

Docket Item #14
Planning Commission Public Hearing
September 1, 2020

Consideration of approval of the Planning Commission minutes of the Public Hearing meeting
of September 1, 2020

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

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

ALEXANDRIA PLANNING COMMISSION

September 1, 2020, 7:00 p.m.

City Council Chambers

Alexandria, Virginia

Members Present:

Nathan Macek, Chair

Melissa McMahon, Vice-Chair

David Brown

John Goebel

Stephen Koenig

Mindy Lyle

Members Absent:

None

Staff Present:

Karl W. Moritz

Department of Planning & Zoning

Nancy Williams

Department of Planning & Zoning

Anh Vu

Department of Planning & Zoning

Ann Horowitz

Department of Planning & Zoning

Tony LaColla

Department of Planning & Zoning

Robert Kerns

Department of Planning & Zoning

Jeffrey Farner

Department of Planning & Zoning

Katherine Carraway

Department of Planning & Zoning

Catherine Miliaras

Department of Planning & Zoning

Abigail Harwell

Department of Planning & Zoning

Dirk Geratz

Department of Planning & Zoning

Sam Shelby

Department of Planning & Zoning

Ray Roakes

Department of Planning & Zoning

Margaret Cooper

Department of Planning & Zoning

Maya Contreras

Department of Planning & Zoning

Stephanie Sample

Department of Planning & Zoning

Richard Lawrence

Department of Planning & Zoning

Sara Brandt-Vorel

Department of Planning & Zoning

Michael Swidrak

Department of Planning & Zoning

Christina Zechman-Brown

Office of the City Attorney

Melanie Mason

Department of Transportation and Environmental Services

Khoa Tran

Department of Transportation and Environmental Services

Megan Oleynik

Department of Transportation and Environmental Services

Brian Dofflemyer

Department of Transportation and Environmental Services

Ryan Knight

Department of Transportation and Environmental Services

Alex Boulden

Department of Transportation and Environmental Services

Tamara Jovovic

Office of Housing

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Julia Santure	Office of Housing
Helen McIlvaine	Office of Housing
Eric Keeler	Office of Housing
Jack Browand	Department of Recreation, Parks, and Cultural Activities
Jeremey McPike	Department of General Services

1. Call to Order.

The Planning Commission Public Hearing was called to order at 7:03 p.m. All members were present at the call to order. Vice Chair Maria Wasowski resigned from the Planning Commission prior to the September 1, 2020 Planning Commission Public Hearing.

Chair Macek then read the following into record:

“Due to the COVID-19 Pandemic emergency, the September 1, 2020 Public Hearing of the Planning Commission and the September 12, 2020 Public Hearing of the City Council are being held electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3), the Continuity of Government ordinance adopted by the City Council on June 20, 2020 or Sections 4-0.00(g) in HB29 and HB30 to undertake essential business. All members of the respective public bodies and staff are participating from remote locations through Zoom Webinar. These meetings are being held electronically, unless a determination is made that it is safe enough for the meetings to be held in person in the City Council Chamber at 301 King Street, Alexandria, VA. Electronic access will be provided in either event. The meetings can be accessed by the public through: the Zoom hyperlink present on tonight’s docket, broadcasted live on the government channel 70, and streaming on the City’s website. This Public Hearing will be webcast live and video and audio recordings will be available a few days after the meeting. Members of the public may also participate by phone.

URL: https://zoom.us/webinar/register/WN_wTl6B7wFSyOr924N8ihwpA

To dial-in to tonight’s meeting: 301-715-8592

To access the meeting via Zoom, use the Webinar ID: 968 6503 0043

For both dial-in participants and those accessing via Zoom, use the password: 598835

Public Comment will be received at this Public Hearing. The public may make Public Comments through the conference call or Webinar functions. Public Comments which have been submitted to Planning & Zoning staff at PlanComm@alexandriava.gov prior to the Public Hearing have been received and added to the Docket as part of the official record for this Public Hearing.

To address some virtual hearing etiquette that should be observed this evening, please

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

remember to leave your microphone on mute and camera turned off when you are not speaking. In addition, before speaking, please remember to first identify yourself by first and last name. If you wish to speak on an item being heard this evening and have not already signed up to do so, please navigate to the Public Hearing Dockets' page of the City of Alexandria's website, select this evening's Planning Commission hearing, follow the "Sign Up to Speak" link, and fill out the Speaker Form that populates upon doing so. Once you have filled out a Speaker Form and are called upon to speak, please use the "Raise hand" function located on the Webinar taskbar so that staff is able to quickly identify which User needs to be unmuted in order to provide Public Comment. If you are calling in via telephone this evening, you will press "*9" to execute the "Raise hand" function."

2. **Election of Planning Commission Officer for Vice Chair**

Chair Macek called for nominations for the Planning Commission vacancy of Vice Chair. One nomination was received.

On a motion made by Commissioner Brown, the Planning Commission unanimously voted to elect Commissioner Melissa McMahon as Vice Chair for a term ending in March 2021.

Chair Macek inquired as to whether there were any changes to the docket. The Planning Commission Clerk responded that Docket Item #12 was moved for discussion to the Work Session which took place prior to the Public Hearing and that the applicant for Docket Item #17 had requested for a deferral.

CONSENT CALENDAR:

3. Special Use Permit #2019-00107
300 King Street (Parcel Address: 302 King Street) - Kisso Asian Bistro
Public Hearing and consideration of a request for a Special Use Permit to increase the hours of operation and to add delivery vehicles at an existing grandfathered restaurant; zoned: KR/King Street Urban Retail.
Applicant: Ren Yong Cai

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2019-00107, as submitted. The motion carried on a vote of 6-0.

