyle stated that the Plan was intended to be a "framework plan" and expressed concern for the future about the concept of not rezoning properties with Small Area Plan approvals.

Commissioner Brown stated that staff had managed the challenge of modifying a potential by-right plan to make it more consistent with the Small Area Plan. He believed the inclusion of ground-level uses would elevate the proposal compared to more typical self-storage buildings and would introduce a higher level of activity not seen in the neighborhood today. He was inclined to agree that in the future the location of the multifamily building may be better suited in the proposed location adjacent to future open space and Backlick Run.

Commissioner McMahon understood the concerns that Commissioner Lyle raised but also agreed with Commissioner Brown's comments about the provision of ground-level businesses. She thought that the difference between a residential building with ground-level uses and a self-storage building with ground-level uses was relatively modest. Siting the residential building away from South Pickett, she reasoned, might cushion that use from traffic or noise on South Pickett. She also expressed concern about whether the residential building would actually be built.

Commissioner Wasowski, a member of the Eisenhower West Small Area Plan Steering Committee, stated that she could not vote in favor of the proposal. She could see several reasons for not supporting the request, particularly that the self-storage use would not be

consistent with the Plan and would result in disregarding the Plan. She doubted that multifamily residential would be built on the site. She was not certain that the "flip" of the uses at the site would be a good solution and suggested that the proposal may need to be deferred for a month to consider other approaches to redevelopment of the site.

Chair Lyman stated that, although sympathetic to other Commissioners' concerns about Small Area Plan consistency, she believed that rejecting the proposal would result in a by-right option in which several benefits could be lost. She expressed support while leaving open the possibility for considering future text amendments regarding self-storage uses.

Commissioner Koenig noted the value of the environmental benefits of removing the existing parking lot and improving Backlick Run and was concerned that rejecting the proposal would result in the loss of this benefit. He also noted the benefit of having ground-level PWR uses in the proposal, particularly given that such uses may prove a better match with self-storage than multifamily residential. He shared concern about the potential for the by-right option and was encouraged by the applicant's agreement to continue to improve the self-storage building's architecture.

Commissioner Lyle believed that the residential building would not be built within the 15-year approval and stated that she would not be voting in favor of the proposal. She expressed a strong dislike of the architectural design of the self-storage building as it was presented at community meetings. She recommended that a condition be added to require three advertised additional public meetings at which the building's architecture would be discussed, if the majority of the Planning Commission votes to recommend approval of the project.

Vice Chairman Macek noted the challenges involved in this case and expressed concern that a by-right option would be less desirable than the current proposal. He believed that self-storage may work in this area, noting that the current zone is industrial and that the site is less prominent than others in the Plan area. He raised the example of the self-storage building on Route 1 near Braddock Metro, highlighting that redevelopment has been occurring in that area. He did not support the concept of the "flip." He recommended architectural refinements and the inclusion of an additional condition to require a greater balance regarding signage among tenants. He also noted the important benefits of the new public streets and open space and expressed his appreciation for the efforts of staff to carefully "thread the needle" in its approach toward the project.

Commissioner Wasowski stressed the importance of neighboring property owners' participation in the Small Area Plan process and the raised expectations for future redevelopment that was an outcome of that process. Chair Lyman expressed dismay that community outreach was not conducted sooner in the process. Commissioner McMahon

raised the possibility that the Master Plan Amendment to clarify the definition of "PWR" uses is not strictly necessary. She also agreed with the substantial benefit of the public open space and believed that the ground-level PWR uses may be harmed by the potential "flip." Commissioner Brown agreed with arguments that several elements of the proposal are consistent with the Small Area Plan and believed that the Commission should not focus solely on the issue of the proposed use.

<u>PLANNING COMMISSION ACTION:</u> On a motion by Vice Chairman Macek, and seconded by Commissioner Koenig, the Planning Commission voted to adopt a resolution to recommend approval of Master Plan Amendment #2018-0006, as amended. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against.

On a motion by Vice Chairman Macek, and seconded by Commissioner Koenig, the Planning Commission voted to initiate Text Amendment #2018-0012. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against. On a motion by Vice Chairman Macek, and seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Text Amendment #2018-0012, as submitted. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against.

On a motion by Vice Chairman Macek, and seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Rezoning #2018-0005, as submitted. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against.

On a motion by Vice Chairman Macek, and seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Coordinated Development District Concept Plan #2018-0005, Development Special Use Permit #2018-0006, and Transportation Management Plan Special Use Permit #2018-0077, as amended. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against.

