

Docket Item #8
Planning Commission Meeting
March 5, 2019

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

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

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

ALEXANDRIA PLANNING COMMISSION

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

City Council Chambers

Alexandria, Virginia

Members Present:

Nathan Macek, Chair

Maria Wasowski, Vice-Chair

David Brown

Stephen Koenig

Mindy Lyle

Melissa McMahon

John Goebel

Members Absent:

None

Staff Present:

Karl W. Moritz

Christina Brown

Nancy Williams

Anh Vu

Robert Kerns

Max Ewart

Ann Horowitz

Tony LaColla

Shaun Smith

Sam Shelby

Carson Lucarelli

Dirk Geratz

Mary Christesen

Nathan Randall

Maya Contreras

Heather Diez

Brian Dofflemyer

Department of Planning & Zoning

Office of the City Attorney

Department of Planning & Zoning

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ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

1. **Call to Order.**

The Planning Commission Public Hearing was called to order at 7:01 p.m. by the Director of Planning & Zoning Karl Moritz for the purpose of holding annual elections for Chair and Vice-Chair. All members were present at the call to order.

2. **Election of Planning Commission Officers.**

On a motion by Commissioner Wasowski, and seconded by Commissioner Lyle, the Planning Commission unanimously voted to approve Nathan Macek as Chair for one year. Chair Macek indicated he plans to chair Planning Commission meetings in the same vein as prior Chairs John Komoroski, Eric Wagner and Mary Lyman and will run the meetings in a fair, impartial and efficient manner. He stated he appreciates the opportunity to serve as Chair of the Planning Commission for a period of one year.

On a motion made by Commissioner Lyle, and seconded, the Planning Commission unanimously voted to approve Maria Wasowski as Vice-Chair for a period of one year.

CONSENT CALENDAR:

3. Special Use Permit #2018-0114

3000, 3006, 3012, & 3012A Duke Street - Yates Pizza

Public Hearing and consideration of a request for a special use permit to operate a restaurant with outdoor dining, indoor and outdoor live entertainment, and a valet parking service; zoned: CG/ Commercial General.

Applicant: Jeffery Lee Yates Trust, represented by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: On a motion by Vice-Chair Wasowski, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Special Use Permit #2018-0114, as submitted. The motion carried on a vote of 7-0.

4. Special Use Permit #2018-0117

3225 Colvin Street - DC Poultry Market

Public Hearing and consideration of a request for a special use permit to operate a retail shopping establishment and a butchery with live poultry; zoned: I/ Industrial.

Applicant: DC Poultry Market Corporation

PLANNING COMMISSION ACTION: On a motion by Vice-Chair Wasowski, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Special Use Permit #2018-0117, as submitted. The motion carried on a vote of 7-0.

NEW BUSINESS:

Docket items 5 & 6 were heard in tandem.

5. Special Use Permit #2018-0093
600 Montgomery Street - Hank's Pasta Bar
Public Hearing and consideration of a request to amend a restaurant special use permit (SUP #2015-0046) (1) to increase hours of operation, (2) to increase the number of indoor and outdoor seats, (3) for a parking reduction (4) to add outdoor speakers, and (5) for an increase in Floor Area Ratio (FAR) for the addition of rooftop outdoor dining; zoned: CDX/ Commercial Downtown (Old Town North)
Applicant: Hank's Pasta Bar, LLC., represented by David L. Chamowitz, attorney
6. Encroachment #2018-0012
600 Montgomery Street - Hank's Pasta Bar
Public Hearing and consideration of a request for an encroachment into the public right-of-way for additional outdoor dining at a restaurant; zoned: CDX/ Commercial Downtown (Old Town North).
Applicant: Hank's Pasta Bar, LLC., represented by David L. Chamowitz, attorney

Sam Shelby (P&Z), Ann Horowitz (P&Z), and Tony LaColla (P&Z) presented the cases and answered questions from the Planning Commission.

Speaker:

David Chamowitz, attorney representing the applicant, spoke in support in the request.

Chair Macek closed the Public Hearing.

Discussion:

Commissioner Brown requested and received staff confirmation that the Fire Department connection, attached to the exterior of the building along North Saint Asaph Street, would remain unobstructed with the proposed outdoor dining area.

