

Docket Item #14
Planning Commission Meeting
February 5, 2019

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting
of February 5, 2019

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – FEBRUARY 5, 2019

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

ALEXANDRIA PLANNING COMMISSION

February 5, 2019, 7:00 p.m.

City Council Chambers

Alexandria, Virginia

Members Present:

Nathan Macek, Vice-Chairman

David Brown

Stephen Koenig

Mindy Lyle

Maria Wasowski

Melissa McMahon

John Goebel

Members Absent:

None

Staff Present:

Karl W. Moritz

Christina Brown

Nancy Williams

Anh Vu

Ann Horowitz

Max Ewart

Carrie Beach

Tamara Jovovic

Eric Keeler

Helen McIlvaine

Robert Kerns

Shaun Smith

Tony LaColla

Nathan Randall

Maya Contreras

Jeffery Farner

Ashley Labadie

Radhika Mohan

Sam Shelby

Mary Christesen

Ashley Smith

Department of Planning & Zoning

Office of the City Attorney

Department of Planning & Zoning

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1. Call to Order.

The Planning Commission Public Hearing was called to order at 7:02 p.m. All members were present at the call to order.

CONSENT AGENDA:

2. Special Use Permit #2018-0110

605 Prince Street - The Prince Street Inn

Public Hearing and consideration of a request for a special use permit for an apartment hotel; zoned: CD/ Commercial Downtown.

Applicant: Billy Klipstein, LLC., represented by M. Catharine Puskar, attorney

Max Ewart (P&Z) and Ann Horowitz (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Leslie Reiman, 121 South Saint Asaph Street, inquired if there would be an increase in the height or footprint of the building as part of the Special Use Permit (SUP) request, and she asked how she would be informed if a building expansion is proposed in the future.

Catherine Puskar, attorney for the applicant, responded to the speaker, noting that a stairwell will be added on the eastside for compliance with the Fire Code, but the height or building footprint would not be increased.

Discussion:

Vice-Chairman Macek noted he supports this case and believes it is an excellent example of adaptive reuse. He asked staff about public notification and approvals if a building expansion is proposed in the future, and staff replied that a SUP would be required to increase the floor area ratio (FAR), as the existing building represents the maximum FAR. Staff added that notification to the public would be part of any new SUP process.

Vice-Chairman Macek closed the Public Hearing.

PLANNING COMMISSION ACTION: This item was removed from consent. On a motion by Commissioner Wasowski, seconded by Commissioner McMahon, the Planning Commission voted to recommend approval of Special Use Permit #2018-0110, as submitted. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

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3. Development Special Use Permit #2018-0024
5740 Edsall Road - Edsall Shell
Public Hearing and consideration of a request for an extension and update to conditions of previously-approved Development Special Use Permits #2011-0032 and #2015-0030 to construct a full-service gas station with a convenience store and a drive-through carwash facility; zoned: CG/ Commercial General.
Applicant: NOVA Petroleum Realty, LLC., represented by M. Catharine Puskar, Attorney

PLANNING COMMISSION ACTION: By unanimous consent, the Planning Commission voted to recommend approval of Development Special Use Permit #2018-0024, as submitted.

NEW BUSINESS:

4. Discussion item: Landmark Mall Re-planning Process
Staff: City of Alexandria, Department of Planning & Zoning

Commissioner Goebel recused himself from this discussion item.

Ashley Labadie (P&Z), Jeffery Farner, (P&Z), Helen McIlvaine (Office of Housing) and Jack Browand (RPCA) gave a [presentation on the Landmark Mall Re-planning Process](#) summarizing the planning process, community input to-date, and next steps in the process designed to enable redevelopment of the Landmark Mall site.