On a motion by Vice Chairman Macek, and seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Vacation #2018-0002, as submitted. The motion carried on a vote of 5-2, with Commissioner Lyle and Commissioner Wasowski voting against.

<u>Reason:</u> The majority of the Planning Commission agreed with the staff analysis, finding that the proposal would implement many elements of the Eisenhower West Small Area Plan, particularly in comparison to other options for redevelopment that may be available to the applicant. The Commissioners voting against the project believed that the proposal,

and particularly the self-storage use, was not consistent with the Small Area Plan vision for the site and the area. The Commission voted to add language to Condition #18 to further refine the building's architecture consistent with staff's memorandum dated December 3rd and to require the applicant to hold three public meetings prior to the release of the final site plan to discuss and finalize architectural details for the self-storage building. Language was also added to Condition #26 to further ensure coordination and balance between the signage for the self-storage use and signage for individual tenants.

CONDITION #18 AMENDED BY PLANNING COMMISSION: Provide the following building refinements to the satisfaction of the Director of P&Z:

- a. Revise the ground-level building façade to incorporate the additional commercial uses requested in Condition #15 as part of the final site plan submission and as generally shown in Figures 3 and 4 of the December 3, 2018 staff memorandum to Planning Commission.
- b. Coordinate with staff regarding the final design of the window pattern of the central portion of the South Pickett Street façade of the building.
- c. Windows shall correctly reflect the architectural style, building type and period that is referenced by the building design. If shown with a historical muntin pattern, such as 2-over-1, 2-over-2, 6-over-1, etc., such applied exterior muntins shall also:
 - i. Have a minimum depth/projection of 3/8 inches and a maximum width of 1 inch.
 - ii. have a detailed profile that will create a strong shadow pattern;
 - iii. have an integral spacer bar between the panes of glass that matches the muntins in width;
 - iv. corresponding interior muntins are encouraged, but not required;
- d. Windows that reflect more modern styles shall be reviewed on an individual basis, but a minimum glass setback from face of sash is required of 3/8 inches.
- e. Any ventilation for the ground-level commercial, production, wholesale or repair uses shall be integrated with the overall building design, reviewed and approved to the satisfaction of the Director of Planning and Zoning.
- f. All wall mounted vents shall be flush mounted and architecturally integrated with the building design with regard to both placement and color.
- g. Add ground-level glazed openings on the east and west facades, as shown in Figure 4 of the December 3rd memorandum;
- h. Projecting towers at NW and NE corners shall be the same brick as the first-floor base, of a color that creates a significant contrast to the color of the primary metal siding and incorporate flush brick spandrels at the third and fifth floor levels and clear gridded vision glass, as shown in Figures 3 and 4 of the December 3rd memorandum.
- i. The projecting accent elements near the center of all four facades shall be

- consistently detailed using horizontal metal siding and incorporate upperlevel glazed openings, as generally shown in Figures 3 and 4 of the December 3rd memorandum. Colors shall be determined during the final site plan review;
- j. The brick base shall extend under the projecting accent elements approximately 8-10 feet, and the structural columns flanking the entry and exit driveways shall be treated as accent elements with an approximately 24" diameter cladding and an accent color to demarcate the vehicular entry;
- k. Three community meetings shall be held to communicate the building architecture and finalize architectural details prior to the release of the final site plan.* (P&Z) (PC)

CONDITION #26 AMENDED BY PLANNING COMMISSION: Design and develop a coordinated sign plan, which includes a color palette, for all proposed commercial signage. The plan shall be included as part of the Final Site Plan and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Director of P&Z.*

- a. Commercial signs shall employ variety and creativity of design.

 Tenant designers shall bring a sculptural and dimensional quality to their signs.
- b. Highlight the identity of individual business tenants through signage and storefront design. Coordinate signage with the building design and with individual storefront designs, including but not limited to integration with any proposed awnings, canopies, etc.
- c. Pedestrian-oriented signs (e.g. projecting signs, window signs, etc.) are encouraged. Tenants with main storefront entrances on Street(s) shall incorporate a projecting or under-canopy sign.
- d. Installation of building mounted signage shall not damage the building and signage shall comply with all applicable codes and ordinances.
- e. The coordinated sign plan shall appropriately balance signage intended for use by the tenant spaces to the satisfaction of the Director of Planning & Zoning. (P&Z) (PC)
- 9. Master Plan Amendment #2018-0007
 Text Amendment #2018-0016
 Rezoning #2018-0007
 Coordinated Development District Conceptual Design Plan #2016-0003
 504 South Van Dorn Street; 5650, 5660, and 5730 Edsall Road; and 501 and 611
 South Pickett Street Greenhill / West Alexandria Properties
 Public Hearing and consideration of requests for: (A) amendments to the