Vice-Chair Wasowski expressed support for the request, stating that she was pleased to see the success of the restaurant, and she likes that the proposed expansion can be accommodated at the current location. She also stated that the proposal aligns well with the Old Town North Small Area Plan's goals and that the outdoor dining areas would not negatively impact neighboring residents. Vice-Chair Wasowski asked how Condition #11, related to noise level restrictions, would limit the noise generated within the outdoor dining areas. Staff responded that the use would be required to comply with the City's Noise Control Ordinance, which states that noise generation shall not exceed a designated decibel level as measured at the property line and that outdoor loudspeakers shall not be

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

audible at the property line after 10:00 p.m. Vice-Chair Wasowski also suggested that staff review standard Conditions #11 (sidewalk clearance) and #25 (employee off-street parking) in the future for clarity and enforceability.

Commissioner McMahon expressed support for the request, stating that the rooftop outdoor dining would add activity and interest while respecting the historic look and feel of an older building. She also stated that the additional outdoor dining spaces would be well received due to the existing high demand for outdoor dining in the area. She also stated that, due to its proximity to the Mount Vernon and waterfront trails, there is high demand for bicycle parking in the area. Commissioner McMahon encouraged staff to look for suitable locations for additional bicycle parking in the area. Staff confirmed that the Department of Transportation and Environmental Services is exploring options for public bicycle parking in the area near the restaurant.

Chair Macek expressed support for the request, finding that it would be a great addition to the neighborhood and very consistent with the Old Town North Small Area Plan's goals.

PLANNING COMMISSION ACTION: On a motion by Vice-Chair Wasowski, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2018-0093, as submitted. The motion carried on a vote of 7-0.

On a motion by Vice-Chair Wasowski, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Encroachment #2018-0012, as submitted. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

7. Special Use Permit #2018-0112
833 South Pickett Street (Parcel Address: 821 South Pickett Street) - Caliber Collision
Public Hearing and consideration of a request for a special use permit to operate a general automobile repair business; zoned: I/ Industrial.
Applicant: Bret Flory

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

Chair Macek asked the Planning Commission if they had any questions for staff.

Commissioner Lyle inquired as to how Condition #10, restricting test-drives to major arterials, can be enforced. Staff responded that enforcement is complaint-driven, and

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

compliance with requirements is confirmed during Special Use Permit (SUP) regular inspections. Staff added that the installation of speed cushions is a possible option for residential neighborhoods to limit speeding.

Commissioner McMahon asked for a description of the materials used for the screen separating the parking area in front of the proposed business and if it would encircle the entire parking lot area. Staff indicated that the fence would be covered with a tarp or a similar material.

Commissioner Brown questioned whether the business is opening a new facility through this request or relocating an existing one.

Staff indicated that the applicant can likely speak in more detail to both Commissioner McMahon's fence related question and to Commissioner's Brown's question pertaining to relocation or expansion.

Speakers:

Bret Flory, the applicant's agent, spoke in support of the application. He stated that Caliber Collision operates several automobile repair businesses, strives to be a good neighbor at each location, and affirmed that it would limit test-driving to major arterials. He informed the Planning Commission that the fence material would be a chain link fence covered with an opaque, slatted material and that it would go around the parking lot area serving the business. Caliber Collision is expanding into several areas and he believed the SUP application represents the relocation of an existing business which has lost its lease.

Chair Macek closed the Public Hearing and inquired if there was any further discussion. The Commission had no further questions or discussion.

PLANNING COMMISSION ACTION: On a motion by Commissioner Brown, seconded by Commissioner McMahon, the Planning Commission voted to recommend approval of Special Use Permit #2018-0112, as submitted. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

8. Special Use Permit #2018-0116
1400 Duke Street - Executive Diner
Public Hearing and consideration of a request to amend a restaurant special use permit (SUP#2016-0041) to add indoor and outdoor seating and to increase hours of operation; zoned: OCM (50)/ Office Commercial Medium (50).

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Applicant: J&S Restaurant, LLC., represented by David L. Chamowitz, attorney

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

Chair Macek asked if the Commission had any questions for staff.

Commissioner Lyle asked about the hours of operation for nearby restaurants. Staff responded that there are four restaurants in close proximity, with Theismann's operating 7:00 a.m. to 1:00 a.m., Sunday through Wednesday, and 7:00 a.m. to 2:00 a.m. on Thursday through Saturday; Sancerre Restaurant from 7:00 a.m. to 1:00 a.m. daily; Table Top operating from 6:00 a.m. to 11:00 p.m. daily; and Laporta's from 7:00 a.m. to midnight daily. Commissioner Lyle suggested that the Planning Commission consider amending Condition #3 to extend the evening hours of operation from midnight to 1 a.m. to allow the business owner flexibility.

