

Docket Item #16

**Development Special Use Permit #2007-0017**  
**EESAP Blocks 19 & 20 - 2250 and 2200 Mill Road**

Application	General Data	
<b>Project Name:</b> Eisenhower East Blocks 19 & 20	<b>PC Hearing:</b>	June 2, 2009
	<b>CC Hearing:</b>	June 13, 2009
	<b>If approved, DSUP expiration:</b>	June 13, 2012 (36 months)
	<b>Site Area:</b>	Block 19: 129,383 sf (2.97 ac) Block 20: 173,135 sf (3.97 ac)
<b>Location:</b> Block 19: 2250 Mill Road Block 20: 2200 Mill Road	<b>Zone:</b>	CDD#2
	<b>Proposed Use:</b>	Block 19: Residential Block 20: Office
	<b>Gross Floor Area:</b>	Block 19: 474,000 sf Block 20: 585,000 sf Total: 1,059,000 sf
<b>Applicant:</b> Eisenhower-Lane-CFRI Venture II, LLC, represented by Jonathan Rak of McGuireWoods LLP	<b>Small Area Plan:</b>	Eisenhower East
	<b>Green Building:</b>	Block 19: LEED Certified Block 20: LEED Silver

**Purpose of Application**

Approval for development of two blocks in the Eisenhower East Small Area Plan area. The proposal includes construction of two residential and two office buildings at Mill Road and Eisenhower Avenue and three new streets, Port Street, Dock Lane, and Southern Street.

**Special Use Permits, Modifications, and other Approvals Requested:**

1. Development Special Use Permit with Site Plan (DSUP 2007-0017)
2. Coordinated Development District Concept Plan (CDD 2008-0005)
3. Special Use Permit for a Transportation Management Plan (SUP 2008-0091)
4. Master Plan Amendment for increased height for Block 20 (MPA 2008-0006)
5. Encroachment into the right-of-way for a canopy on Block 19 (ENC 2008-0006)
6. Special Use Permit for increased floor area for Block 19, increased penthouse height for both blocks, and additional penthouses for Block 20
7. Street Names for two new public streets (Street Name Case 2009-0002)

**Staff Recommendation: APPROVAL WITH CONDITIONS**

**Staff Reviewers:** Natalie Sun, AICP, LEED AP [natalie.sun@alexandriava.gov](mailto:natalie.sun@alexandriava.gov)  
Gary Wagner, RLA [gary.wagner@alexandriava.gov](mailto:gary.wagner@alexandriava.gov)

**PLANNING COMMISSION ACTION, JUNE 2, 2009:** On a motion by Mr. Dunn, seconded by Mr. Jennings, the Planning Commission voted to **adopt** Resolution MPA #2008-0006. The motion carried on a vote of 6 to 0.

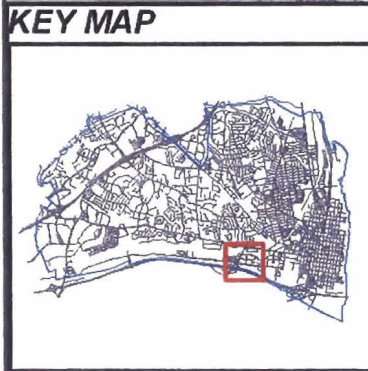
On a motion by Mr. Dunn, seconded by Mr. Jennings, the Planning Commission voted to **recommend approval** of CDD #2008-0005. The motion carried on a vote of 6 to 0.

On a motion by Mr. Dunn, seconded by Mr. Jennings, the Planning Commission voted to **recommend approval** of DSUP #2007-0017, SUP #2008-0091, and ENC #2008-0006, and voted to **approve** Street Name #2009-0002, subject to compliance with all applicable codes, ordinances, staff recommendations and conditions, with an amendment to Condition 50. The Planning Commission amended the second sentence of Condition 50 to state: "For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall require the contractor to subsidize a minimum of 50% of the fees for mass transit." The motion carried on a vote of 6 to 0. Ms. Lyman was absent.

**Reason:** The Planning Commission agreed with the staff analysis and recommendations.

**Speakers:**

Jonathan Rak, attorney representing the applicant, spoke in support of the application and to clarify conditions with which the applicant disagreed, including Conditions #12 related to the provision of public access easements over open space, #41 related to TMP rate amounts, and #113 related to the Eisenhower East Open Space Fund contribution for Block 20.



CDD CONCEPT PLAN #2008-0005  
MPA #2008-0006  
DSUP #2007-0017  
TMP-SUP #2008-0091  
ENC #2008-0006  
STREET NAME CASE #2009-0002

06/02/09

## **I. SUMMARY**

### ***A. Recommendation and Summary of Issues***

Eisenhower-Lane-CFRI Venture II, LLC is requesting approval of a Development Special Use Permit and all associated applications for their proposed residential and office development on Blocks 19 and 20 in Eisenhower East. Staff recommends **approval** of these applications subject to compliance with the staff recommended conditions.

There are many significant issues that were considered with this proposal, and are discussed in this report, including:

- Consistency with the *Eisenhower East Small Area Plan*;
- Affordable housing and associated density bonus;
- Building design and environmental sustainability;
- Creation of public open space;
- Traffic impacts; and
- Pedestrian and streetscape improvements.

In particular, staff would like to emphasize a number of aspects of this application:

- This development is an important part of achieving the vision for the *Eisenhower East Small Area Plan* as a high density, transit-oriented area with a significant system of integrated open spaces.
- The mix of high-density residential and office uses in this project is appropriate near a Metro station and will help to maximize transit usage.
- This development creates three new streets that will contribute significantly to creation of an urban grid system in the East Eisenhower area.
- The open space in this proposal – both the RPA area to be dedicated to the public and the publicly accessible plazas/courtyards in the development – will make very important contributions to the Eisenhower Park system and to the overall open space amenities of the area.
- This project is proposing both over 30,000 square feet of new affordable housing units, as well as significant monetary contributions to the City's Housing Trust Fund.
- Through a series of extremely innovative green building practices, including rooftop wind turbines, this project will achieve LEED Silver certification level for the office/commercial component and LEED Certified certification level for the residential component.
- The architectural and landscape design of this project is particularly noteworthy and will make it a landmark building in the City.

### ***B. Project Description***

The development proposal for Blocks 19 and 20 in the Eisenhower East district includes the construction of four buildings. Block 19 consists of a two-building, 22-story residential development with 474,000 square feet and 516 parking spaces. Block 20 has two 15-story office buildings totaling 585,000 square feet and 737 parking spaces. A resource protection area (RPA)

north of the residential buildings will be restored and dedicated to the City for use as a public park.

With this proposal, the applicant requests approval of the following:

1. Development Special Use Permit with Site Plan;
2. Coordinated Development District Concept Plan;
3. Special Use Permit for a Transportation Management Plan;
4. Master Plan Amendment for increased height for Block 20;
5. Encroachment into the right-of-way for a canopy on Block 19;
6. Special Use Permit for increased floor area for Block 19, increased penthouse heights for both blocks, and additional penthouses on Block 20;
7. Street Name Case for Port Street and Southern Street.

Submission of a CDD Concept Plan is required under the Zoning Ordinance. In addition, the applicant is required to submit a Special Use Permit request for a Transportation Management Plan (TMP) due to the size of the proposed development.

## **II. BACKGROUND**

### ***A. Site Context***

Located in the Coordinated Development District (CDD#2) zone, Blocks 19 and 20 are located at the intersection of Eisenhower Avenue and Mill Road. Mill Road and the new Virginia Department of Transportation (VDOT) Capital Beltway ramp are located to the east and southeast of the subject properties. On the other side of Mill Road is an existing residential development. Existing surface parking lots, owned by Hoffman Family LLC abut the property to the west. This portion of the Hoffman property, Blocks 11 and 12 is currently under concept review for approximately 1.2 million square feet of mixed-use development in 250-foot-high buildings. To the south of the site are the future Southern Street, Dominion Virginia high-tension power lines, and the Capital Beltway. The Eisenhower Avenue Metro Station is located approximately 500 feet west of Blocks 19 and 20.