4. Special Use Permit #2020-00039
2050 Ballenger Avenue - Catholic University of America

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Public Hearing and consideration of a request for a Special Use Permit for a private academic school; zoned: CDD#1/Coordinated Development District #1.

Applicant: The Catholic University of America, represented by David S. Houston, agent

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2020-00039, as submitted. The motion carried on a vote of 6-0.

5. Encroachment #2020-00003

1217 Colonial Avenue - Residential Encroachment

Public Hearing and consideration of a request for an Encroachment into the public right-of-way on Colonial Avenue for a retaining wall; zoned: RB/Townhouse.

Applicant: John D. Bullington, represented by Minturn Wright, attorney

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Encroachment #2020-00003, as submitted. The motion carried on a vote of 6-0.

6. Zoning Text Amendment #2020-00005

Zoning Ordinance Practical Updates

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 1-700 to add to the list of zones the RMF Zone; to amend definitions for floor area (Section 2-145(A) (11) and (12)), medical care facilities (Section 2-174) and townhouse dwelling and two-family dwelling (Sections 2-138 and 2-140); to amend the RB and RM zone grandfathering provisions (Section 3-707(B) and 3-1108 (B)); to amend Section 3-1406 to add the effective date of the ordinance; to allow open porches meeting specific criteria in required side yards (Sections 7-202 and 11-302); to add Section 7-202(E) to allow fences taller than 6 feet between residential properties and certain other uses; to clarify provisions regarding fences on corner lots (Sections 7-1700, 7-1701 and 7-1702); to add Section 7-2600 to limit the percentage of a window that may be blocked by art, signs or other materials; to amend Section 11-804 to remove reference to a repealed law; to amend various provisions related to the Board of Zoning Appeals to comply with the Code of Virginia (Sections 11-1008, 11-1103, 11-1104, and 11-1207); to amend Section 12-101(B)(3) to expand the applicability of the residential reversion criteria; to amend Section 12-102(D) to correctly reference the KR zone and apply residential reuse to specific blocks along King Street.

Staff: City of Alexandria, Department of Planning & Zoning

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to initiate Zoning Text Amendment #2020-00005. The motion carried on a vote of 6-0.

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Zoning Text Amendment #2020-00005, as amended. The motion carried on a vote of 6-0.

7. Development Site Plan #2019-00031
110 and 150 Callahan Drive - VRE Pedestrian Accessibility Improvements at Alexandria Union Station
Public Hearing and consideration of a request for a Development Site Plan with modification to the crown coverage requirement for platform improvements and two elevators; zoned: UT/Utilities and Transportation
Applicant: Virginia Railway Express

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Commissioner Koenig, the Planning Commission voted to approve Development Site Plan #2019-00031, as submitted. The motion carried on a vote of 5-0, with Chair Macek recusing himself.

8. Development Site Plan #2020-00005
318 South Whiting Street (Parcel Address: 296 South Whiting Street) – Alexandria Station Clubhouse
Public Hearing and consideration of a request to construct an approximately 5,000 square foot clubhouse (amending SIT65-50); zoned: RCX/Medium Density Apartment.
Applicant: Avanath Alexandria Station, LLC, represented by Duncan W. Blair, attorney

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to approve Development Site Plan #2020-00005, as submitted. The motion carried on a vote of 6-0.

NEW BUSINESS:

9. Zoning Text Amendment #2019-00007
Increased Density for Public School Sites
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 7-2100 to allow for an increase in density for public school use.
Staff: City of Alexandria, Department of Planning & Zoning

Dirk Geratz (P&Z) and Abigail Harwell (P&Z) presented the case and answered questions from the Planning Commission.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Speakers:

Jeffery Reid, 810 N. Overlook Drive, spoke about his conversation with the Mayor and felt that, based on that conversation, the proposed Text Amendment is not needed, and referred to the correspondence he submitted to the Planning Commission.

Kay Stimson, 312 Mansion Drive, spoke on behalf of the North Ridge Citizens Association, which wrote a letter to the Planning Commission against the Text Amendment. She expressed a lack of public communication and indicated the Text Amendment would impact low-density residential development, saying she is not in support of the proposed Text Amendment and thinks a more modest amendment should be considered.

Peter Benavage, 5066 Fairbanks Avenue, a member of the Alexandria Federation of Civic Associations, spoke in opposition to the proposed Text Amendment. The reason stated for the opposition was that any Text Amendments that reduces public input is detrimental to the citizens of Alexandria. He indicated a need to postpone the decision on the Text Amendment until more analysis and public input was had.

Reginald Brown, 317 Mansion Drive, spoke about the importance of the public process, saying that the proposed Text Amendment would eliminate it, and he is not in support of the proposed Text Amendment.

William Pfister, 3718 Templeton Place, Alexandria, is the Seminary Hill Association representative for the Douglas MacArthur Modernization Advisory Group. He is in support of the Text Amendment in order to address the overcapacity issue and the timeline for reconstruction of the MacArthur project.

Yvonne D Callahan, 735 S Lee, spoke in opposition to the Text Amendment, indicating a lack of public input and information received from the City, the need for open space, school enrollment trends, and impacts of the Text Amendment for each school site and the associated neighbors.