Landmark-Van Dorn Small Area Plan chapter of the Master Plan to amend the land use designation for the site to include hotel use, amend the minimum required office square footage in Block J of the Plan to allow for either hotel or office uses. increase the maximum allowable residential square footage in Block J of the Plan from 1.45 million square feet to 1.9 million square feet, increase the maximum allowable height for the site from between 65 and 120 feet to between 85 and 145 feet, and to increase the maximum floor area ratio (FAR) allowed at the site from 2.0 FAR to 2.52 FAR; (B) initiation of and a text amendment to the Zoning Ordinance to amend the provisions of Section 5-602(A) to establish Coordinated Development District (CDD) #27; (C) amendments to the official zoning map to change the zoning designation for 5650, 5660, and 5730 Edsall Road and 501 South Pickett Street from CG to CDD#27, for 504 South Van Dorn Street from CG and I to CDD#27, and for 611 South Pickett Street from I to CDD#27 and (D) a request for a Coordinated Development District Conceptual Design Plan; zoned: I / Industrial and CG / Commercial General. (Landmark-Van Dorn Small Area Plan)

Applicant: City of Alexandria (Text Amendment only) and Greenhill Capital Corp.,

Nathan Randall (P&Z), Maya Contreras (P&Z), and Robert Kerns (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Mary Catherine Gibbs, attorney for the applicant, spoke in favor of the project. She explained that, with a few exceptions, the project would apply the large part of the recommendations in the Landmark-Van Dorn Corridor Plan for the site. She explained the proposed design of the Coordinated Development District (CDD) Concept Plan and its street connections. She requested five changes to the recommended condition language as outlined in her December 4th memorandum, including the vehicular connection to Edsall Road on Public Street A. She stated that her engineers do not believe such a connection would be feasible and may create traffic issues in the future. She further responded to several questions from Planning Commissioners.

Richard Greenberg, applicant, discussed the perceived impact on the future development from requiring a vehicular connection to Edsall Road on Public Street A.

Martin Menez, Cameron Station Civic Association President, spoke in favor of the project. He noted the benefits of the proposal, such as the Town Green and the school/civic use land dedication, and its consistency with the Small Area Plan. He also recommended against the streets in the development from becoming thoroughfares for vehicles.

Arthur Impastato, Medlock Lane resident and member of the Eisenhower West/Landmark-Van Dorn Implementation Advisory Group, spoke in support of the request. He stressed the benefits of the proposal, such as the provisions for affordable housing, the school/civic use land dedication and the Town Green. He stated that the CDD Concept Plan is the kind of plan needed in the West End.

Chair Lyman closed the public hearing.

Discussion:

Vice Chairman Macek asked staff for clarification regarding the potential connection between Public Street A and McConnell Avenue along the southern edge of the CDD area. He also asked whether the 21-foot additional land dedication on McConnell is needed to make such a connection. Commissioner Brown asked about the effect of the existing retaining wall along the southern end of the site on the overall slope of Public Street A. Chair Lyman inquired whether the vehicular connection to Edsall Road on Public Street A should be tied to the location of the plan-recommended multimodal bridge given the high cost for such a bridge in most recent estimates. Staff replied that the multimodal bridge is just one factor in its recommendation regarding the vehicular connection to Edsall Road and noted the street connectivity goals in the Landmark-Van Dorn Corridor Plan.

Commissioner Koenig asked staff about the process through which a decision will be made in the future regarding the location of the land dedication for a future public school or other civic use, stressing the importance of a collaborative process.

Vice Chairman Macek asked the applicant about connectivity recommendations in the Corridor Plan. The applicant noted that a connection to Edsall Road is still possible from the development on Public Street D. Commissioner Koenig inquired about the applicant's requested elimination of the three-year "date certain" provision for the school/civic use land dedication and the applicant confirmed that, even if changed, the dedication would occur with the first DSUP in the CDD.