Block 19 is currently undeveloped and Block 20 is occupied by a vacant office building, formerly the offices of the American Trucking Association (ATA). Approximately one acre of open space on the northern portion of Block 19, south of Eisenhower Avenue is designated as a Resource Protection Area (RPA). This open space area is designated as a Community Park by the *Eisenhower East Small Area Plan* (EESAP) and will become part of the Eisenhower Park.

In June 2006, a Master Plan Amendment (MPA) was approved for Block 19, allowing an increase in height from 150 feet to 250 feet. This MPA accompanied a previous DSUP application for Block 19 (DSUP2004-0016), and this DSUP application expired in December 2007.

### ***B. Site History and Historic Context***

Since the 1980's, the project site and the Eisenhower Avenue corridor has been largely surrounded by surface parking lots, large vacant sites, office space, flex space, and warehousing



uses. Under the Eisenhower East Plan, high density, transit-oriented uses are envisioned for this district, with the highest density closest to the metro station. The Block 20 site currently houses the former ATA headquarters building, an approximately 90 foot tall, 150,000 square foot building that was built in the 1980's. This building will be demolished in conjunction with the construction of the proposed residential and office buildings on Blocks 19 and 20.

During the 19th century, much of Eisenhower East was marshland, including the area currently defined as Blocks 19 and 20. The marshland area has since been filled, first with sediment and later with soil from the construction of the Capital Beltway to the south. Portions of this area resided within the Cameron Run flood plain, and as recently as the 1940's, small boats navigated areas within the marsh.

During the archaeological excavation for the Hoffman properties located to the west and north of Blocks 19 and 20, the remains of a pier were found. The pier is believed to have been part of a historic dock on Hunting Creek that functioned as an export point for Cameron Mill. Cameron Mill was located just north of Eisenhower Avenue at the approximate location of the Hoffman AMC movie theater. This general location was also the site of the Village of Cameron, which originated before the establishment of Alexandria and is believed to have been a port for tobacco export on Hunting Creek.

### ***C. Project Description***

Eisenhower-Lane-CFRI Venture II, LLC is requesting approval for a development under the EESAP consisting of four buildings. Under the small area plan, residential use has been approved for Block 19 and commercial use has been approved for Block 20. The proposal for Block 19 consists of two 22-story residential towers on top of three- and four-story expressed bases with designated active use space on the ground floor. Two 15-story office buildings are proposed on the Block 20 site, with active use space fronting the courtyard separating the two buildings. Framing these two blocks will be three new streets: Southern Street, an east-west connection originating at Mill Road; Port Street, a north-south connection between Eisenhower Avenue and Southern Street; and Dock Lane, an east-west private road separating Blocks 19 and 20.

#### ***Block 19***

The two proposed residential towers are rectilinear in form and positioned towards the southern end of the parcel, parallel to Dock Lane. Between both buildings is an approximately 80-foot wide courtyard that opens up toward the RPA. Main pedestrian building entrances – both residential lobby entrances and active use storefronts – front on the street. The east building, with main entrances on Mill Road and Dock Lane, consists of 265,000 square feet of residential space. Leasing/sales offices for the project are accessible from Mill Road, with 8 surface parking spaces serving this function. The west building consists of 209,000 square feet of residential use.

A 508-space, four-level below-grade garage is located on Block 19 and under Dock Lane. The parking garage is designed to be connected to the adjacent below-grade garage on Block 20. For residential projects located within 1,500 feet of a metro station, the EESAP specifies that a

maximum of 1.1 parking spaces per 1,000 square feet of residential space may be provided. A minimum of 1 space per unit is suggested but not mandated. This project meets these standards.

Block 20

The two proposed Block 20 office buildings are situated on axis with the Block 19 residential towers. Main pedestrian entrances for both buildings are oriented towards Dock Lane and the courtyard. The east and west buildings consist of 294,000 and 291,000 square feet of office, respectively.

A 735-space, five-level below-grade garage is located on Block 20. For office projects located within 1,500 feet of a metro station, the EESAP permits a maximum of 1.66 parking spaces per 1,000 square feet for long-term parking and 0.34 spaces per 1,000 square feet for short-term parking.

### III. ZONING

**Table 1. Zoning compliance table.**

Property Address:	2200 and 2250 Mill Road			
Site Area:	Block 19: 129,383 sf (2.97 ac)			
	Block 20: 173,135 sf (3.97 ac)			
	Total: 302,518 sf (6.94 ac)			
Zone:	Existing – CDD#2			
	Proposed – CDD#2			
Current Use:	Block 19: Vacant site			
	Block 20: Office and parking garage			
Proposed Use:	Block 19: Residential			
	Block 20: Office			
	Permitted/Required		Proposed	
	<i>Block 19</i>	<i>Block 20</i>	<i>Block 19</i>	<i>Block 20</i>
Floor area <sup>1</sup> :	395,000 sf	585,000 sf	474,000 sf*	585,000 sf
Height:	250 ft	200 ft	228 ft	220 ft**
Parking:	Maximum 1.1 spaces/1,000 sf of residential use (maximum 359 spaces***)	<u>Long-term:</u> Maximum 1.66 spaces/1,000 sf of commercial use <u>Short-term:</u> Maximum 0.34 space/1,000 sf of commercial use (maximum 1,170 spaces)	Garage: 508 spaces Surface: 8 spaces <b>Total: 516 spaces</b>	Garage: 735 spaces Surface: 2 spaces <b>Total: 737 spaces</b>
Loading spaces:	none	none	2 spaces	2 spaces

\*Includes request for bonus density as part of affordable housing provision

\*\*Includes Master Plan Amendment request for additional height

\*\*\*If bonus density request is approved, a maximum of 521 spaces are permitted with 474,000 sf of residential use.

<sup>1</sup>For the Eisenhower East district, Gross Floor area (GFA) is defined as the sum of all gross horizontal areas under a roof or roofs. These areas are measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums and similar volumetric construction, not involving floor space are excluded. Adjusted Gross Floor Area refers to floor area not including that used for structured parking.



## **IV. STAFF ANALYSIS**

### ***A. Master Plan Amendment Request***

The applicant is requesting an increase in the permitted height for Block 20 specified by the *Eisenhower East Small Area Plan*. Currently, the EESAP permits an overall height of 200 feet for this block. Twenty additional feet are being requested, for an overall maximum height of 220 feet. Concurrent with a previous DSUP approval for Block 19, the applicant received a Master Plan Amendment approval to increase the building height for Block 19 from 150 to 250 feet. This amendment for the residential buildings was requested for two reasons: to avoid development within the RPA and to provide on-site affordable housing.

Staff has evaluated the public benefits conferred by an additional Master Plan Amendment to ensure that they are consistent with the goals established by the EESAP. This height proposal is compatible with the Block 19 heights to the north and the Hoffman properties to the west, and is consistent with the EESAP's vision of taller buildings concentrated around the Eisenhower Avenue Metro Station.

Staff supports the requested Master Plan Amendment for several additional reasons. First, the Block 20 buildings are conceived as landmark towers, visible from the highway and prominent within the Eisenhower valley. The towers have specially designed tops which will not only act as significant visual landmarks, but also incorporate wind generators that will serve to produce energy for the building. This innovative system will be the first of its kind in the Washington metropolitan area. The second reason that staff supports the additional height is that more vertical building forms will allow for a cohesive site plan for Blocks 19 and 20 with connected open space. The development proposal for Block 20 consists of two 220-foot office towers and an approximately 23,000 square foot publicly accessible courtyard ranging from approximately 105 to 120 feet in width. Earlier proposals for Block 20 included a substantially smaller, narrower courtyard. The design proposal for Block 19 was revised to split the dual-tower, single residential building into two 228-foot high buildings, making way for a large courtyard between the two buildings. With the revised proposal, an opportunity was created to connect the open space with the RPA and better unify the Block 19 and 20 developments through the integrated design of the courtyard spaces. For all these reasons, staff supports the requested Master Plan Amendment for Block 20.

### ***B. Consistency with Eisenhower East Small Area Plan***

The EESAP calls for high-density projects on both Blocks 19 and 20. This proposal is consistent with the small area plan, providing dense mixed-use residential and commercial buildings within walking distance of a metro station, reduced parking, transit incentives, and extensive pedestrian amenities.