Carter Flemming, 1403 Bishop Lane, representing the Seminary Hill Association, stated that her association as well as other associations wrote letters to the Planning Commission to vote against the Text Amendment. They felt the Text Amendment would have huge impacts on neighborhoods, reduce public input, and promote a lack of public outreach; she indicated this action should only address the MacArthur project and not be for all future school sites. She did not believe the Alexandria City Public Schools (ACPS) should be granted a special exception.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Matt Heckel, 2503 Taylor Avenue, asked questions about how the proposed Text Amendment would affect development at George Mason Elementary School, to which he is a neighbor. He inquired as to whether the assessment of George Mason Elementary School's Floor Area Ratio (FAR) was based on the school property or also and the park property which adjoins the school. Also, he inquired if the Text Amendment is passed, could colocation of affordable housing be placed on this site at George Mason without requiring a Special Use Permit (SUP). He would consider that to be outrageous if that would be true. He urged denial of the request. He spoke about how he needed to obtain approval of a SUP to rebuild his home, and that ACPS should have to do the same.

On a motion by Commissioner Koenig, seconded by Commissioner Lyle, the Planning Commission voted to close the public hearing. The motion carried on a vote of 6-0.

Discussion:

Chair Macek asked staff to address Mr. Heckel's questions regarding the FAR for George Mason. Staff indicated that the site likely does include the park space. ACPS Representative Erika Gulick then confirmed that the site includes the adjacent park, which is considered part of the school property but indicated that it is undevelopable due to the Public Open Space (POS) zoning. She said the park is included in the calculations for FAR. Chair Macek also asked if the inclusion of affordable housing on a school site would require approval of a SUP. Staff said this site is in a single-family zoned neighborhood, and a multi-family affordable housing project could only apply under a SUP if the base zoning allowed for multi-family use.

Commissioner Brown began the Planning Commission discussion with a proposal to change the Text Amendment by keeping the text language as it currently stands and adding "or no greater than 0.75 if the rear lot line of the school is shared with a City park." While he agreed with the public speakers that there was not enough public input, he disagreed with comments made that the Text Amendment is a power grab by the City or an effort to conceal. Commissioner Brown believes the increase in school densities should be reviewed on a case by case basis, and the public should be included in that analysis to understand why the amendment is being made. He believes that due to concerns with the impacts of the Text Amendment to other school properties, and neighborhoods, limiting the language to largely address the Douglas MacArthur school proposal would allow that project to continue the process and staff could bring back another Text Amendment proposal when more information can be provided.

Commissioner Koenig agreed with Commissioner Brown's comments. He indicated there is a fundamental need to address future school projects, but also more analysis is needed, and supported Commissioner Brown's proposal.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Commissioner Lyle commented on the confusion of using FAR to determine design envelope. She spoke to the extent of community meetings for the MacArthur project, and indicated that when there is a school project, ACPS conducts extensive community outreach to include the public in decisions. Commissioner Lyle sees the importance of this Text Amendment to move forward and is willing to compromise with Commissioner Brown's proposal if the rest of the Planning Commission agreed.

Vice Chair McMahon expressed her initial concern with the staff proposal was not so much with the removal of the FAR cap under a SUP but that we were cornering off the FAR segment from the existing zone up to .6 FAR as a by-right activity and turning that school project approval process into a Development Site Plan (DSP) instead of a SUP. She indicated that staff has explained that there is not much difference in the kind of engagement the community would see under a Development Site Plan (DSP) process and a Development Special Use Permit (DSUP) process. There would still be a lot of engagement before a project is brought to the Planning Commission. She indicated that while the community has a concern that they would have less involvement in the design and the fit of a project within the community of a project, but staff is of the opinion that that would not be lot. She acknowledged that smaller changes under a DSP would not go to the City Council but would go instead to the Planning. She was not concerned by the fact the Text Amendment did not include a FAR maximum, as the SUP review process that goes to the City Council includes a full engagement process that would work to design a school to the site and neighborhood, more than meeting a FAR, agreeing with Commissioner Lyle's comments.

Chair Macek believed more analysis and community outreach on the Text Amendment could have been helpful but believed that would have been the case if staff had not had to delay it due to the pandemic. He discussed the complexity of applying FAR to different sites and the lack of space for school sites. That said, he indicated that elementary schools in the City are neighborhood based. He added the importance of understanding the capacity needs of schools today and in the future and the need to fit them within neighborhoods in a compatible way. The City should work to accommodate their schools, but believed, as an important protection to the neighborhoods, a DSUP should be required for any increased development beyond the existing neighborhood zoning, with final approval by the City Council, to ensure there are several opportunities for community input. He acknowledged that for MacArthur there were a number of community meetings, school board meetings, this meeting, etc. Chair Macek suggested language for a DSUP in circumstances under which construction would be at a higher density or height than allowed under the current zoning in a neighborhood. He also outlined different options of how to address the Text Amendment, while also allowing the MacArthur project to proceed. Of the various options, he indicated that Commissioner Brown's proposal should be included in that review, and he can support it,

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

but he indicated it is also important to recognize that it would be important to discuss opportunities for other school sites in the future with community input.

Commissioner Koenig agreed with Chair Macek's, Commissioner Lyle's and Vice Chair McMahon's comments regarding the limitations of FAR for school projects. He also has concern with the increase to the by-right FAR, feeling that any increases to school size should be approved by the City Council and school board, and the design of smaller projects is no less important to design and neighborhood impact than larger projects. Commissioner Koenig indicated he would agree to a Text Amendment which would allow for the MacArthur project to proceed while acting as a placeholder until a revised Text Amendment is brought back after further evaluation of other options and community outreach. He tasked ACPS to provide long-range information on what each school site will need to help direct the Text Amendment discussion.