Vice-Chair Wasowski agreed with expanding restaurant hours indicating it would permit the applicant to satisfy future demand for later hours without having to request a Special Use Permit (SUP) amendment.

Chair Macek inquired if the hours that were read for those in close proximity were the approved SUP hours of those restaurants or the actual hours. Staff responded by indicating they are the approved SUP hours.

Commissioner Brown inquired if the café at the west end of the restaurant was separate from the diner. Staff indicated that the café area is meant to be a carry-out section of the restaurant pursuant to the original approval in 2016. Commissioner Brown further inquired as to whether the additional dining seats would be for the café or the diner. Staff indicated that the additional seats could be used by any patron of the operation. Commissioner Brown also asked if having outdoor seats next to the door to the daycare entrance would be a problem. Staff indicated that the number of outdoor seats was minimal, and, in addition, because the outdoor seating would be on a seasonal basis, there should not be a problem.

Speaker:

David Chamowitz, representing the applicant, spoke in support of the application. He noted that the applicant would welcome an expansion in hours, although the applicant may not immediately choose to operate between those hours. In response to Commissioner Brown's question, he confirmed that the café and restaurant operate as one business and patrons can freely access both through an interior door. He indicated that the business will enhance staff training to advise patrons accordingly. Mr. Chamowitz also responded to a written public comment that was submitted to the Planning Commission

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

about a door lock that is in disrepair at the adjacent daycare operation. The daycare is also owned by the applicant. He stated that a repair order has been issued and that only parents have door access through a key fob.

Chair Macek closed the Public Hearing.

Discussion:

Commissioner Lyle indicated she would like to make an amendment to extend the hours to 1:00 a.m.

Chair Macek asked if Commissioner Lyle would like to make her motion within the context of a motion for discussion of the overall application package.

Commissioner Lyle made a motion to approve SUP #2018-0116 with an amendment to the hours of operation to 1:00 a.m. A second was made.

Chair Macek asked for discussion.

Commissioner Koenig expressed support for the application and recommended that his fellow Commissioners also consider amending Condition #3 to add one hour of operation in the morning from 6 a.m. to 5 a.m.

Commissioner Lyle indicated she would support the friendly amendment to the motion.

Chair Macek stated his support for the application, adding that the popular restaurant has activated this section of Duke Street and is an example of a successful infill use. He added that while there was concerned testimony as to whether the use would be compatible with the other nearby uses, when it was heard originally, he believes a way has been made to make it a compatible use, which is a good outcome for the community.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Special Use Permit #2018-0116, with the following amendment. The motion carried on a vote of 7-0.

CONDITION #3: The hours of operation for indoor seating shall be ~~6:00~~ 5 a.m. to ~~12 midnight~~ 1 a.m., ~~Monday–Saturday and 6:00 a.m. to 12:00 midnight on Sundays~~ daily. Meals ordered indoors before ~~12 midnight~~ 1 a.m. may be served, but no new patrons may be admitted, and all patrons must leave by ~~12~~ 2 a.m., daily. The outdoor dining area shall be closed and cleared of all customers by ~~12 midnight~~ 1 a.m., daily, and shall be cleaned and washed at the close of each business day that it is in use. (P&Z) (PC)

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Reason: The Planning Commission agreed with the staff analysis.

Docket items 9 & 10 were heard in tandem.

9. Special Use Permit #2018-0056
3 Pioneer Mill Way (Parcel Address: 300 Strand Street) - Restaurant
Public Hearing and consideration of a request to amend a restaurant special use permit (SUP2015-0014) to change the ownership and make minor seating adjustments; zoned: W-1/ Waterfront Mixed-Use.
Applicant: Alexandria Restaurant Partners, LLC., represented by Jonathan P. Rak, attorney
10. Special Use Permit #2018-0118
1 & 2 Pioneer Mill Way (Parcel Address: 300 Strand Street) - Café and Outdoor Seating
Public Hearing and consideration of a request for a special use permit to establish a café/restaurant use with outdoor pier seating; zoned: W-1/ Waterfront Mixed-Use.
Applicant: Alexandria Restaurant Partners, LLC., represented by Jonathan P. Rak, attorney

Dirk Geratz (P&Z) and Carson Lucarelli (P&Z) presented the cases and answered questions from the Planning Commission.