Development of these four buildings also includes the creation of three new streets, forming the urban grid pattern envisioned by the EESAP. The existing mega block on which Blocks 19 and 20 is situated will be reorganized into a pedestrian-oriented urban environment. The proposed development also retains and restores a stream and RPA that will become a public community

park, which is part of the future Eisenhower Park open space system. The following public benefits will be provided, consistent with required elements of the EESAP:

- High-density development near a Metro station
- Transit-oriented development
- Creation of new grid streets
- Ground-level open space on both blocks
- Resource Protection Area restoration and preservation
- LEED Certification
- Underground parking for both blocks
- Affordable housing on Block 19
- Mill Road traffic improvements
- Pedestrian and streetscape improvements

The mass and scale of the buildings are appropriate for the sites on which they are located and have achieved conceptual approval from the Eisenhower East Design Review Board. Proposals for both blocks are also in substantial compliance with the *Eisenhower East Design Guidelines*. A few deviations from the design guidelines exist. See Figures 2 and 3 for an analysis of the design guidelines pertaining to Blocks 19 and 20. The applicant's request for increased density on Block 19 and increased building height on Block 20 addresses inconsistencies related to guidelines on the building envelope. The remaining deviations relate to the building design, and will be discussed further as part of the building design analysis section of this report.

### ***C. Affordable Housing***

The applicant's proposal includes on-site affordable sales units or apartments, as part of the Block 19 residential project. As part of the expired DSUP#2004-0016 for Block 19, the applicant previously also requested an affordable housing density bonus. This same density bonus consideration accompanies the current request. Specifically, as allowed under Sec. 7-700 of the Zoning Ordinance, the applicant requests that the maximum allowed floor area under the Eisenhower East Plan (395,000 square feet) be increased by 20 percent, resulting in a total floor area cap of 474,000 square feet.

The applicant proposes to set aside 30,020 square feet, the equivalent of more than one-third of the bonus density, as affordable units. This floor area will be used to either provide affordable set-aside rental units if the property is developed as apartments, or affordable condominium units (which may be purchased by a City-designated entity for use as affordable rental units), if the property is developed as a condominium. At this time the size of the units are unknown so the final number of units provided will be to the satisfaction of the Director of Housing.

The developer has also agreed to provide a voluntary cash contribution consistent with the conclusions of the Developer's Housing Contribution Policy Work Group (DHCPWG). The dollar amounts for the voluntary contributions are \$1,174,330, if the Block 19 property is developed as rental apartments, and \$1,249,864 if the property is developed as a condominium.<sup>2</sup>

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<sup>2</sup> The DHCPWG contribution on permitted square footage of gross floor area is \$1.50 for rental units and \$2.00 for sales units. The contribution for the additional square footage allowed with an SUP is \$4.00 per square foot.

At the discretion of the City, the voluntary cash contribution may be used to buy additional affordable units onsite. Based on the developer's currently proposed level of commercial development, the Block 20 voluntary cash contribution is \$877,500, although the amount of the contribution may be adjusted, per contribution guidelines, based on actual build out.

The applicant's proposal constitutes an important public benefit, as there is a considerable lack of affordable housing in Alexandria. This project demonstrates how compliance by a developer with the bonus density and height provisions of the Zoning Ordinance and the conclusions of the DHCPWG can be an effective tool to provide a substantial number of affordable housing opportunities for low- and moderate-income households within a mixed-income model. In this instance, the developer is also able to make a meaningful contribution to the City's Housing Trust Fund. The applicant's Affordable Housing Plan was approved by the Affordable Housing Advisory Committee (AHAC) in June 2006.

On the other hand, the Planning Commission has questioned whether the policy of setting aside only one-third of the bonus density is significant enough to warrant the granting of density bonuses by the City. The Planning Commission has discussed this issue at length and expressed its view that developers should, in an appropriate case, be willing to set aside more of the bonus floor area for housing than one-third, recognizing the significant gain to the applicant from any additional floor area. In response to that concern, the Office of Housing wishes to note that any bonus density program must sufficiently incentivize developers to make their affordable housing contribution cost a known and acceptable consideration when they model projects, structure financing options and assess feasibility, as well as offer opportunities for increased economic benefit. Staff supports the bonus density proposal in this case for several reasons.

First, the one-third ratio was a policy decision negotiated among developers, landowners, and city staff and accepted by City Council to guide cases like this one. In this development, the approval of bonus density will yield an additional 79,000 square feet of floor area beyond what is allowed under the current zoning ordinance. The developer has agreed to comply with the current policy by providing 30,020 square feet of affordable units onsite, which is estimated to be between 32 and 38 units (more than one-third of the 20 percent additional square footage allowed under the bonus density.)

Second, the cash equivalent of the 30,020 square feet of affordable units is significant. As calculated by the City in other developments with set aside units, the subsidy value of the set aside units will be equal to the average discount price per unit (i.e., the difference between the anticipated market price per unit and the affordable sales price per unit) multiplied by the total number of set aside units. The difference between the anticipated gross proceeds and the value of the set aside units, represents additional developer cash flow realized as a result of bonus density. The additional project revenue does not represent the developer's profit since that would be calculated by subtracting total development cost first, but by spreading land and infrastructure and other development costs over so many more units, these added revenues contribute to the economic feasibility of the proposed project, bounding developer risk while accomplishing public benefit.

Third, the site's proximity to the Eisenhower Metro is a good one for affordable housing, and a concept the City has continually supported.

Finally, because so many locations in the City are problematic for density increases, even for vital affordable housing, the City should maximize potential opportunities for new affordable housing achieved through this mechanism. In this case, in the center of an urban neighborhood of large buildings, additional density near the Metro demonstrates smart growth. The scale of buildings in Eisenhower East is appropriate for bonus density where sufficient public benefit is gained from the developer. For all of these reasons, staff supports granting the bonus density.

Given the above conclusion (which is consistent with staff's recommendation at the time of the original DSUP application in 2006), it is important to note that a new Developer Contribution Work Group, which is to be convened shortly, is expected to explore, and may recommend, options for allowing developers to convert the value of onsite affordable units, now required due to additional bonus density, to a cash contribution as an alternative to providing such units. Based on the final report of the Affordable Housing Initiatives Work Group, anticipated to be released to City Council in June, such options are considered desirable when the amount of the contribution could be more efficiently applied to preserve a substantial, greater number of affordable units elsewhere. To allow for such an alternative, if approved by Council prior to this project being completed, the developer has agreed that it would be willing to consider a cash contribution in the future, to reflect the anticipated value of the onsite units in an amount to the satisfaction of the Housing Director, in lieu of providing such units. The amount of this contribution will be determined consistent with future policy conditions and with market conditions at the time the option is exercised.

With regard to any affordable units provided, staff has included extensive conditions governing affordable housing, including the number of units and bedroom mix required for rental and condominium plans; that rents may not exceed the Federal requirements for the low-income housing tax credit program for Washington, D.C. and must be maintained for 20 years with annual reporting; provisions to address the circumstance when a formerly income-eligible household changes to one that exceeds income eligibility; that set aside units must be of the same size, floor plan and provide the same amenities as other similar units in the complex and that concentrations of affordable units must be avoided; that in the case of a condominium project the affordable units are to be sold to an entity with City approval that will rent the units to affordable households in perpetuity.

#### ***D. New Streets and Street Names***

Two new public streets (Port and Southern Streets) and one new private street (Dock Lane) will serve Blocks 19 and 20, as called for by the EESAP. The applicant will construct Port Street, Dock Lane, and the segment of Southern Street between Port Street and Mill Road. These three new streets will contribute to the urban grid and block system identified by the EESAP. The creation of the grid network will help to disperse traffic along several streets and relieve pressure at the intersection of Eisenhower Avenue and Mill Road. As part of the request for this project, the applicant is also requesting official approval of the street names Port Street and Southern Street. Dock Lane, which is a private street, does not require Planning Commission or City Council approval for its naming; however, this street naming issue is included here for informational purposes.