Commissioners then discussed different options to revising the Text Amendment language proposal in a way that would allow that evening's school project to proceed, but would not result in significant change so staff could do further analysis and public outreach, and a refined Text Amendment could be brought back at a later time.

PLANNING COMMISSION ACTION: On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to initiate Zoning Text Amendment #2019-00007. The motion carried on a vote of 5-1, with Commissioner Brown voting against.

On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Zoning Text Amendment #2019-00007, with the following amendment to Section 7-2100. The motion carried on a vote of 6-0.

Sec. 7-2100: Increased density and height for public elementary and secondary schools.

*Notwithstanding any contrary provision of this ordinance, a public elementary or secondary school, located in a residential or mixed use zone, may be constructed, expanded or reconstructed to a size which exceeds the density and height otherwise permitted by the regulations in such zone; provided, that a special use permit is approved, and, provided further, that no increase in floor area ratio greater than ~~60~~ **0.75**, and no increase in height greater than 60 feet, shall be approved.*

Reason: The Planning Commission agreed with staff's analysis and with the above change to Section 7-2100.

10. Development Special Use Permit #2020-00010

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Rezoning #2020-00002

1009, 1101, 1201 & 1203 Janney's Lane and 1099 Francis Hammond Parkway -
Douglas MacArthur Elementary School

Public Hearing and consideration of requests for: (A) an amendment to the official zoning map to change the POS/Public open space and community recreation zone portion to R-8/Single-family zone at 1101 Janney's Lane, change the R-20/Single-family zone to R-8/Single-family zone at 1201 and 1203 Janney's Lane, and change the R-8/Single-family zone portion to POS/Public open space and community recreation zone at 1099 Francis Hammond Parkway; and (B) a Development Special Use Permit and site plan to demolish the existing building and construct a new public school, including Special Use Permits for an increase in floor area and height pursuant to Section 7-2100 of the Zoning Ordinance (if Text Amendment #2019-00007 is approved), to exceed the maximum parking requirement, an indoor and outdoor recreation facility and community center use, and modifications to the front and rear yard setbacks; zoned: R-8/Single-family, R-20/Single-family, and POS/Public Open Space and Community Recreation.

Applicants: Alexandria City Public Schools and City of Alexandria

Dirk Geratz (P&Z) and Abigail Harwell (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

William Pfister, of 3718 Templeton Pl, Alexandria, is the Seminary Hill Association representative for the Douglas MacArthur Modernization Advisory Group and spoke about his involvement with the project. He has concerns with the traffic impacts of the project on Janney's Lane

Dr. Gregory Hutchings, Superintendent of the Alexandria City Public Schools (ACPS), spoke in favor of the project, noting the need for the new school that will permit an additional 300 students at the school. He reported that the collaboration that has taken place with many community meetings. He highlighted the attractive design of the school and the provision of windows in all classrooms. He also noted the preservation of trees, new recreational amenities and access to Forest Park. He thanked the members of the MacArthur Advisory Group and City and ACPS staff for making this project happen.

Lisa Porter, 1100 Janney's Lane, spoke in favor of the project noting she was a member of the Advisory Group. She noted her support of the required SUPs, including with the increase in FAR as well as the modifications. She recommended that a traffic light be added to the western most driveway to address safety issues between cars and pedestrians.

John Augustine, 1604 Walleston Court, spoke as an abutting property owner with questions and concerns about the proposed recreational amenities and potential impacts

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

on his property. He has specific concerns about hours of operation of field and the types of activities.

On a motion by Commissioner Koenig, seconded by Vice Chair McMahon, the Planning Commission voted to close the public hearing. The motion carried on a vote of 6-0.

Discussion:

Commissioner Koenig stated that this project is a worthy design and supported the project in all aspects except for its compliance with the Green Building Policy. He noted that the Green Building Policy requires public projects to meet the Net Zero energy standard. He noted that the Green Building Policy is a City priority and that the school needs to be held to this standard. He recommended that Condition #14 be amended to make it clear that the school will be Net Zero compliant. He felt strongly that the actions of the Planning Commission must support the policies adopted by City Council. In response to a question from Commissioner Koenig about whether it is more expensive to ACPS installing the photovoltaic system now or buying energy from the grid for the next 30 to 50 years, ACPS indicated that it is evaluating agreements now to determine which is more cost effective.

Commissioner Lyle also stated her support for the new school but was concerned about the financial impact achieving Net Zero would have on the school. She supported amended condition language introduced by staff that made Net Zero more aspirational and provided a time frame by which the school could find a way to achieve Net Zero.

Commissioner McMahan noted a frustrating balancing act that the Commissioners often find themselves in. She said that the Planning Commission should be leading by example and ensure that projects meet all City policies.

Chair Macek noted that the Planning Commission is making great strides by approving this project and agrees with the call to accomplish the Green Building Policy. He noted there has been strong support for the school from the community and noted that many issues have been addressed. He thanked all ACPS and City staff as well as members of the Advisory Group, including Commissioner Mindy Lyle for their efforts on this project. Chair Macek also stated his support for the revised Condition #14 along with a revision to Condition #39 addressing the safety concerns at the western most driveway.

Commissioner Brown stated his support for the project and the discussion over the Green Building Policy.

Commissioner Goebel stated that the Planning Commission endorsed the Green Building Policy and knew it would be challenging. He believes there is time for the school to

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

make the building Net Zero energy compliant and believes the school should adhere to the policy.

PLANNING COMMISSION ACTION: On a motion by Commissioner Koenig, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Rezoning #2020-00002, as submitted. The motion carried on a vote of 6-0.