Chair Macek requested staff to return to slide #7 pertaining to noise language for Building #1. He said that Condition #13 appears to have language that is not consistent with itself in that it says use of exterior loud speakers is prohibited, but outdoor limited live entertainment should be provided in the form of amplified background music. Staff explained that part of the distinction is that amplified music might be with a musician, but it would not occur through a permanent installation of loud speakers. Chair Macek also inquired why is Building #1 not able to have outdoor amplified music without a permit, but we are willing to eliminate that condition from Building #2. Staff indicated Condition #25 says that you can do it with a special event, but the original Development Special Use Permit (DSUP) does not allow loud speakers and we are not amending the DSUP.

Commissioner Lyle inquired about the restaurant hours noted on page 4 for Building #1. Staff indicated that those hours are the hours proposed by the applicant.

Chair Macek asked if the applicant's proposed hours could be interpreted as the prevailing hours in the absence of a condition. Staff said yes.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Staff also confirmed that Restaurant #1 has Condition #15 which is 7 a.m. to midnight. Commissioner Lyle asked if the hours could remain 7 a.m. to midnight Sunday through Thursday and go to 2 a.m. on Friday and Saturday. Chair Macek indicated that it is the Planning Commission's option to recommend such a change if it so chooses.

Speakers:

Jonathan Rak, the applicant's representative, indicated that he is joined by the applicant, Scott Shaw, and by Adam Hayes from EYA, the Robinson Landing developer. He indicated that when the development application was first brought before the Planning Commission, a Building #1 restaurant was included as part of the application. In addition, he indicated that, at that time, reference was made to pier seating that would be associated with a restaurant with the details to be provided later. It was more recently, he added, that EYA has identified Alexandria Restaurant Partners as an operator for both the restaurants discussed tonight along with the pier seating. He indicated that the applicant is seeking a conversion from retail space to restaurant space in Building #2. He indicated they have met with the Harborside residents and received several letters of support from them, and he added that he did reach out to Old Town Civic Association but has not received feedback. He indicated the applicant does agree with some conditions/changes described this evening.

He also mentioned that the garage parking spaces, that are not designated for residents, will be handled by a valet service. He also reminded the Planning Commission of the Transportation Management Plan (TMP), which was an approved condition of the DSUP in 2015. The TMP governs vehicular storage and management within the development site and permits the valet operator to utilize adjacent garages/parking lots (under separate lease agreement) should the garage reach capacity.

Scott Shaw, the restaurateur with Alexandria Restaurant Partners, provided the Planning Commission with clarity on the concepts of each the three spaces, as well as how they will function. He also reminded the Planning Commission that his goal is to create three unique spaces that are ultimately geared towards the neighborhood, rather than the "tour buses."

Timothy Morgan, President of the Waterford Place HOA, referenced communication that he sent. He indicated the HOA likes the idea of activating the waterfront and the idea of a restaurant on the pier but is concerned that right now to him the operation on the pier resembles a bar. He said the HOA also supports the other restaurants that are proposed but are concerned about the blanket granting of hours and the potential for noise and rowdiness. As to parking, he indicated that they do not agree with changes to the City's commercial parking policy especially for restaurants and expressed concern about the potential for turning 2 Duke Street into a restaurant. He indicated that he believes that

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

may be too many restaurants in the area and would present challenges for parking, traffic and noise in the area, particularly at night.

Ann Shack, a resident of Tobacco Quay located on the north end of the waterfront, expressed concern that the development will bring more cars to the neighborhood and create impacts for the residents.

Discussion:

Chair Macek raised a couple clarifying questions, beginning with whether Virginia distinguishes between restaurants and bars. Mr. Shaw indicated that his model is for a restaurant. He said the pier and café would be 65 percent food and 35 percent alcohol service. Chair Macek also asked staff to confirm that the City's policy has changed since adoption of the DSUP and the new parking policy requirement is now based on square footage rather than seats/tables. Staff affirmed that statement. Chair Macek also indicated that he has heard concern that restaurant patrons would take on-street parking from residents. He asked for confirmation that there is a condition that requires the restaurant to help diners locate off-street parking. Staff affirmed that statement.