Port Street

Port Street is the proposed name for the two-lane, 66-foot-wide public street located on the western side of Blocks 19 and 20. This street will be created from land dedicated by the applicant and by the Hoffman Company, owner of Blocks 11 and 12. Staff has recommended that the street be constructed prior to issuance of the first certificate of occupancy for the project. The name Port Street was chosen since this area was once the site of a dock functioning as an export point for Cameron Mill.

Dock Lane

Dock Lane is the proposed name for the two-lane, 66-foot-wide private road located between Blocks 19 and 20. Dock Lane will be extended west with the redevelopment of Blocks 11 and 12. Since staff directed the applicant not to locate the parking garage within the RPA, the applicant shifted the extent of the underground parking to the south, under the proposed Dock Lane. Although the applicant will retain ownership of this portion of property due to the presence of underground parking under the street, staff is recommending a public access easement for Dock Lane so that it can function as a public street. Similar to the naming of Port Street, the name Dock Lane was chosen based on the area's maritime history.

Southern Street

Southern Street is the proposed name for the two-lane, 66-foot-wide public street located south of Block 20 eventually extending west to the Eisenhower Avenue Metro Station. The name Southern Street was chosen because the roadway is the southern most street in Alexandria.

These three new roads are significant public improvements for Eisenhower East, providing pedestrian circulation with sidewalks, street trees, and other amenities.

***E. Open Space***

This project provides significant open space, including: a large area of RPA that is being dedicated to the City as a park, and significant landscaped plazas that will be amenities for the new office and residential buildings, but will also be publicly accessible.

In terms of the area to be dedicated as parkland: the northern portion of Block 19 contains a stream and wooded area that is designated as an RPA and therefore protected from encroachment by development or impervious surfaces in order to maintain water quality. This stream daylight west of the site and flows through the site east to Hooff's Run. Staff has worked closely with the applicant to assure that no development will encroach into the RPA, and the applicant has developed a proposal that achieves this result.

Dedication of this RPA land is consistent with the Eisenhower East Plan Implementation (*Attachment #3*), which requires that 55,000 square feet of open space be provided on Block 19 as public parkland. The majority of this 55,000 square feet (approximately one acre) is on the subject site. A small portion of the 55,000 square feet is adjacent to Eisenhower Avenue and on property owned by Hoffman.

In order to enhance the potential use of the RPA open space, staff recommends that the applicant provide a “natural” and informal stone dust pedestrian trail within the RPA buffer area to be dedicated to the City for public use. In addition, staff is recommending that the applicant provide considerable enhancements within the RPA such as a wildflower meadow, additional trees and removal of invasive plants, all of which will improve the environmental and visual quality of the area.

The future trail connection to the Eisenhower Park as envisioned by the Eisenhower East Plan is not proposed to run through the property being dedicated by this applicant. Instead, the trail will be located along the northernmost edge of Block 19, within the future right-of-way of Eisenhower Avenue. This applicant is not constructing the trail and improvements as part of this proposal because those improvements will be part of the widening of Eisenhower Avenue and construction of the median, currently under review by the City.

In terms of the landscaped plazas on both Block 19 and Block 20: this project proposed an excellent landscape design that will consist of plazas that run between the four towers. These plazas will be a mixture of hardscape and greenery, with a significant water/sculptural feature at the southernmost end of the plazas and a clear vista northward ending in the naturalistic backdrop of the RPA – which is the head of the Eisenhower Park. The system of pathways and spatial definition of the open space recalls the unique architecture of the four towers. The plazas unify the entire development and provide cohesion, interest, and outstanding open space design for both the occupants of the four towers and the public in general.

In addition to plazas described above, the applicant is proposing private open spaces such as roof decks for each of the residential towers, and these will include recreational amenities such as a swimming pool and gathering areas.

Consistent with similar practices for other development cases in the City, staff has included a condition requiring that the plazas on Blocks 19 and 20 have public access easements on them to ensure that they are publicly accessible in perpetuity. It is important to note that the plazas/courtyards on Blocks 19 and 20 are not intended to be major public gathering spaces, and serve primarily as amenity spaces for the community, including residents, employees and visitors of the development. However, staff believes it is important to assure their perpetual accessibility to the public through the application of an easement. Staff has weighed the advantages of requiring the applicant to provide open space public access easements as compared with including a condition that simply requires public access of these spaces. The creation of public access easements on the Blocks 19 and 20 courtyards is a clearer and more transparent solution to encouraging public use of these privately owned spaces in perpetuity. Furthermore, provision of a public access easement facilitates enforcement of the open space area, as documentation of the easement will be present on applicable plats.

#### ***F. Open Space Contributions***

The Eisenhower East Small Area Plan (EESAP) anticipated that developers and landowners in the Eisenhower East area would dedicate land or provide a fair-share contribution for the implementation of acquisition, remediation and construction of parks and open space. The



Eisenhower East Plan Implementation created an Eisenhower East Open Space Fund and developed formulas for each block in the planning area to contribute to this fund. This approach was approved by the Planning Commission and City Council in June 2006. A rate of \$2.13 per square foot per allowable gross floor area was established with the contribution to be made on a monetary or in-kind basis.

In the formulas that were developed, Blocks 19 and 20 were considered individually with the anticipation that they would develop separately. Although, they are now not coming in separately and are being developed as one cohesive project, staff's recommendations reflect the contributions that were approved in the June, 2006 formulas. Staff has taken this approach because the achieving the ultimate financial requirements of plan implementation relies on adherence to the approved formulas.

For Block 19, the Eisenhower East Plan Implementation did not anticipate any monetary contribution to the Eisenhower East Open Space Fund. Instead, the dedication of 55,000 sq. ft. as a "Community Park" was recommended. This 55,000 sq. ft. consists primarily of an important resource protection area (RPA) and is owned by three different parties: the majority (approximately one acre) is owned by the applicant of this development proposal. Hoffman Family owns a small portion of the block to the north of the existing RPA, which will be dedicated to the City when development of Block 12 occurs, and the City owns approximately 4,000 sq. ft of land at the intersection of Eisenhower Avenue and Mill Road.

Future dedication of open space on other properties to the east of Block 19 will ultimately link the Eisenhower Park to the African American Heritage Park on the east side of Holland Lane.

For Block 20, the Eisenhower East Plan Implementation requires that the applicant make a fair-share contribution to the implementation of the parks and open space within Eisenhower East. The share anticipated for Block 20 was 585,000 square feet (the allowable gross square floor area) multiplied by \$2.13 (the approved rate). This is equal to the \$1,246,050 which staff is recommending as a contribution in this case.

Staff is aware that the applicant has concerns with this recommended contribution and this issue will merit further discussion at the Planning Commission and City Council hearings. Staff notes that the fair-share contributions have been determined for some time with the approval of the Eisenhower East Plan Implementation by the City Council in June 2006. If the fees anticipated in 2006 are not collected, the amount of money anticipated for acquisition, design and development of future park land in the Eisenhower area will not be adequate.

### ***G. Pedestrian and Streetscape Improvements***

The development of Blocks 19 and 20 will provide pedestrian and streetscape improvements that will enhance the area in accordance with the *Eisenhower East Small Area Plan* and associated design guidelines. In general, the streetscape for Blocks 19 and 20 will consist of minimum 14-foot-wide brick sidewalks with street trees, pedestrian scale lighting, and continuous sidewalks at all drive aisles serving the site.

Additionally, the *Eisenhower East Plan* identifies a hierarchy of street frontages with “A,” “B,” and “C” designations. On Block 19, the Mill Road, Port Street, and RPA facades are classified as “A” frontages, which have the most restrictive guidelines to ensure the highest quality character and appearance. For Block 20, “B” frontages, or secondary street designations, are located along Mill Road and at the Mill Road and Southern Street intersection. Dock Lane, Southern Street, and the portion of Port Street serving Block 20 are considered “C” frontages, which are considered the least public in nature and therefore, the least restrictive in design. Specific streetscape guidelines are associated with each type of frontage.