On a motion by Commissioner Koenig, seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Development Special Use Permit #2020-00010, with the following amendments to Condition #14 and Conditions #39. The motion carried on a vote of 6-0.

DSUP Condition #14

#14. CONDITION AMENDED BY PLANNING COMMISSION: *Achieve a green building certification level of LEED Gold or equivalent to the satisfaction of the Directors of P&Z and T&ES pursuant to the City's Green Building Policy, and the building shall be designed to be net zero ready. **Achieve Net Zero Energy performance pursuant to the City's Green Building Policy.** Diligent pursuance and achievement of this certification compliance shall be monitored through the following:*

DSUP Condition #39

#39. CONDITION AMENDED BY PLANNING COMMISSION: *A revised Traffic Impact Study must be submitted with the Final Site Plan in which to address all outstanding issues and comments. The Final Draft of the Traffic Impact Study must be approved and to the satisfaction of the Director of T&ES. (T&ES)*

a. Within 6 months to 12 months after in-school classes begin, Alexandria City Public Schools shall conduct a separate Transportation Study in which includes a Signal Warrant Analysis, in accordance to FHWA's MUTCD's guidance, to assess if an installation of a traffic control signal is justified at the new surface parking lot entrance. This scope of the study shall be approved by the Director of T&ES. In the event that a signal is warranted and recommended, the applicant shall provide a contribution of \$150,000 for the City to complete installation. (T&ES)

Reason: The Planning Commission agreed with the staff analysis and with the recommended changes to DSUP Conditions #14 and #39, as shown above.

11. Special Use Permit #2020-00045
3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) - Hops 'N Shine

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Public Hearing and consideration of a request for a Special Use Permit for outdoor live entertainment; increase in indoor and outdoor seats; increase in hours of indoor and outdoor hours of operation; an outdoor bar, outdoor cooking and outdoor games; and delivery vehicles for an existing restaurant (amending SUP #2017-0091); zoned: CG/Commercial General.

Applicant: Abe Hadjiesmaeiloo

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

Speakers:

Patrick Byrnett, 106 Sanborn Place, supported the long-term success of the business and had no objection with the indoor hours or seat expansion and additional seating in the front of the property. The speaker stated that the staff report did not provide similar conditions of approval as the Gardens in Del Ray. The speaker urged the Planning Commission to reject the rear outdoor changes requested by the applicant.

Stephen Harris, 120 Sanborn Place, spoke in general opposition to the requests and believed the restaurant was in violation of the previously approved Special Use Permit (SUP) and that the requests were unreasonable for the neighborhood. The speaker stated concern with the potential increase in noise on adjacent residential uses.

Frank Capone, 610 E. Alexandria Avenue, stated support for the application. The speaker urged the City to support businesses to every extent possible. He indicated parking access should not be a concern as patrons can walk or use alternative driving services to travel to and from the restaurant.

Paymon Hadesmeiloo, representative for the applicant, spoke in support of the application, stating that the owner of the restaurant has operated at this location for over 20 years. During that time, the City inspected the site on numerous occasions and has not found any violations.

Matt Rofougaran, representative for the applicant, spoke in support of the application, and reiterated that the restaurant had not received any violations of SUP conditions. He expressed that the SUP requests were necessary to stay competitive with other restaurants.

Al Havinga, 104 Sanborn Place, generally opposed the SUP amendments, stating that the Planning Commission should table the review until the restaurant became compliant with existing SUP conditions.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to close the public hearing. The motion carried on a vote of 6-0.

Discussion:

Commissioner Brown questioned the applicant's intention to increase the number of seats in the relatively small interior space. Commissioner Brown also commented that the parking lot appeared busy and questioned if the expansion of the restaurant would further tax parking availability. Staff responded that the number of the indoor seats is ultimately determined by Code Administration in this case. If the number of seats approved in the SUP is greater than what can be permitted by the Building Code then the Building Code requirement takes priority. Staff also added that the restaurant complied with the parking requirements of the Zoning Ordinance. Commissioner Brown stated that the recently planted landscaping between the restaurant and the residential community at the rear of the patio would help to alleviate noise.

Chair Macek asked staff to respond to claims that the applicant was in violation of his SUP. Staff replied that the applicant was presently in compliance with its SUP conditions. The City Council authorized, through an emergency declaration, the suspension of SUP condition enforcement related to hours of operation, delivery vehicles, on and off premises alcohol sales, and outdoor dining until November 22. In accordance, staff approved the expanded, temporary outdoor dining area through a formal request process. At the time of the SUP inspection for this application, it was found that the trees installed after the original approval were no longer in place. Staff later learned that these had died. The applicant recently planted seven Leyland Cypress trees along the rear fence line. The issue of improper trash storage is not isolated to the restaurant as all tenants, within this commercial complex, use the dumpster. As such, staff explained a Zoning Inspector will routinely investigate the garbage situation at the site. The Chair felt the staff recommendation adequately balanced neighborhood impacts and the applicant's requests.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2020-00045, as submitted. The motion carried on a vote of 6-0.

Reason: The Planning Commission agreed with staff analysis.

12. **Please Note: This item was moved for discussion to the 5:30 PM Work Session**
Informational Item: Presentation of Housing Contributions Work Group
Recommendations
Staff: City of Alexandria, Office of Housing

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

13. Vacation #2019-00002

2 East Mason Avenue - Vacation

Public Hearing and consideration of a request to vacate a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth Avenue to add area to a residential side yard for a fence; zoned: RB/Townhouse. Applicants: Elizabeth and Jesse Jardim

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

Speakers:

Elizabeth Jardim, applicant, spoke in support of the vacation request to allow for the existing fences, citing that it complied with all criteria of the Vacation Policy. She indicated she would continue to address the maintenance of the landscaping along the sidewalk, including the landscape strip along East Mason Avenue.