Commissioner McMahon asked what it means that the provision is greater than the maximum, under the new parking policy. Staff indicated that under the new parking regulations if you want to exceed the maximum permitted spaces, you have to request a SUP. In this case, the applicant is within the range of the 58 permitted spaces, and staff would not want to see a decrease.

Commissioner Brown asked if the pier restaurant would remain open year-round. Staff indicated it would be seasonal.

Commissioner Brown asked if the seats would be removed when the pier restaurant is shut down due to the seasons. The applicant indicated the seating will likely be covered.

Commissioner Lyle also reiterated that ride sharing is becoming more popular with Alexandrians and that fewer folks are relying solely on private automobiles. She was also in favor of giving the applicants more flexibility with regards to hours of operation.

Commissioner Koenig expressed support of the proposal especially the pier noting it will help advance public access to the waterfront.

Vice-Chair Wasowski stated that while retail would have been nice, many brick and mortar locations are struggling to compete with online competitors. She was also supportive of consistent hours for all three operations, namely, pier, café and Building #1.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Commissioner Goebel cited that the destination itself often dictates how we arrive and that when parking is limited, folks are more inclined to seek alternative modes such as mass transit, ride sharing, bicycles, etc.

Chair Macek expressed support for the proposal, with enthusiasm surrounding the activation of the pier. Chair Macek believes that this development will be a catalyst for Alexandria's waterfront south of King Street.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice-Chair Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2018-0056, with the following amendments. The motion carried on a vote of 7-0.

Condition #15: ~~The hours of operation shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z)~~ The hours of operation shall be limited to 7:00AM to 12:00AM, Sunday – Thursday and 7:00AM to 2:00AM, Friday – Saturday. All patrons must leave the premises one hour after closing. (P&Z) (PC)

Replace Conditions #3, #13 & #16 with the changes outlined in the Memorandum dated March 5, 2019 from the Director of the Planning & Zoning Department.

On a motion by Commissioner Lyle, seconded by Vice-Chair Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2018-0118, with the following amendments. The motion carried on a vote of 7-0.

CONDITION #2: Removed by the Planning Commission. ~~The hours of operation for the café shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z) (PC)~~

CONDITION #3: ~~The hours of operation for the pier shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z)~~ The hours of operation shall be limited to 7:00AM to 12:00AM, Sunday – Thursday and 7:00AM to 2:00AM, Friday – Saturday for both pier and café. All patrons must leave the premises one hour after closing. (P&Z) (PC)

Replace Conditions #24 & #25 with the changes outlined in the memorandum dated March 5, 2019 from the Director of the Planning & Zoning Department.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Add Condition #20 as outlined in the memorandum dated March 5, 2019 from the Director of the Planning & Zoning Department.

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

11. Text Amendment #2019-0001
Commercial to Residential Reversions
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to create a new section to allow properties that meet certain criteria to revert to residential use if the property was previously residential and is currently a commercial use.
Staff: City of Alexandria Department of Planning & Zoning

Mary Christesen (P&Z) and Tony LaColla (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:
None

Discussion:
Commissioner Lyle commented that she was pleased that the issue was being addressed.

Commissioner Brown commented that while he is comfortable with the language, there is a possible vagueness in the language that may need to be corrected in the future if the regulations are not working as intended.

PLANNING COMMISSION ACTION: On a motion by Vice-Chair Wasowski, and seconded by Commissioner Lyle, the Planning Commission voted to initiate Text Amendment #2019-0001. The motion carried on a vote of 6-0, with Commissioner McMahon absent.

On a motion by Vice-Chair Wasowski, and seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Text Amendment #2019-0001, as submitted. The motion carried on a vote of 6-0, with Commissioner McMahon absent.

Reason: The Planning Commission agreed with the staff analysis.

12. 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

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

Transportation Management Plan Special Use Permit #2018-0077

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 use and to clarify the definition of “PWR” uses to exclude storage/warehouse uses; (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) a Coordinated Development District Conceptual Design Plan; (E) a Development Special Use Permit and site plan with modifications, to construct an interim surface parking lot and a self-storage building with ground-level commercial/production/wholesale/repair uses, including a Special Use Permit for a parking reduction; and (F) a Special Use Permit for a Transportation Management Plan; zoned: I / Industrial (Eisenhower West Small Area Plan).