Discussion:

Commissioner Wasowski inquired as to why the parking garage located on the property would remain and asked what might trigger a replacement of the parking garage to something else, and she asked won't the buildings constructed there have their own parking. Staff responded that the current plan has approximately a third of the existing garage on the western portion of the site being removed to make room for buildings and the remainder would be used for parking in the short/ mid-term depending on market and phasing considerations. Commissioner Wasowski followed up by inquiring if there are at this time any plans to build an additional shared parking lot for the future residents of this site in the future. Staff indicated that it is not yet certain, at this point, but the possibility would be analyzed moving forward under the Coordinated Development District (CDD) process. Commissioner Wasowski then inquired of staff the percentage of affordable housing being considered. Staff responded that suggestions at community meetings ranged from 12-25 percent of affordable housing units at 40-80 percent of area median income and that affordable housing stock would likely include both rental and ownership.

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Commissioner Wasowski asked how that amount compares to surrounding jurisdictions. She noted that Montgomery County has 12 percent, based on information shared by Commissioner Brown, but she inquired as to whether there are others that have a 25 percent requirement. Staff responded that Tysons Corner proposed something close to it for an area with a widespread redevelopment plan but, in that case, there was a broad range of incomes too.

Commissioner Brown stated that this plan is just one small piece of evidence which conveys that the City is planning for substantial growth over the coming decades and that a growth in municipal staff size will likely accompany that. With that in mind, Commissioner Brown then inquired as to whether there are any plans afoot which the Planning Commissioners may not have heard about in regards to fulfilling the City's space needs in the future and whether or not any area in the West End fits into this prognostication of a growing City staff and, in particular, whether or not the Landmark Mall area might be an area where there may be some expansion. Staff responded that the City is looking at how it is housing its staff. It is looking specifically at City Hall right now. It is looking at which services need to be here as opposed to being elsewhere. It already has plans to co-locate Department of Community and Human Services and Health Department services to the West End and is also looking at expanding the City's presence in the mid-City area where police, DASH, and Department of Transportation and Environmental Services' activities are currently located. The City does not have anything specific in mind for Landmark Mall, but it is looking at the best way to house staff, and City activities, through these examples and also under a Facilities Master Plan. Commissioner Brown commented that it is likely that this particular area will not be developed before the Facilities Master Plan is.

Commissioner McMahon noted at the work shop that she heard questions around how to ensure the right type of retail is included, in the right amount, since it will likely be difficult to foresee the appropriate volume and style of retail under this long-term plan. She inquired as to how staff can learn from mistakes made in other small area plans (SAPs) in order to make the future retail of the Landmark Mall site adaptable. Staff responded to Commissioner McMahon's questions of retail adaptability by stating staff learned from other SAPs that comprehensive design guidelines are key to allowing a space to shift and change overtime. Staff also spoke on the importance of the flexibility of uses and to a re-evaluation of exactly what the City considers to be retail and indicated this would be an important topic to address in anticipation of the Landmark Mall CDD coming forward for consideration in the near future.

Commissioner Koenig asked staff whether the figure shown on slide 4 of the staff presentation was expressing the mix of allowable uses being completely open with the only limitation of 20 percent being devoted to commercial uses. Staff confirmed this is the case and that flexibility is being emphasized as a critical component of the plan.

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Commissioner Koenig commented that from his personal experience, he believes that this would be an excellent approach to take. Commissioner Koenig then asked staff how a use, for example a Fire Station, would go from being an allowed use in the Master Plan to actually being implemented. Staff responded that specific recommendations regarding the implementation of uses would be hashed out in greater detail as part of the CDD process. Commissioner Koenig then asked staff to confirm that the City would have a clear understanding of what the need is for City facilities and their site locations prior to the Landmark Mall site being built-out in a significant way. Staff confirmed that the City would have that understanding. Commissioner Koenig then urged staff to reconsider the design of streets located on the periphery of Landmark Mall in order to further emphasize pedestrian-friendly and cycle-friendly features. Staff responded that this is an extremely important consideration and would be giving it more attention.