On a motion by Commissioner Lyler, seconded by Vice Chair McMahon, the Planning Commission voted to close the public hearing. The motion carried on a vote of 6-0.

Discussion:

Commissioner Brown asked staff to explain its position for recommending denial. Staff responded that Criteria 1 and 2 of the Vacation Policy were not met given that a proposed new lot would create uneven property lines along Commonwealth Avenue, City maintenance would be hindered, and the ability to widen the sidewalk in the future would not be possible.

Vice Chair McMahon stated that the 1.4 foot change in property lines was negligible and would not significantly impact the alignment of property lines. Commissioner Lyle agreed.

Commissioner Brown expressed support, stating his satisfaction of the recent landscape maintenance in the sidewalk area and of the landscape strip. He expected that this would be maintained in the future.

Chair Macek said he would not support the Vacation and favored an Encroachment as he believed the latter better served the conditions at this site.

PLANNING COMMISSION ACTION: On a motion by Commissioner Brown, seconded by Vice Chair McMahon, the Planning Commission voted to recommend approval of Vacation #2019-00002, as submitted. The motion carried on a vote of 5-1, with Chair Macek voting against.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Reason: The Planning Commission disagreed with the staff analysis.

14. Zoning Text Amendment #2020-00003
Small Business Practical Updates
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend sections in Articles II - VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses.
Staff: City of Alexandria, Department of Planning & Zoning

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

Speakers:

Charlotte Hall, representing the Old Town Business Association, spoke in support of the Text Amendment to reduce the review times for new businesses. She added that the temporary outdoor business expansion allowed through emergency authorization has been successful in this regard.

On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to close the public hearing. The motion carried on a vote of 6-0.

Discussion:

Chair Macek stated that he would prefer restaurants as permitted uses and advised staff to monitor restaurant use for a possible Text Amendment in the future.

Vice Chair McMahon questioned the type of Special Use Permit (SUP) amendment review an outdoor seating use would be subject to if it proposed a 33 percent or more expansion. Staff responded that either a SUP public hearing or a Site Plan amendment would be required and any expansion below 33 percent could be accommodated through the administrative SUP process. She asked the reasons for a SUP public hearing review for a medical care facility. Staff replied that it identified potential impacts related to emergency vehicles, the size of the facility and the number of patients and recommended a SUP use for these reasons.

PLANNING COMMISSION ACTION: On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to initiate Zoning Text Amendment #2020-00003. The motion carried on a vote of 6-0.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Zoning Text Amendment #2020-00003, as submitted. The motion carried on a vote of 6-0.

Reason: The Planning Commission agreed with staff analysis.

15. Development Special Use Permit #2019-00033
Special Use Permit #2020-00036
116 South Henry Street - GCP Henry Street
Public Hearing and consideration of a request for (A) a Development Special Use Permit and site plan with modifications to construct a 16-unit mixed-use retail/residential building with ground floor commercial uses facing South Henry Street, a three-unit multi-family residential building facing South Patrick Street and a 142-space automated parking garage, including special use permits for motor vehicle parking or storage for more than 20 vehicles for the six-story automated parking structure, to increase the number of dwellings per acre to no more than 54.45, to exceed the maximum parking requirement, and for a loading space reduction to allow reduced loading space ceiling height and modifications for open space, setbacks, crown coverage and street tree requirements; and (B) a Special Use Permit for a restaurant; zoned: CD/Commercial Downtown.
Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney

Stephanie Sample (P&Z), Catherine Miliaras (P&Z), and Rob Kerns (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Charlotte Hall, Old Town Business Association, spoke in support of the mixed-use, multi-family project with a parking garage in this area of Old Town. She encouraged the applicant to provide as much public parking as possible, and even consider offering valet parking.

On a motion by Vice Chair McMahon, seconded by Commissioner Brown, the Planning Commission voted to close the public hearing. The motion carried on a vote of 5-0, with Commissioner Lyle recusing herself.

Discussion:

Vice Chair McMahon said that although she is not typically in favor of excess parking, she was in support of this new type of parking garage due to its relatively small footprint and efficient use of space. She indicated the functionality of the garage allows for real-time flexibility and can utilize all available parking, meeting the definition of shared parking. She said that she was not in favor of the portion of Condition #40 that required that the applicant demonstrate the availability of excess parking to staff prior to making it

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

available to the public. The applicant's attorney, Mary Catherine Gibbs, suggested alternative language that requires the applicant to notify the Director of the Department of Transportation and Environmental Services (T&ES) of excess parking availability, allowing the parking operator to make excess parking available in real time. She said that she felt comfortable with the operator self-policing the reserved residential spaces and said the nature of a computer-operated parking system allows for the facility to be used to its fullest possibility.

Chair Macek agreed that the condition was too onerous on the applicant and thought the condition could be simplified to ensure that the leased residential spaces were reserved but allowing non-reserved residential spaces to be made available to the public immediately. He also asked for an explanation of Condition #21, and Ms. Gibbs noted that the garage could be retrofitted in the future once technology expands for use in an automated garage. She said that there were other opportunities as part of the Green Building condition for them to provide an on-site or nearby Electrical Vehicle Charging Station as part of the construction of the garage.