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

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

Speakers:

Dan Matula, applicant, spoke in favor of the request. He described several site and building changes that were made to provide benefits to the City and to enhance the project’s consistency with the Eisenhower West Small Area Plan (SAP).

Mark Viani, attorney for the applicant, spoke in favor of the project. He outlined the changes to the project compared to the December request, including building, siting and architectural changes and described additional outreach efforts that have occurred in recent months.

Arthur Impastato, acting President of Cameron Station Civic Association, spoke in opposition to the request. He noted his work as an Eisenhower West Small Area Plan Steering Committee member and stressed the importance of adhering to the approved Eisenhower West Small Area Plan. He stated that the project is not consistent with the Plan. He also noted his submission of a petition that has been signed by 194 residents both in the area and city-wide.

Zachary DesJardins, E. Bellefonte Avenue, opposed the request. He did not see community benefits to the proposal, believing that the provision of ground-level Production, Wholesale, Repair (PWR) uses was insufficient and that stormwater improvements would occur with any new development. He stated that storage uses were

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

not mentioned in the Small Area Plan and should not be supported. He also noted his support for flipping the uses, if such a change were to happen.

Ken Wire, attorney for adjacent owners to the site, recommended two changes to the project consistent with his letter to the Planning Commission dated March 5: the reduction of orange color on the building and flipping the location of the self-storage building and multifamily residential uses on the site. He noted the importance of Small Area Plan compliance and acknowledged that the current proposal is better than the previous one. If changes are made, his clients would not be opposed to the project moving forward.

Nick Fairbanks, neighborhood property owner, spoke about the need for changes to the proposal such as the reduction of orange color on the building and minimizing building signage. He stressed the importance of making the building as compatible with the Small Area Plan vision as possible.

Chair Macek closed the Public Hearing.

Discussion:

Commissioner Brown asked about the compatibility of the project with the Eisenhower West Small Area Plan given that two Commissioners have expressed concerns on this topic. Staff responded that although the current proposal needs approval of a Master Plan Amendment for the use, it is nonetheless compatible with the Small Area Plan in other ways, such as the land dedication, stormwater improvements, the stream bank restoration along Backlick Run, and the construction of new streets. Commissioner Brown stated that many ways exist to evaluate a project's consistency with a Small Area Plan, not just the use, and that the current project is consistent with many of those elements. Commissioner Brown indicated his support of staff's judgement that the self-storage use would not be an impediment to future redevelopment. He also asked about the assertion from speakers and letter writers that a by-right version of this project would still need to meet the recommendations of the Small Area Plan. Staff responded that in any by-right version of this project, staff would be limited in the extent of requests it could make to achieve consistency with the Small Area Plan and that the land-use recommendations of the Small Area Plan would not prevent a property owner from being able to use its property consistent with existing zoning.

Commissioner Lyle expressed opposition to the project, believing that it is inconsistent with the Small Area Plan vision and would be an impediment to future redevelopment. She noted the 194 signatures opposing the project on the petition that has been circulated. She stated that the neighborhood should have been rezoned at the time of the adoption of the Small Area Plan and stated that staff's timeline for redevelopment in this area may be off given impending redevelopment at the Vulcan and Victory Center sites. She

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

expressed concern about the use of the interim parking lot for vehicle storage, and concern that no incentive exists for the owner to redevelop that lot into multifamily in the future. She suggested new condition language that would limit the operation of the interim parking lot to 10 years instead of 15. The applicant was hesitant to respond. She also asked for increased inspections of the parking lot to ensure it is properly maintained.

Commissioner Koenig asked several questions about elements of the project, such as the change of the public street to a private street, how the Coordinated Development District (CDD) would function in the future, the role of the interim parking lot in the applicant's plans, and the functionality of the PWR/commercial spaces. He also asked questions about the potential addition of a 10-year sunset clause for the operation of the interim parking lot. He recognized the opposition expressed by other Commissioners and the dilemma of how not approving the project would leave the site open to alternative development that is not desired. He stated that the circumstance of the applicant having a viable by-right option is important in his consideration of the case. He stated that he would support the project, noting the good-faith work the applicant has done to meet the Small Area Plan recommendations as well as their efforts to improve the project since December.