Commissioner Wasowski stated that the CDD represented a positive move for the West End and one that conforms with the Master Plan. She reiterated the benefits of the CDD and believed that McConnell Avenue could be narrower than other nearby streets and still be functional. She stressed the importance of having flexibility and assurance regarding the matter of receiving credit for the provision of affordable units upfront as part of later Special Use Permits that may be requested for bonus density and height. Staff explained that it agrees with the applicant's intent regarding affordable housing but does not think that a condition to that effect is strictly necessary. Vice Chairman Macek recommended minor revisions to the applicant's proposed language to amend Condition #86 and staff offered further suggestions on the matter.

Commissioner Koenig stated his belief that the CDD proposal is excellent and has many planning virtues, such as the flexibility regarding land uses and blocks and including the use of transfers. He found the vehicular connection to Edsall Road to be a difficult issue given that street connectivity is an important goal, but that flexibility is also needed to account for site realities. The applicant stated that her engineers do not recommend a street slope exceeding 5% due to the need for Americans with Disabilities Act (ADA)compliance sidewalks and staff clarified that sidewalks along public streets are not themselves required to meet ADA requirements. Staff stated its belief that a viable path forward could be achieved on the issue of the vehicular connection to Edsall without damaging the pedestrian experience or other elements of the project. Chair Lyman and Commissioner Koenig both asked whether a review process could be devised to equitably resolve the circumstance of the applicant's engineers and the City's engineers not agreeing about the feasibility of the vehicular connection. One option discussed was for the Commission to decide the issue at the time of a future Development Special Use Permit submission or other future point when more detailed engineering information may be available

Commissioner McMahon stated that aside from the matter of feasibility, the provision of a pedestrian plaza or "Spanish Steps" would provide an interesting element in this location and would still provide a public purpose given that an architectural break would be provided through which pedestrians could travel. She did not see a critical need for vehicles to travel though this section of the proposed public right-of-way. Chair Lyman and Commissioner Koenig agreed with this concept, with the Chair also stating that Public Street A was not intended to be a through street. The Commission ultimately recommended the deletion of Condition #43 that would have required the vehicular connection to Edsall Road.

PLANNING COMMISSION ACTION: On a motion by Vice Chairman Macek, and seconded by Commissioner Wasowski, the Planning Commission voted to adopt a resolution to recommend approval of Master Plan Amendment #2018-0007, as submitted. The motion carried on a vote of 6-0, with Commissioner Lyle recusing herself.

On a motion by Vice Chairman Macek, and seconded by Commissioner Wasowski, the Planning Commission voted to initiate Text Amendment #2018-0016. The motion carried on a vote of 6-0, with Commissioner Lyle recusing herself.

On a motion by Vice Chairman Macek, and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Text Amendment #2018-0016, as submitted. The motion carried on a vote of 6-0, with Commissioner Lyle recusing herself.

On a motion by Vice Chairman Macek, and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Rezoning #2018-0007, as submitted. The motion carried on a vote of 6-0, with Commissioner Lyle recusing herself.

On a motion by Vice Chairman Macek, and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Coordinated Development District Concept Plan #2016-0003, as amended. The motion carried on a vote of 6-0, with Commissioner Lyle recusing herself.

Reason: The Planning Commission agreed with the staff analysis and with the applicant's request to amend five recommended conditions of approval. Condition #18 was amended to reduce the width of the future land dedication on McConnell Avenue from the staff-recommended 21 feet to the 5.18 feet that the applicant originally offered. Condition #36 was amended to remove the three-year "date certain" timing for the required land dedication for a public school/civic use, resulting in the dedication timed to occur only with the first DSUP submission. Condition #43 was amended to remove the requirement that Public Street A contain a vehicular connection to Edsall Road. Condition #86 was amended to clarify the applicant's intent, should it decide to provide affordable housing upfront, that it may ask for credit for those earlier affordable units in any SUPs for bonus density for later buildings in the CDD. Condition #88b was amended to clarify the process for the applicant's contribution toward additional air quality analysis.

CONDITION #18 AMENDED BY PLANNING COMMISSION: If requested by the Director of Planning & Zoning, Continue to depict a land dedication on the revised CDD Concept Plan measuring up to 21 5.18 feet wide immediately adjacent to the southern property line of the project site between South Van Dorn Street and Public Street A for an expanded McConnell Avenue right-of-way. The applicant will be bringing its property to the same grade as McConnell Avenue at this location, necessitating the removal of the retaining wall currently located between its property and McConnell Avenue today. (P&Z) (PC).