Commissioner Lyle stated that she has received a plethora of community input which has indicated not only excitement surrounding the plan, but also a desire to see the plan move forward swiftly. Thus, Commissioner Lyle expressed that as staff moves forward with the plan, staff might think about a few options to allow the developer to move forward with the plan at a faster pace. Commissioner Lyle then offered the possibility of allowing restaurants to be addressed via the administrative approval process, as opposed to a typical process, no matter the size of the restaurant. In addition, Commissioner Lyle also suggested that when the initial approvals come in, the City consider including 24/7 operating hours for every business, unless the tenant chooses to close earlier.

Commissioner McMahon expressed appreciation to staff for pointing out the challenges associated with Van Dorn Street and she mentioned that at the work shop discussions occurred around how to connect the site to the Holmes Run Trail system for cyclists and pedestrians. Commissioner McMahon then emphasized that while every street won't have separated bikeways, she thought that connecting the Landmark Mall site to the Holmes Run Trail system via North Van Dorn Street is an important opportunity.

Commissioner Wasowski suggested a pedestrian staircase by pointing to a given area within the site where she believes the staircase would be helpful for pedestrians. She also asked about the central square and whether the retail across the street will be seen from the square. Staff indicated they will look at her comments and get back to the Planning Commission.

Vice-Chairman Macek asked staff to clarify whether there would be a central square or would there be retail on both sides of the street. Staff responded that their intent is for there to be a central market square surrounded by retail. Vice-Chairman Macek then stated that he was very impressed with the Landmark Mall Re-planning work shop which staff conducted and that at that work shop he observed people are comfortable with the density and height, and they are interested in seeing something different and intensive

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here. Vice-Chairman Macek noticed that the public had a strong desire for the area to look different in appearance in comparison to other locations found across the City. Vice-Chairman Macek then echoed comments made regarding road design by expressing his desire to make sure that streets located on the periphery of Landmark Mall site are not being re-designed in a 20th century, auto-dependent mode but rather are forward looking and are providing facilities which are necessary for multi-modal access and how the streets work with rapid transit. Vice-Chairman Macek also raised the point that traffic data had shown a decrease in the total traffic volume of the area over the last few years and, thus, questioned whether it would be necessary for streets to retain the same number of lanes when they are ultimately re-designed. In addition, Vice-Chairman Macek also encouraged staff to look at moving off the Howard Hughes owned property and moving into some of the adjacent intersections, for example, by doing away with some of the adjacent cloverleaf ramps, implementing through-streets in their place, and using the acreage saved for the re-development Landmark Mall site

5. Special Use Permit #2018-0111
105 and 107 North Union Street - Outdoor Food and Crafts Market
Public Hearing and consideration of a request for a special use permit for an outdoor food and crafts market; zoned: CD/Commercial Downtown and WPR/Waterfront Park and Recreation.
Applicant: ARP Waterfront, LLC.

Max Ewart (P&Z) and Ann Horowitz (P&Z) presented the case and answered questions from the Planning Commission.

Vice-Chairman Macek asked if the barrier that encloses the outdoor area is designed so that it will not impede access to and use of the fire hydrant. Staff acknowledged that the Fire Department has signed off on the design, and the design will not impede access to the hydrant.

Vice-Chairman Macek asked the applicant, Scott Shaw, if he would like to speak and the applicant indicated that he would be happy to address any questions.

Speakers:

Lisa Schumayer, 2403 Leslie Avenue, an artist tenant in the Torpedo Factory, spoke in support of the applicant's request.

Vice-Chairman Macek closed the Public Hearing.

Discussion:

Commissioner Lyle indicated that she believes it is a great way to help draw people to the waterfront and she supports it. Commissioner Wasowski asked the applicant if the food

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service would include paper straws. The applicant responded in the affirmative that the market would use paper straws and it is getting easier to obtain compostable plates

Vice-Chairman Macek indicated that he is totally in support. He added that the Waterfront Commission wanted to weigh in on this at its January meeting, but it will be heard by the Waterfront Commission prior to the City Council public hearing. The applicant indicated that he is available to attend the Waterfront Commission meeting in February.