Vice-Chair Wasowski stated that the project was a difficult case with a lot of factors to consider but she could not support it. She acknowledged that the applicant and staff have worked hard to make the project more consistent with the Small Area Plan. She also noted that the self-storage use wouldn't necessarily go away if the project were voted down due to the potential for a "by-right" option. She stated that the proposal nonetheless is so much of a stretch that it subverts the Small Area Plan process and is not consistent with the vision of the plan. She also asked questions about the use of the interim parking lot and the rationale of the former Public Street B becoming private.

Commissioner McMahon stated that rejecting the project is not in the best interest of the community because the by-right option offers fewer benefits. She stated that it is possible for cases, like this one, to move the Small Area Plan forward incrementally. She expressed interest in a future discussion of the issue of rezonings being tied to Small Area Plan approvals and asked staff and the applicant to continue to work with the community on design elements of the building. She also asked questions of the applicant about the purpose of the interim parking lot.

Commissioner Goebel stated that the project is a challenging one with lots of points to consider. He noted the applicant's efforts on architecture but asked the applicant to look again at the matter of how much orange color is present on the building. Although concerned about the idea of shoe-horning the proposal into the approved Small Area Plan, given the choice between the proposal and the "by-right" option, he said the proposal is less objectionable. He stated he wished the proposal could be better, but that

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

the applicant should not be punished since the City did not rezone the property. He stated his reluctant support for the proposal.

Chair Macek acknowledged the case was a difficult vote but voiced his support for the proposal. He noted that the project had improved since the previous proposal in December. He did not view the lack of a rezoning of the area at the same time as the Small Area Plan approval to be a mistake given potential benefits of other approaches. He expressed concern about self-storage uses in general and asked for future consideration of whether they should be made a special use city-wide. He did not believe that the project represented an impediment to the Small Area Plan given that other self-storage buildings are located in close proximity to residential uses both in the City and throughout the region.

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

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

On a motion by Commissioner Koenig, 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 Vice-Chair Wasowski voting against.

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

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

- The addition of new DSUP Condition #121 to require a six-month and one-year inspection of the interim parking lot.

Reason: The majority of the Planning Commission agreed with the staff analysis.

OTHER BUSINESS:

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

Commissioner Lyle indicated that the last meeting of the Landmark/Van Dorn Small Area Plan has occurred, and she expressed compliments to the staff for keeping meetings on schedule and she indicated that a document will be issued shortly for an overlay district.

Commissioner Lyle also noted that applications are anticipated for Eisenhower West, and the Implementation Group will be meeting with those applicants in March, April and May.

Chair Macek indicated that he attended the recent Eisenhower East Open House and there was a very good turnout with lots of excitement and ideas around a Small Area Plan.

Commissioner McMahon indicated that she has circulated the most recent information about the Transit Vision Plan and the survey that is available to the public through March 18. She also mentioned several upcoming related meetings. She reminded the Commission that the Transit Vision planning project is a revisioning process for the DASH system which is important to all communities and planning areas around the City.

Vice-Chair Wasowski indicated that there will be a community meeting of the Oakville Triangle proposed Virginia Tech Innovation Center on April 1.

Commissioner McMahon also mentioned an interest in further discussing a potential text amendment around restaurant hours and seats to avoid micro-managing such aspects of a business through SUPs. Vice-Chair Wasowski, Commissioner Lyle, Commissioner Koenig and Commissioner Brown agreed with the need for such a discussion.

Chair Macek also recommended self-storage as a special use to be looked at for consideration of a city-wide text amendment. He mentioned drive-throughs as an example of a use that the City limited due to Alexandria being an eco-City and for other reasons.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – MARCH 5, 2019

MINUTES:

14. Consideration of the minutes from the February 5, 2019 Planning Commission meeting.

PLANNING COMMISSION ACTION: On a motion by Commissioner McMahon, seconded by Commissioner Brown, the Planning Commission voted to approve the minutes of February 5, 2019, with the following amendment. The motion carried on a vote of 7-0.

- “Alexander” on page 14 revised to “Alexandria”

15. Consideration of the minutes from the February 7, 2019 Planning Commission meeting.

PLANNING COMMISSION ACTION: On a motion by Commissioner McMahon, seconded by Commissioner Brown, the Planning Commission voted to approve the minutes of February 7, 2019, as submitted. The motion carried on a vote of 7-0.

ADJOURNMENT

16. The Planning Commission meeting was adjourned at 11:11 p.m.