Ms. Oleynik, T&ES, explained that the condition had been written to give the applicant the flexibility to provide additional public parking, but the intent was to ensure that the garage maintained the required amount of parking required in the Zoning Ordinance, recognizing that some residents would not purchase spaces in the garage. She said that the intent was not to make the process difficult for the applicant and recognized that parking is a dynamic situation. She noted that the garage data would be shared with the City through the Application Programming Interface (API) so she did not feel like the applicant would have a difficult time demonstrating that there were unused residential spaces.

Chair Macek also raised the issue of residential parking permits for future owners/tenants and Ms. Oleynik stated that the future residents would not be eligible for on-street parking permits. Ms. Miliaras, Department of Planning & Zoning (P&Z), and Ms. Oleynik, T&ES, recommended the addition of Condition #112(j) to notify future residents of the restriction in the disclosure documents.

Commissioner Koenig said that he had been following the evolution of the project and was in strong support. He said that the interior location of the parking allowed the architect to design very successful buildings which would be a significant improvement in this area.

Commissioner Brown noted that the Planning Commission was taking a big leap of faith in approving a project with a new building type (automated parking), but that he felt it was a very successful infill project. He asked for confirmation from Ms. Gibbs that the hourly rates would be higher because this is a privately-operated garage, and she stated

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

that, due to the cost of constructing the facility, the hourly fee would be higher than the typical parking fees in Old Town. He commended the project team on the project on a particularly challenging site.

Commissioner Goebel said that he was in support of the size, scale and design of the project which would be a big improvement on a challenging site.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Development Special Use Permit #2019-00033 and Special Use Permit #2020-00036, with the following amendment to Condition #40 and the addition of a new Condition #112(j). The motion carried on a vote of 5-0, with Commissioner Lyle recusing herself.

Condition #40

#40. Parking spaces within the parking garage that are allocated to the residential or retail use that are required to comply with zoning requirements may be made available for public/off-site parking provided the applicant notify the Director of T&ES that excess parking is available. ~~excess parking can be demonstrated to the satisfaction of the Directors of P&Z and T&ES.~~ (T&ES) (P&Z)

New Condition #112(j)

#112 (j). Residents are not eligible for residential street parking permits because the property is not located within a residential permit parking district and are not eligible for a permit in a sub-district based on code requirements.

Reason: The Planning Commission agreed with the staff analysis and with the recommended changes to the conditions as shown above.

16. Development Special Use Permit #2019-00032
Special Use Permit #2020-00033
Transportation Management Plan Special Use Permit #2020-00034
912, 916 and 920 King Street - GCP King Street
Public Hearing and consideration of a request for (a) a Development Special Use Permit and site plan with modifications to construct a 30-unit multifamily building with ground-floor commercial uses, including Special Use Permits to increase the floor area ratio to 2.5 in the KR zone, a parking reduction to provide all required parking spaces in the garage at 116 South Henry Street and a loading reduction to allow for reduced loading space ceiling height; (b) a Special Use Permit for a restaurant; and (c) a Special Use Permit for a Transportation Management Plan; zoned: KR/King Street Urban Retail. Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Michael Swidrak (P&Z), Catherine Miliaras (P&Z), and Rob Kerns (P&Z) presented the case and answered questions from the Planning Commission.

Speakers:

Mary Catherine Gibbs, representing the applicant, spoke in favor of the project. Ms. Gibbs requested the Planning Commission to recommend approval of proposed condition changes relating to unit count and limiting public access in the pedestrian alley to allow for an amenity area for residents. She noted that the retail-ready units in the rear of the building could be accessed from the main entry in the alley or from South Patrick Street and Downham Way. Ms. Gibbs mentioned the pedestrian alley condition is open-ended and will work with staff on the alley design.

Steve Milone, president of the Old Town Civic Association, spoke generally in favor of the project, though advocated for a few changes. Mr. Milone noted that during the King Street Retail Strategy process in the mid-2000s, there was community discussion about converting (either wholly or partially) the parking lot at 912-920 King Street into a park or plaza. Mr. Milone urged the Planning Commission to reject the applicant's request to change Condition #6 to limit the extent of public access in the pedestrian alley, noting the 10-foot-wide pedestrian alley is one of the greatest assets of the project and retaining public access would come closer to the idea of a publicly accessible plaza for the site. Mr. Milone also asked the applicant to consider widening the pedestrian alley by removing the eastern portion of the building located behind a notch at the northeast corner of the building.

On a motion by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission voted to close the public hearing. The motion carried on a vote of 5-0, with Commissioner Lyle recusing herself.

Discussion:

Vice Chair McMahon supported the "urban planning principles" staff was espousing with requesting to maintain full public access in the alley, though understood and supported the applicant's request. The Vice Chair noted that alleys are primarily for service and loading and not pedestrian access, also noting that pedestrian cul-de-sacs exist in Old Town. Commissioner Koenig agreed with the Vice Chair's comments relating to the alley, though noting he saw both sides of the argument. He also praised the overall project.

Chair Macek noted his general support for the staff request to maintain full public access to the pedestrian alley, noting the importance of block porosity in Old Town and increased utility of the alley if it is fully publicly-accessible. He also stated his satisfaction with the continued filling in of the King Street streetwall, noting nearly all of the surface parking areas fronting King Street are now redeveloped.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Commissioner Brown noted his support for the project, but also stated some concerns. These concerns included the building height and massing, which do not fit into the 30-degree control plane recommended in the King Street Retail Strategy, and that the building height should be equal to that of neighboring buildings. Commissioner Brown also stated his concerns with an inconvenient parking location, with building residents having to cross South Patrick Street to retrieve their cars. He also noted that the unit size and mix of the proposed building and its location on King Street meant that the number of residents with cars may be less than in other residential development projects in the City.