### Block 19

Primary entrances for both buildings are located on Mill Road and Port Street, as main building entrances are required on “A” street frontages. The entrances on each of these streets will contribute to pedestrian activity on the surrounding sidewalks, and special paving will highlight these entrances. Along Mill Road, sidewalks will be approximately 25 feet wide, and along Port Street, they will be 14-foot wide. Staff has recommended that all raised planters be of “seat wall” height. Sidewalks on Mill Road and Port Street will be connected to Eisenhower Avenue.

Although Port Street will be constructed as part of this proposal, it is unclear when the development of the adjoining Blocks 11 and 12 will occur. Staff is therefore recommending that the applicant construct a temporary asphalt sidewalk with street trees on the western side of Port Street which will be rebuilt with the development of Blocks 11 and 12.

Dock Lane will consist of 14-foot-wide sidewalks and street trees. Although this street is considered a “C” street, staff has worked with the applicant to make the environment more appealing to pedestrians, by integrating open space along Dock Lane, promoting active use frontages, and providing continuous, level sidewalks over all drive aisles.

### Block 20

Similar to Block 19, special measures were taken to improve the quality of Dock Lane, which will contain active use areas and potential retail storefronts. The streetscape along Dock Lane in front of the office buildings will consist of 14-foot-wide sidewalks, street trees, and on-street parking. A vehicular/drop-off zone has been refined to be integrated with the sidewalk and entrance to the open space courtyard between the office buildings. Main office building entrances are located fronting along Dock Lane and the central open space area. Main pedestrian building entrances are technically required along Mill Road, a designated “B” frontage. However, due to the improved nature of Dock Lane, including the presence of active use storefronts and large open spaces facing the street, staff encouraged the applicant to orient building entrances towards Dock Lane and the courtyard. Mill Road will have a wide sidewalk, with an approximately 12 to 20-foot landscape strip abutting the building, a 6-foot wide unobstructed sidewalk, and street trees.

Although it is designated as a “C” frontage, Southern Street has also been treated to screen the service uses from view. The street is heavily landscaped and the service/loading area will include concrete pavers.

**H. Traffic and Transportation**

Trip Generation

A detailed traffic impact study for Block 19 and Block 20 was submitted for this project, which updated the Hoffman Master Plan Traffic Impact Analysis dated October 2005. Based on the applicant’s traffic study, the development will generate 703 AM peak hour trips and 697 PM peak hour trips. The development will generate 5,587 daily trips. These numbers include a 25 percent transit mode share, consistent with previous studies.

**Table 2. Trip Generation (includes reductions for TDM strategy)**

	AM Peak Hour (vehicles)	PM Peak Hour (vehicles)	Average Daily Traffic (ADT)
Block 19 (Residential)	125	146	1,668
Block 20 (Office)	578	551	3,899
<b>Totals</b>	<b>703</b>	<b>697</b>	<b>5,567</b>

Comparison of Peak Hour Traffic Conditions

The applicant also analyzed peak hour volumes using appropriate procedures, as detailed in the 2000 Edition of the Highway Capacity Manual. Traffic analysis results are summarized in Tables 3 through 5 below for key area intersections.

Due to the construction of the Mill Road interstate ramps connecting I-495 and Mill Road, there is still some uncertainty regarding the final configuration of Mill Road in the area of Southern Street. As a result, there are currently three alternatives being considered. Some of the alternatives require either right-of-way acquisition or an access easement from VDOT, and restriping of VDOT maintained roadway is also required on one of the alternatives.

**Alternative A – Dedicated Left Turn Lane from Northbound Mill Road onto Southern Street (with signal at Southern Road)**

**Table 3. Peak Hour Level of Service and Delay for Key Area Intersections**

Study Intersection	Existing Conditions		2012 Near term		2020 Buildout	
	AM	PM	AM	PM	AM	PM
Eisenhower Avenue and Mill Race Lane/Port Street	A 2.6	A 3.4	B 18.7	B 15.9	C 26.2	C 25.7
Eisenhower Avenue and Mill Road	A 8.8	B 10.9	F 212.5	E 70.2	E 79.5	E 66.7
Mill Road and Southern Street	N/A	N/A	A 3.9	B 10.2	B 16.6	F 93.9

Note: Intersection delay is measured in seconds/vehicle

**Alternative B – No Northbound Left turns at the intersection of Mill Road and Southern Street (without signal at Southern Street)**

**Table 4. Peak Hour Level of Service and Delay for Key Area Intersections**

Study Intersection	Existing Conditions		2012 Near Term		2020 Buildout	
	AM	PM	AM	PM	AM	PM
Eisenhower Avenue and Mill Race Lane/Port Street	A 2.6	A 3.4	B 19.3	B 19.6	C 29.8	C 34.2
Eisenhower Avenue and Mill Road	A 8.8	B 10.9	F 212.7	E 72.4	F 110.5	F 84.3
Mill Road and Southern Street	N/A	N/A	STOP control		STOP control	

Note: Intersection delay is measured in seconds/vehicle

***Alternative C – Shared Thru/Left Turn Lane from northbound Mill Road onto Southern Street (with signal at Southern Street)***

**Table #5. Peak Hour Level of Service and Delay for Key Area Intersections**

Study Intersection	Existing Conditions		2012 Near Term		2020 Buildout	
	AM	PM	AM	PM	AM	PM
Eisenhower Avenue and Mill Race Lane/Port Street	A 2.6	A 3.4	B 18.7	B 15.9	C 26.2	C 25.7
Eisenhower Avenue and Mill Road	A 8.8	B 10.9	F 212.5	E 70.2	E 79.5	E 66.7
Mill Road and Southern Street	N/A	N/A	A 3.8	A 6.9	F 282.1	F 96.7

Note: Intersection delay is measured in seconds/vehicle

The results indicate that the Mill Road/Southern Street intersection will operate at overall acceptable levels of service (at LOS “A”) during both the AM and PM peak hours under 2012 conditions with a new signal and shared a shared northbound left turn lane at Southern Street. While shared left configuration satisfies interim conditions, a separate northbound left turn would be required by 2020.

***Transportation Management Plan***

The *Eisenhower East Small Area Plan* seeks to achieve high non-single-occupancy vehicle (SOV) mode shares, requiring an aggressive Transportation Management Plan (TMP) strategy. Individual project TMPs, including the proposed TMP for Blocks 19 and 20, will form the framework for an area-wide Transit Management District (TMD) as envisioned by the EESAP. Upon creation of the TMD, the requirement for individual TMPs will be replaced by a developer contribution based on the floor area of the respective developments.

Overall, the TMP is designed to reduce SOV use and provide programs to encourage transit for employees, residents, and visitors to the Blocks 19 and 20 development. The TMP conditions of approval include the following requirements:

- Establishment of a TMP Fund with an initial annual contribution rate of \$120 per occupied residential unit and \$0.39 per usable square foot of office. The amount will increase annually equal to rate of inflation per the CPI Index;

- Discounted bus and rail fare media;
- A reduction goal of 45 percent in single-occupant vehicle usage;
- A carshare program;
- Participation in Ozone Action Days and other regionally sponsored clean air transit, and traffic mitigation promotions; and
- Amenities for residents and employees who travel by bicycle and/or walk as alternatives to travel by auto.

## ***I. Parking***

The *Eisenhower East Small Area Plan* encourages off-street parking to be accommodated below-grade. Maximum parking allowances are specified in lieu of minimum requirements, in order to encourage transit use. Since this development is within 1,500 feet of a metro station, the maximum ratio of 1.1 spaces per 1,000 square feet of residential space is permitted. For office uses, maximum ratios of 1.66 long-term spaces and 0.36 short-term spaces per 1,000 square feet are permitted. For the residential development on Block 19 consisting of 474,000 square feet, 521 parking spaces are permitted and the applicant has proposed 516 total parking spaces. 508 of these spaces will reside in the four-level below-grade parking garage, with 8 surface spaces serving the on-site leasing office. 49 spaces, or approximately 9 percent of the total provided amount of parking, will be reserved for visitors in the garage. Parking garage entrances are located along Dock Lane.

A maximum of 1,170 parking spaces are allowed for the office use on Block 20, and 737 spaces are proposed with this development. 735 of these spaces will be located in a five-story underground garage with ingress/egress along a service corridor accessible via Southern Street, a designated “C” street. The proposed development is consistent with the EESAP parking requirements for both residential and commercial uses.