Commissioner Brown asked to place on the record that the 90 seats that are open to the public means all the public. The applicant confirmed that the seats are open to the public. Users of the space can purchase food from the trailer or bring their own food.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2018-0111, as submitted. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

6. Text Amendment #2018-0013
Creation of the RMF/Residential Multifamily Zone to Incentivize Provision of Affordable Housing
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 1-400(B)(3) for purposes of calculating floor area and density for the RMF zone, add Section 2-128.1 to define committed affordable housing, and add Section 3-1400 to create the RMF/Residential Multifamily zone which provides land areas for multifamily residential development with limited neighborhood serving commercial uses and allows increased floor area in exchange for the provision of affordable housing.
Staff: City of Alexandria Department of Planning and Zoning

Radhika Mohan (P&Z), Tamara Jovoic (Housing), Shaun Smith (P&Z), Carrie Beach (P&Z) presented the case and answered questions from the Planning Commission.

Commissioner Brown inquired about why this zone draws a distinction between a convenience store and a retail shopping establishment. He asked if we have had a problem with this in the past resulting in this distinction. Staff indicated that it is called out separately in multi-family zones such as RC, RD, CRMU due to their residential nature with supplemental accessory commercial uses. It was further noted that because

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of noise, traffic and loading concerns, within residential areas, the Zoning Ordinance calls out the convenience store separately.

Commissioner Brown also inquired about a staff report statement that qualification for the RMF zone will not preclude application also under Section 7-700 for a 30 percent Density Bonus which might translate to a 3.0 FAR. He asked would the theoretical maximum FAR therefore be 3.9 FAR, which is 30 percent of 3.0? Staff responded with a yes. Commissioner Brown asked would there also be an increase in height indicating that in Section 3-1406 the maximum permitted height of a building shall be the height as depicted in the governing Small Area Plan. He asked could you not receive more height using the Section 7-700 Density Bonus. Staff indicated that Section 7-700 says you can't use it to add height if the height limit is 50 feet or less.

Vice-Chairman Macek asked about page 16 of the staff report, Section 3-1408 (use limitation provisions). He indicated that within the context of a Special Use Permit (SUP) it would be clear that you are referring to a special use, but I would not want it to be interrupted as limiting uses such as recreational uses or non-business uses that are on the site. I think it would be appropriate to add "business operations" or "commercial operations shall be conducted within an enclosed building" to clarify the uses to which you are referring. Staff agreed.

Commissioner Wasowski asked if this applies to sites that already have affordable housing and other sites as well and is day care included in the FAR. Staff indicated that day care is not included in the FAR. Commissioner Wasowski asked about the loading and unloading provision for a day care center and why it should be included within the site. Staff indicated that it is required of all by right uses, but not with a Development Special Use Permit (DSUP).

Vice-Chairman Macek asked if we need to clarify the distinction in the text. Staff indicated flexibility can be referenced.

Commissioner Wasowski inquired if the units have to be rental or for-sale. Staff indicated that the text has a reference to rents so staff will look at it although the current intended application of the zone should not be affected.

Speakers:

Mary Catherine Gibbs, attorney on behalf of Alfred Street Baptist Church, recognized staff's work on implementation of the South Patrick Street Housing Affordability Strategy and presented revised language to add to the end of Section 3-1405 (B)(3), which reflected staff's proposed changes highlighted in the presentation in slide 11. Ms. Gibbs explained that the revised language clarifies technical details of Department of Housing and Urban Development (HUD) contracts and confirmed that the language

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included in the slide presented in Planning Commission overrides language in the memorandum received earlier today. Staff confirmed concurrence with the change in the language.

M. Catharine Puskar, attorney on behalf of AP Heritage LLC, concurred with the additional revised language and looks forward to coming forth with an application on the properties. Ms. Puskar raised a question about the earlier discussion on loading/unloading requirements in CRMU zones being fully enclosed, of which similar language was proposed in the text amendment. Staff indicated it would follow-up to check on this for clarification.

Vice-Chairman Macek closed the Public Hearing.