PLANNING COMMISSION ACTION: On a motion by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Development Special Use Permit #2019-00032, Special Use Permit #2020-00033, and Transportation Management Plan Special Use Permit #2020-00034, with the following amendments to Condition #6(a) and Condition #12(c). The motion carried on a vote of 5-0, with Commissioner Lyle recusing herself.

Condition #6(a)

#6(a). Provide public access easements to the following areas. The easement language shall be reviewed by the Office of the City Attorney and to the satisfaction of the Directors of P&Z and T&ES:

- a. The majority of the pedestrian alley from the King Street right-of-way to the southern property line. (P&Z)*

Condition 12(c)

#12(c). Provide the following building refinements to the satisfaction of the Director of P&Z:

- a. Any ventilation for the retail/commercial uses (including for retail-ready spaces fronting the private alley) shall be integrated with the overall building design, reviewed and approved to the satisfaction of the Director of Planning and Zoning.*
- b. All wall mounted vents shall be flush mounted and architecturally integrated with the building design with regard to both placement and color.*
- c. The unit count may increase to 31 units subject to the applicant providing the required additional 150 square feet of open space as shown on the memo from the applicant's attorney dated August 24, 2020, as well as satisfying any other requirements to ensure consistency with all applicable Zoning Ordinance regulations. (P&Z)*

Reason: The Planning Commission agreed with the staff analysis and with the recommended changes to the conditions as shown above.

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

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

Encroachment #2019-00004

5601 Courtney Avenue - Virginia Paving Company Encroachment

Public Hearing and consideration of a request for various Encroachments into the public right-of-way on Courtney Avenue; zoned: I/ Industrial.

Applicant: Eurovia Atlantic Coast, LLC, represented by Mary Catherine Gibbs, attorney

PLANNING COMMISSION ACTION: On a motion by Commissioner Brown, seconded by Vice Chair McMahon, the Planning Commission voted to defer Encroachment #2019-00004. The motion carried on a vote of 6-0.

OTHER BUSINESS:

18. Commissioners' Reports, Comments, and Questions.

In relation to the Docket Item #6 (Zoning Text Amendment #2020-00005), Karl Moritz, Director of the Department of Planning & Zoning (P&Z), noted that two technical corrections requested by Commissioner Brown would be incorporated into the staff recommendation to City Council.

Chair Macek reported that the City's Waterfront Commission would be meeting for the first time since February on September 15 at 7:30 a.m. via virtual means.

Commissioner Lyle reported that the Eisenhower West/ Landmark Van Dorn Advisory Group would also be meeting on September 15 at 5:30 p.m. via virtual means.

Chair Macek conveyed that that the Planning Commission's Annual Report was due to the City Clerk's Office at the end of September and welcomed the other Commissioners to provide any feedback they may have on the document.

Vice Chair McMahon reported that the City's Transportation Commission would also be meeting virtually on September 16.

MINUTES:

19. Consideration of the minutes from the June 25, 2020 Planning Commission meeting.

PLANNING COMMISSION ACTION:

The Planning Commission will consider the June 25, 2020 Minutes at its next in-person Public Hearing.

ADJOURNMENT

The Planning Commission meeting was adjourned at 12:55 a.m.

ADMINISTRATIVE APPROVALS

20. Special Use Permit #2020-00005

1669 North Quaker Lane

Administrative Special Use Permit request for a minor amendment to allow for additional seating in a restaurant; zoned: CL/Commercial Low.

Current Business Name: May Island Restaurant

Applicant: Wen Zheng

Planner: Ann Horowitz

Status: Approved 7/17/2020

Special Use Permit #2020-00015

4938 B-C Eisenhower Avenue

Administrative Special Use Permit request for a Change of Ownership of a light auto repair establishment; zoned: OCM(100)/Office Commercial Medium (100).

Current Business Name: Van Dorn Auto Repair

Applicant: Sachindra Desaram

Planner: Kaliah Lewis

Status: Approved 7/14/2020

Special Use Permit #2020-00018

2320 Richmond Highway

Administrative Special Use Permit request for a change of ownership of an Automobile Service Station with Convenience Store and Restaurant; zoned: CDD #24/Coordinated Development District #24.

Applicant: SAS Concepts Inc

Planner: Anna Kohlbrenner

Status: Approved 7/14/2020

Special Use Permit #2020-00035

3021 Colvin Street

Administrative Special Use Permit request for a Change of Ownership of General Automobile Repair and Automobile Sales; zoned: I/Industrial.

Proposed Business Name: Kera Auto Care

Applicant: Tamrat Gobena

Planner: Ray Roakes

Status: Approved 7/10/2020

Special Use Permit #2020-00041

26 Dove Street

Administrative Special Use Permit request for a Change of Ownership of an automobile sales and repair establishment; zoned: OCM (50)/Office Commercial Medium (50).

Current Business Name: M&B Auto Sales LLC

ALEXANDRIA PLANNING COMMISSION MEETING MINUTES – SEPTEMBER 1, 2020

Applicant: Hamid Yasini
Planner: Anna Kohlbrenner
Status: Approved 7/29/2020

Special Use Permit #2020-00046
4721A Eisenhower Avenue
Administrative Special Use Permit request for a New Use for a light assembly, service,
and craft establishment; zoned: OCM(100)/Office Commercial Medium (100).
Proposed Business Name: SecuControl, Inc.
Applicant: SecuControl, Inc.
Planner: Ray Roakes
Status: Approved 8/14/2020