### *On-street parking*

In addition to the off-street parking spaces, approximately 32 new on-street spaces will be created with the construction of three new streets, Port Street, Dock Lane, and Southern Street. Staff has added conditions requiring that the applicant install City parking meters on each of these streets, including the private street. These new on-street spaces will provide additional short-term parking for visitors.

## ***J. Building Design***

The massing and orientation of the four proposed buildings are consistent with the intent of the EESAP and the *Eisenhower East Design Guidelines*. Staff and the Eisenhower East Design Review Board have worked with the applicant to refine the massing and building design for this project. The design has moved away from the typical combination of red or brown brick and white precast – which is common to the area – to a composition of off-white and grey precast, metal and glass. This design remains consistent with the Design Guidelines, however, which require vertical proportions, high quality materials and detailing, a well-defined base-middle-top

composition, and strong design elements at the top of all four buildings, which have been designed as an ensemble.

A variety of vertical fenestration is used throughout the building. Primary building materials include light-colored metal panel cladding, precast concrete, and clear, low-e glass. Building tops, skyline views, and beltway views have been studied, and the resulting buildings provide prominent tops and a contemporary expression in concert with the *Eisenhower East Design Guidelines*.

Designated “active use” spaces are proposed on the ground floors of all four buildings. Although no retail space is required on Blocks 19 and 20, retail space is permitted on these blocks under the Eisenhower East Plan. Staff is recommending that the active use tenant spaces be designed to accommodate future retail tenants, incorporating or accommodating the key retail design guidelines for the Eisenhower East District, such as pronounced entryways, individualized storefronts, ample ceiling heights, and 75 to 95 percent glazing on storefronts. Design of the façades of these active use spaces should anticipate necessary and desired retrofits for retail tenants to allow for prime visibility and individuality of the storefront, as well as the successful integration of retail signage. Staff has added conditions reflecting this design refinement.

#### Block 19 – Residential buildings

The two Block 19 residential buildings read as two precast-clad vertical towers with a highly modulated precast base and glass accents. There is a strongly articulated tower element on each building, incorporating vertical glass photovoltaic fins, in keeping with the *Eisenhower East Design Guidelines* architectural feature requirements. In addition, the building massing has been carefully developed to provide variety in the skyline and to accent the inherent verticality of the buildings.

#### **Compliance with the Eisenhower East Design Guidelines**

Under the *Eisenhower East Design Guidelines*, Block 19 has both “A” (Eisenhower Avenue, Mill Road, Port Street) and “C” (Dock Lane) street frontages. These frontage guidelines outline specific design requirements for buildings and the adjoining streets. “A” frontages define the character and tone of the district.

The Block 19 proposal digresses from the design guidelines in a few respects. Curb cuts are prohibited along “A” streets. The design proposal includes a drive aisle along Mill Road into a small surface parking lot serving the leasing needs of the building. This curb cut concept was approved by the DRB and City Council, as part of the previously expired DSUP for Block 19. Since the previous approval, the design of the surface parking lot has been improved to be better integrated into the design of the adjacent open space through increased plantings and removal of an emergency vehicle easement which is no longer required.

Second, setbacks at a certain height above grade are required, and few setbacks are provided on both buildings. However, the intent of the setback requirements is to ensure that taller buildings have a pedestrian friendly mass and scale. Although the project does not comply with these requirements, the buildings incorporate an engaging and highly articulated base with active use



space and projecting bays, fulfilling the intent of the setback requirements within the vocabulary of a more contemporary expression.

Finally, for “A” street façades, architectural features may not extend more than 4 feet over the build-to-line and may not exceed 12 feet in width. The bay on the east façade of the east building exceeds the maximum permitted width by approximately 32 feet. However, the bay complements the façade and does not detract from the pedestrian experience. In general, although the Block 19 project deviates slightly from a few guidelines under the “A” frontage requirements, staff is supporting these areas of non-conformance since the design decisions in question give significant merit to the buildings.

### Block 20 – Office buildings

The two Block 20 buildings are also predominantly masonry and metal-clad, but strong glass accents are proposed on the Southern Street façade, on the west building, and on both walls facing the courtyard. A curved wall along the Mill Road façade of the east building steps up to an embedded cylindrical feature, intended as an accent skyline feature for the project as seen from the Capital Beltway. The two glass accent elements facing the Capital Beltway to the south terminate in open structures at roof level that are proposed to incorporate a series of vertical wind turbines for each office tower, capable of generating electrical power for the project. The north courtyard corners of each building also incorporate a vertical tower feature, used to signal the office lobby entries that also help to tie these buildings together with the residential towers to the north.

### **Compliance with the Eisenhower East Design Guidelines**

Under the *Eisenhower East Design Guidelines*, Block 20 has both “B” (Mill Road, southeastern end of Southern Street) and “C” (Dock Lane, Port Street) street frontages. These frontage guidelines outline specific design requirements for buildings and the adjoining streets. “C” streets provide a means of access to service entries and parking structures as well as tertiary streets through the neighborhood.

The proposal for Block 20 deviates from the “B” street requirements in primarily one respect. The guidelines call for main pedestrian building entries to be located along “B” frontages, except where located along “A” frontages. However, the building main entrances are located on Dock Lane, which is designated as a “C” street. Staff supports this departure from the design guidelines since with this proposal, the nature of Dock Lane differs from the original *Eisenhower East Plan* vision. In the Plan, the existing building on Block 20 had a different entry sequence and relationship with adjacent streets. Furthermore, the EESAP originally envisioned an “A” street bisecting the RPA area and the buildings on Block 19, with Dock Lane functioning more as a service street. Elimination of the previously proposed street north of the Block 19 buildings has evolved the character of Dock Lane. In the current proposal, Dock Lane has been given a more important function, also located at the junction of two large and publicly accessible courtyards. It is anticipated that Dock Lane will have a high proportion of pedestrian activity as it will serve as a direct route to the Metro station once Blocks 11 and 12 are developed. For this reason, staff supports locating the main pedestrian entrances along Dock Lane in synergy with the high quality courtyard designs and adjacent street.

*Setback-to-Height Ratio*

As part of this proposal, the applicant is also requesting a waiver of the setback-to-height ratio requirements under Section 6-403a of the Zoning Ordinance, which states that a building be set back from the centerline of the street it faces a distance equal to at least half the height of the building at every point. Buildings on Blocks 19 and 20 are over 200 feet high, and the distance between buildings across Dock Lane is approximately 70 feet. Under Section 6-403a of the Zoning Ordinance, the buildings along Dock Lane for this block would be required to step back substantially or overall heights would need to be reduced, assuming the building footprints are in their current location. The location of the building footprints was determined based on the following reasons: the desire to locate buildings away from the RPA and provide additional open space adjacent to the RPA; the site constraints related to the high-tension power lines on Block 20; and the desire to provide an urban street wall along Dock Lane. For these reasons, staff supports a modification under this section of the Zoning Ordinance for Blocks 19 and 20.

***K. Green Building***

This project will be one of the first to be reviewed under the City's new Green Building Policy. Consistent with that Policy, this project will incorporate sustainable design elements and achieve certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) for New Construction rating system. The Block 19 residential buildings will attain the LEED Certified level, and the Block 20 office buildings will achieve LEED Silver. Several green building elements that will accompany this proposal include: rooftop wind turbines on Block 20, usage of regionally harvested and manufactured materials, usage of recycled materials, rain water harvesting, and ultra low-flow plumbing fixtures.

The use of the rooftop wind turbines is a particularly unique and laudable element which will, staff believes, be the first of its type in the Washington Metropolitan Area. Not only will the rooftop wind turbines provide unique energy savings and sustainability, but they will also be landmark features – very visible from the Beltway and symbolic of Alexandria's commitment to green building.