Discussion:

Commissioner McMahon thanked staff for moving quickly on implementation and pointed out language in the proposed text amendment to ensure amenities are accessible to all that live within the development project. She noted that the language used sets a tone for how the City can provide equitable access to amenities.

Vice-Chairman Macek indicated he is pleased to see that with this planning effort there is more support and flexibility for more retail/commercial in this part of the City.

Commissioner Brown noted additional corrections to the map on page 3 of the staff report. He indicated the reference on that page does not mention the ninth site and it looks like there is reference to site five twice so it would be helpful to address those edits in the staff report that moves forward. Staff indicated it would follow-up.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, and seconded by Commissioner Koenig, the Planning Commission voted to initiate Text Amendment #2018-0013. The motion carried on a vote of 7-0.

On a motion by Commissioner Wasowski, and seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Text Amendment #2018-0013, subject to the following amendments:

- Additional text to Section 3-1405(B)(3).
- Revised reference in Section 3-1407.
- Added “all commercial operations” in Section 3-1408(A).
- Revised language in Section 3-1408(E) to provide flexibility in the loading zone location.

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The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

7. Text Amendment #2018-0011

Proposed Changes to Height and Front Setback Regulations

(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a Text Amendment to the Zoning Ordinance to amend the following definitions sections 2-119 (average finished grade), 2-119.1 (average pre-construction grade), 2-154 (height of building), 2-193 (setback ratio), 2-204 (yard), and 2-205 (front yard); amend sections 3-106, 3-206, 3-306, 3-406, 3-506, 3-606 and 3-706 related to front yard, height and threshold height regulations; amend section 6-403 related to roof decks and penthouses; delete sections 7-2502 and 7-2503 related to infill regulations for single and two-family residential zones; amend portions of section 11-1302 related to special exceptions; and to add new sections 2-122.1 to define contextual block face, 2-154.1 to define threshold height, 2-170.1 to define lot frontage, and 2-170.2 to define lot width.

Staff: City of Alexandria Department of Planning & Zoning

Sam Shelby (P&Z), Mary Christesen (P&Z), and Ashley Smith (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Brian Barker, 808 Beverley Drive, spoke in support of the proposed amendments and stated that some of the iconic homes in Northridge, Del Ray and Rosemont could not be constructed under the current regulations. He further stated that the current regulations unintentionally discourage creative design and architectural features which result in houses with low-pitched roofs.

Vice-Chairman Macek closed the Public Hearing

Discussion:

Commissioner Koenig, a member of the former Infill Task Force, stated that the proposed amendments allow for increased design flexibility and reflect successful refinement and simplification of the 2008 Infill regulations while still protecting established neighborhood character. He stated that the proposed contextual block face was a vast improvement to the average front yard requirements under the Infill regulations, which often resulted in undesirable outcomes, and that it captured the most germane character surrounding a subject property. He acknowledged that blocks developed with single-story dwellings present infill development with compatibility challenges, but he felt that FAR and setback regulations keep new dwellings on these blocks within an appropriate scale.

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Commissioner Brown, a member of the former Infill Task Force, stated that, while he was generally supportive of the proposed amendments, he could not comfortably support the height increase from 25 to 30 feet. He felt that allowing 30-foot, rather than 25-foot, dwellings on blocks developed with primarily single-story dwellings would negatively impact neighborhood character. Commissioner Brown found that FAR and setback regulations do not control dwelling height to a meaningful degree.

Commissioner McMahon expressed support for the proposed amendments. She stated that neighborhood conservation efforts, like Infill regulations, often increase costs of redevelopment and, as a result, decrease affordability. She stated that affordability challenges, due to increased cost of living and development pressures can push families out of previously affordable neighborhoods. Commissioner McMahon stated, however, that the proposed amendments add necessary flexibility to allow homeowners to make modifications to their homes that match their evolving needs rather than moving out of their current homes.