CONDITION #36 AMENDED BY PLANNING COMMISSION: Upon satisfaction of Condition #35 above, and prior to the release of the first final DSUP request within the CDD Concept Plan area or three years from the approval of this CDD Concept Plan, whichever comes first, the applicant shall submit subdivision plats, easement plats, deeds, and any other necessary documentation to the satisfaction of the Director of Planning & Zoning and subsequently dedicate to the City, at no cost to the City, the minimum of 30,000 square feet of land within the CDD Concept Plan area approved by the Director of Planning & Zoning for the future construction of a public school or other civic use. (P&Z) (T&ES) (PC)

CONDITION #43 DELETED BY PLANNING COMMISSION: Prior to the submission of the first DSUP for any block within the CDD Concept Plan area, the applicant shall provide detailed engineering plans to the Directors of Planning & Zoning and Transportation & Environmental Services for the Directors to determine the feasibility of Public Street A allowing for a vehicular connection to Edsall Road. The engineering plans must include site grading, street slopes, and other information as required by the Directors. If the Directors determine upon review that such a vehicular street connection to Edsall Road on Public Street A is not feasible or appropriate, the applicant shall not be required to provide a vehicular connection to Edsall Road on Public Street A. If the Directors determine upon review that such a vehicular street connection to Edsall Road on Public Street A is feasible and appropriate, the applicant shall:

- a. depict said vehicular connection to Edsall Road between Blocks A and B of the CDD Concept Plan and all necessary grading to achieve said vehicular connection on the first DSUP for either Block A or B, whichever is first;
- b. depict all grading necessary to achieve said vehicular connection to Edsall Road between Blocks A and B of the CDD Concept Plan on all other DSUP submissions within the CDD Concept Plan area that include Public Street A or individual buildings adjacent to Public Street A. (P&Z)(T&ES)

CONDITION #86 AMENDED BY PLANNING COMMISSION: At the mutual agreement of the Director of the Office of Housing and the applicant, the applicant may provide the set-aside units as part of two or more affordable or mixed-income housing projects within the CDD plan area. Recognizing that one cannot bind the hands of a future City Council, if the applicant and the Director of the Office of Housing mutually agree to place all or some portion of the 164,000 square feet of units required in the Affordable Housing Plan dated October 24, 2018 within two or more affordable or mixed-income housing buildings on the site prior to completion of all development anticipated within the CDD, the square footage associated with said affordable units shall be considered to have met the requirements for the provision of affordable housing under Section 7-702(a)(1) of the Zoning Ordinance, regardless of their location within the CDD Concept Plan area and regardless of their having already been built, as part of any future DSUP requests and associated SUP requests for bonus density and height in Section 7-700 of the Zoning Ordinance. (Housing) (PC)

CONDITION AMENDED BY PLANNING COMMISSION: The applicant shall provide the following additional information for the review and approval of the Directors of Planning & Zoning and Transportation & Environmental Services:

- a. A Traffic Impact Analysis containing all information deemed necessary by the Directors of Planning & Zoning and Transportation & Environmental shall be provided with each second conceptual DSUP submission within the CDD Concept Plan area, and
- b. An air quality study shall be completed and submitted with each second conceptual DSUP submission within the CDD Concept Plan area that includes any portion of a building exceeding 120 feet in height. The results of the study shall be deemed acceptable to the Directors of Planning & Zoning and Transportation & Environmental Services prior to the DSUP "Completeness" submission for affected DSUPs within the CDD Concept Plan area. The applicant will contribute to the City the cost for updating the City's Air Quality Study completed in 2018 to ensure that the additional height under the CDD Concept Plan (170 feet compared to 130 feet as studied) doesn't cause potential air quality issues or determine that maximum height between 130 and 170 feet that would not cause these issues. (P&Z) (T&ES) (PC)
- 10. Commissioner's Reports, Comments, and Questions.

MINUTES:

- 11. Consideration of the minutes from the October 2, 2018 Planning Commission meeting.
 - <u>PLANNING COMMISSION ACTION:</u> Without objection, the Planning Commission voted to defer consideration of the October 2, 2018 minutes.
- 12. Consideration of the minutes from the October 4, 2018 Planning Commission meeting.
 - <u>PLANNING COMMISSION ACTION:</u> Without objection, the Planning Commission voted to defer consideration of the October 4, 2018 minutes.

ADJOURNMENT

13. Adjournment

The Planning Commission meeting was adjourned at 12:16 a.m.