***L. Mechanical Penthouses***

The applicant is also requesting permission to build taller mechanical penthouses than the 15-foot height currently permitted under the Zoning Ordinance. Section 6-403(B)(2)(b) of the Zoning Ordinance requires a special use permit to increase the penthouse height beyond the 15 feet allowed for all buildings. Staff supports this request for 22-foot tall penthouses on Block 19 and 30-foot tall penthouses on Block 20 because the additional height is necessary both to accommodate increased overruns and to meet current code requirements for the high speed elevators required in the residential and office buildings. The applicant has committed to keep this height as low as technically feasible as they progress through detailed design of the building.

In addition, the applicant is requesting a special use permit to build more than one penthouse on Block 20. Two penthouses are proposed on each of the two office buildings. The added penthouse is needed to support the proposed wind turbine system. Staff supports the request for

incorporation of an additional penthouse on each building for the primary purpose of incorporating energy efficient technologies.

### ***M. Canopy Encroachment into Port Street***

The applicant requests approval of the encroachment of an entrance canopy on the western façade of approximately 8 feet into the public right-of-way for the proposed building entrance. The entrance canopy is proposed to extend from the face of the building and across a portion of the sidewalk. The purpose of the proposed canopy is to provide shelter for residents and visitors.

Staff supports the encroachment to provide an entrance canopy for the proposed buildings. Canopies of this size and type are typical of buildings of this scale to provide protection from the elements. In addition, the canopy is an important amenity and design feature for the building. The canopy will be of an appropriate scale to clearly identify the entrance of this urban building and will not interfere with pedestrian or vehicular movement. While canopy size and encroachment extent may not be appropriate in all instances, this proposal is appropriate as the canopy is needed because it is the minimum size necessary to adequately serve the needs of a building of this size. Staff recommends approval of the canopy as proposed by the applicant.

## **V. COMMUNITY**

Staff and the applicant have contacted business and homeowner associations in the vicinity to inform the community of the project. Presentations have been made to the Eisenhower Partnership, to the Carlyle Towers residents at their annual meeting, and to the Federation of Civic Associations. Overall, there was support for this project and concerns were not expressed regarding the associated site improvements.

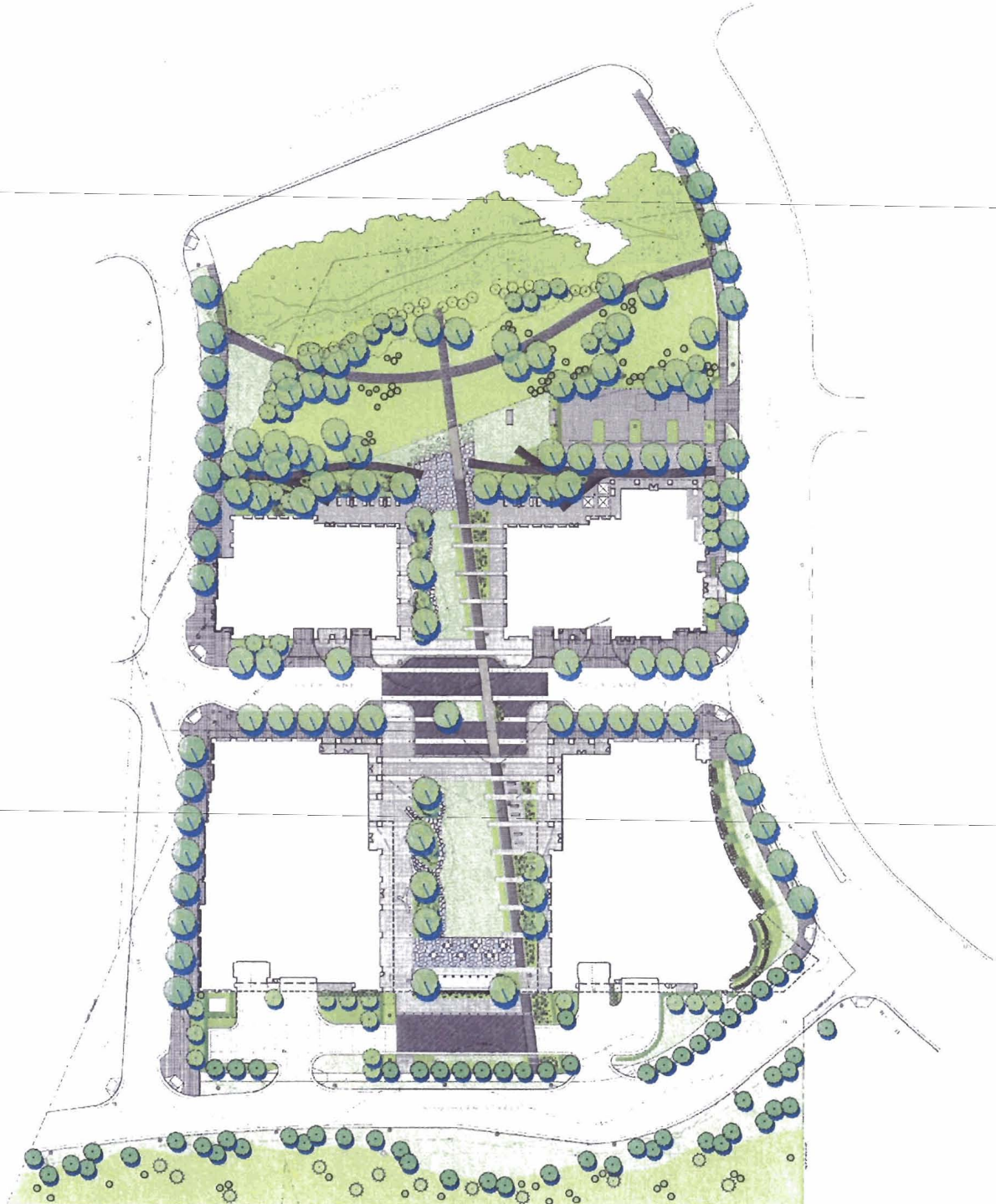
## **VI. CONCLUSION**

Staff recommends **approval** of the development special use permit with site plan and all related applications subject to compliance with all applicable codes and the following staff recommendations.

Staff: Faroll Hamer, Director, Planning and Zoning;  
Gwen Wright, Chief, Development;  
Gary Wagner, RLA, Principal Planner;  
Natalie Sun, AICP, LEED AP, Urban Planner;  
Eric Keeler, Office of Housing;  
Ravi Raut, Transportation and Environmental Services; and  
Matt Melkerson, Transportation and Environmental Services.

## VII. GRAPHICS

*Figure 1. Site Plan*



*Figure 2. Block 19 summary compliance table – Eisenhower East Design Guidelines.*

	<b>Eisenhower East Plan</b>	<b>Development Proposal</b>	<b>Consistent</b>
<b>Land Use</b>	Principal use – Residential	Residential	Yes
<b>Density</b>	395,000 sf AGFA	474,000 sf AGFA	No*
<b>Height</b>	15-25 stories 250'	22 stories 228'	Yes
<b>Building setbacks</b>	<ul style="list-style-type: none"> <li>○ Meet the build-to-line at the streetwall</li> <li>○ Min. 7' setback at specific heights above the sidewalk</li> <li>○ Buildings on all other streets except Eisenhower and C-frontages, shall have 40'-60' streetwall</li> </ul>	<ul style="list-style-type: none"> <li>○ Meets build-to-line</li> <li>○ Only visual setbacks provided</li> <li>○ South elevation: 38-48' streetwall, West elevation: 49' streetwall, East elevation 48' streetwall</li> </ul>	<p>Yes</p> <p>No**</p> <p>Yes</p>
<b>Architectural Articulation</b>	<ul style="list-style-type: none"> <li>○ Site shall be a signature architectural site with articulation</li> <li>○ Architecturally significant façade: North façade</li> <li>○ Required architectural feature: West and East sides of site</li> </ul>	<ul style="list-style-type: none"> <li>○ High-quality, highly articulated architecture</li> <li>○ North façade has significant articulation &amp; roof elements</li> <li>○ Articulated facades on West and East sides of site</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>Street Tree Plan</b>	<ul style="list-style-type: none"> <li>○ Mill Rd.: Red Maple or Willow Oak</li> <li>○ Port St. &amp; Dock Ln.: Golden Raintree or Japanese Pagoda</li> </ul>	<ul style="list-style-type: none"> <li>○ Mill Rd.: Willow Oak</li> <li>○ Port St.: Japanese Pagoda, Dock Ln.: Golden Raintree</li> </ul>	<p>Yes</p> <p>Yes</p>
<b>Street Frontage Design Principles: Street Frontage Plan</b>	<p>A Street Frontages:</p> <ul style="list-style-type: none"> <li>○ Buildings shall front the street</li> <li>○ Main pedestrian entries</li> <li>○ Active uses on all street frontages</li> <li>○ Highest quality of architectural façade &amp; streetscape treatment</li> <li>○ No visible curb cuts/service alleys</li> <li>○ Structured parking shall be screened with active uses min. 30' deep from building face</li> <li>○ Architectural features may not extend more than 4' past build-to-line &amp; may not exceed 12' in width. Projection must be 15'+ above sidewalk.</li> </ul>	<ul style="list-style-type: none"> <li>○ Buildings front the street</li> <li>○ Main pedestrian entries on Eisenhower, Mill, Port</li> <li>○ Active uses on all building frontages</li> <li>○ High quality materials &amp; streetscape</li> <li>○ Curb cut along Mill Rd.</li> <li>○ No structured parking along A frontages</li> <li>○ Bay on east façade of the east building exceeds the maximum permitted width by approximately 32'</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No**</p> <p>Yes</p> <p>No**</p>