Commissioner Wasowski, a member of the former Infill Task Force, expressed support for the proposed amendments, stating that they were a reasonable evolution of the 2008 Infill Regulations. By allowing increased design flexibility, under less complex rules, Commissioner Wasowski felt that the proposal removed some unintended consequences and burdens to homeowners created by the 2008 Infill Regulations. She also stated that the increase in height from 25 to 30 feet would neither allow for construction of three-story homes nor represent an unacceptable or overwhelming height difference.

Vice-Chairman Macek expressed support for the proposed amendments, stating that they work better for residents by allowing increased flexibility in the design and function sought in the City of Alexandria while still maintaining the original goals of the 2008 Infill regulations. He expressed concern about the lack of a formal review process for the consolidation of multiple lots as the redevelopment on consolidated lots could be significantly out of character with the surrounding neighborhood.

PLANNING COMMISSION ACTION: On a motion by Commissioner Wasowski, and seconded by Commissioner McMahon, the Planning Commission voted to initiate Text Amendment #2018-0011. The motion carried on a vote of 6-1, with Commissioner Brown voting against.

On a motion by Commissioner Wasowski, and seconded by Commissioner McMahon, the Planning Commission voted to recommend approval of Text Amendment #2018-0011, subject to the following amendments:

- In the Contextual Block Face diagram on page 33 of the staff report, the fifth house from the left in the top row is shaded grey to indicate its inclusion in the

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Contextual Block Face. The property is not included per staff's proposed definition and the shading has been removed.

- To further clarify the definition of Building Height (Sec. 2-154(A)) the underlined language is suggested to be added:
(A) Gable or hip roof. In the case of a gable or hip roof, height shall be measured to the midpoint between the eaves and the ridge regardless of orientation of gable to the street.
- Figure 20 on page 23 of the staff report has been updated to indicate a dwelling height of 29' instead of 30'.
- Diagrams for Average Finished Grade (Sec 2-119) and Average Pre-Construction Grade (Sec 2-119.1) on pages 31 and 32 of the staff report are updated to demonstrate the difference between measuring points for the existing addition and the proposed addition.
- To change the definition of the proposed Contextual Block Face (Sec. 2-122.1) to:
2-122.1 – Block face, contextual. Abutting properties property developed with single or two-family dwellings that shares a common street frontage or frontages with the property in question.
- To complete the trailing sentence on page 30 of the staff report to read:
In the case of additions to existing dwellings which provide a greater front yard than the zone requirement, the additions would be required to provide at least the zone's front yard requirement regardless of the range established by the contextual block face.

The motion carried on a vote of 6-1, with Commissioner Brown voting against.

Reason: The Planning Commission agreed with staff's recommendations.

OTHER BUSINESS:

8. Commissioner's Report, Comments, and Questions.

Commissioner Waswoski indicated the City is still awaiting communication from Virginia Tech so she does not have anything at this time to report on Oakville Triangle.

Commissioner McMahon indicated that the Transportation Commission has two meetings coming up: one next week on Wednesday at 7 p.m. with DASH on the Transit Vision Plan which is the revisioning of the City's bus system and how it

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serves the community. The other is the Transportation Commission's regular monthly meeting. Commissioner McMahon indicated that the Transportation Commission's regular Wednesday monthly 7 p.m. meetings will be preceded for the next year by a one-hour Alexandria Mobility Plan Steering Committee meeting at 6 p.m. She shared that this plan is the new name for the City's Transportation Master Plan.

Vice-Chairman Macek indicated that at this Thursday's Planning Commission meeting there will be a discussion on Open Space in New Development; he indicated that the intent of the discussion is to serve like a work session, but it will be held in Council Chambers. He further indicated that representatives of the Park and Recreation Commission and the Environment Policy Commission have been invited to join the Planning Commission in the discussion. It was confirmed that the public can sign up to speak also.

MINUTES:

9. Consideration of the minutes from the January 3, 2019 Planning Commission meeting.

PLANNING COMMISSION ACTION: Without objection, the Planning Commission voted to approve the minutes of January 3, 2019, as submitted. The motion carried on a vote of 7-0.

ADJOURNMENT

10. The Planning Commission meeting was adjourned at 9:33 p.m.