\*Proposal includes bonus density SUP request for provision of affordable housing

\*\*Staff supports waiver

*Figure 3: Block 20 summary compliance table – Eisenhower East Design Guidelines.*

	<b>Eisenhower East Plan</b>	<b>Development Proposal</b>	<b>Consistent</b>
<b>Land Use</b>	Principal use – Office	Office	Yes
<b>Density</b>	585,000 sf AGFA	585,000 sf AGFA	Yes
<b>Height</b>	10-15 stories 200'	15 stories 220'	No*
<b>Building setbacks</b>	<ul style="list-style-type: none"> <li>○ Meet the build-to-line at the streetwall</li> <li>○ Min. 7' setback at specific heights above the sidewalk</li> <li>○ Buildings on all other streets except Eisenhower and C-frontages, shall have 40'-60' streetwall</li> </ul>	<ul style="list-style-type: none"> <li>○ Meets build-to-line</li> <li>○ Physical and visual setbacks provided</li> <li>○ Mill Rd. elevation: approximately 50' streetwall</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>Street Tree Plan</b>	<ul style="list-style-type: none"> <li>○ Mill Rd.: Red Maple or Willow Oak</li> <li>○ Port St. &amp; Dock Ln.: Golden Raintree or Japanese Pagoda</li> </ul>	<ul style="list-style-type: none"> <li>○ Mill Rd.: Willow Oak</li> <li>○ Port St.: Japanese Pagoda, Dock Ln.: Golden Raintree</li> </ul>	<p>Yes</p> <p>Yes</p>
<b>Street Frontage Design Principles: Street Frontage Plan</b>	<p>B Street Frontages:</p> <ul style="list-style-type: none"> <li>○ Buildings shall front the street</li> <li>○ Shall have the building's main pedestrian entries except where located on A frontages</li> <li>○ Parking may be located above the ground floor but must be masked</li> <li>○ High quality architectural façade &amp; streetscape treatment</li> <li>○ Only one curb cut per block face is permitted</li> <li>○ Shared curb cut access allowed</li> </ul>	<ul style="list-style-type: none"> <li>○ Buildings front the street</li> <li>○ Main pedestrian entrances on Dock Ln.</li> <li>○ No parking is located above grade</li> <li>○ High quality materials &amp; streetscape</li> <li>○ No curb cuts provided along Mill Rd. frontage</li> <li>○ No curb cuts provided along Mill Rd. frontage</li> </ul>	<p>Yes</p> <p>No**</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

\* Proposal includes MPA request for increased height

\*\*Staff supports waiver



*Figure 4: Bird's eye view of Blocks 19 and 20 from Eisenhower Avenue*



*Figure 5: Northwest view of Block 19 proposal*





*Figure 6: Southwest view of Block 20 proposal*



*Figure 7: South view of the Block 20 and Block 19 courtyard towards the RPA*



## **VIII. STAFF RECOMMENDATIONS**

### **A. GENERAL:**

1. Provide all improvements depicted on the preliminary plan dated March 17, 2009 and comply with the following conditions of approval. (P&Z)

### **B. PEDESTRIAN/STREETSCAPE:**

2. Provide the following pedestrian improvements to the satisfaction of the Directors of P&Z, RP&CA and T&ES:
  - a. Complete all pedestrian improvements prior to issuance of a certificate of occupancy permit.
  - b. Install and maintain ADA accessible pedestrian crossings serving the site.
  - c. All sidewalks shall be brick per the *Eisenhower East Small Area Plan*.
  - d. Construct all brick sidewalks to City standards. The minimum unobstructed width of newly constructed sidewalks shall be 6'.
  - e. All brick sidewalks shall comply with the City's Memo to Industry 05-08.
  - f. Sidewalks shall be flush across all driveway crossings.
  - g. All newly constructed curb ramps in Alexandria shall be concrete with detectable warning and shall conform to VDOT standards as outlined in a City Memo to Industry (3/07) available on-line:  
<http://alexandriava.gov/tes/info/default.aspx?id=3522>
  - h. To the extent possible, provide separate curb ramps for each direction of crossing (i.e., two ramps per corner). Curb ramps shall be perpendicular to the street to minimize crossing distances. Any changes must be approved by the Director of T&ES.
  - i. Provide thermoplastic crossings on Mill Road and Southern Street. All other crosswalks serving the development shall consist of StreetPrintXD ([http://www.integratedpaving.com/streetprint\\_xd/](http://www.integratedpaving.com/streetprint_xd/)). Crosswalks on the private street shall be maintained by the applicant.
  - j. Install pedestrian countdown signals and pedestrian activated push-buttons in accordance with City Standards. All pedestrian-activated push buttons shall be accessible per ADA Accessibility Guidelines (ADAAG).
  - k. Provide special paving patterns to designate entrances per the *Eisenhower East Design Guidelines*, including entrances in front of areas designated as active use.
  - l. Planters in front of storefronts designated as active use shall be movable to provide wider sidewalks and more accessible storefront facades.
  - m. Provide a decorative bollard design that relates to the building design and provide details of all bollard types.
  - n. Materials for planter walls shall be stone, brick, or pre-cast concrete in coordination with materials on the buildings.

#### ***Port Street:***

- o. Prior to the issuance of the first certificate of occupancy for Block 19 or Block 20, the sidewalk on the eastern portion of Port Street shall be constructed.

- p. Prior to the issuance of the first certificate of occupancy for Block 19 or Block 20, and consistent with the alignment approved as part of DSUP#2005-0034, a temporary 14 ft wide asphalt sidewalk and street trees from Southern Street to Eisenhower Avenue shall be installed on the west side of Port Street.
- q. Maximize on-street parking along Port Street from Southern Street to Eisenhower Avenue.
- r. Eliminate the bulb out on the east side of Port Street north of the residential building entrance and provide four (4) additional on-street parking spaces in this location consisting of up to two (2) Zip car spaces with the remaining 2 or 3 spaces as 15-minute parking spaces.

***Dock Lane:***

- s. Reduce curb turning radii for all loading dock curb cuts along Dock Lane to 15'.
- t. Eliminate a total of 14 bollards on the raised curbs adjacent to the lay-by area serving Block 19 (6 bollards) and the drop-off area serving Block 20 (8 bollards).

***Mill Road:***

- u. If Mill Road is expanded to the full section with the construction of Blocks 19 and 20, the proposed retaining wall for the sidewalk adjacent to the open space shall be a stone veneer and include decorative metal railings. Any other retaining walls if required within the open space area shall be of comparable materials.

***Southern Street:***

- v. Unless doing so will preclude the ability to have a left-turn lane from Mill Road onto Southern Street, provide a minimum 10-foot-wide landscape strip between the southeast corner of the eastern office building and the back of sidewalk along Southern Street. This can be achieved by reducing the east- and west-bound lane widths of Southern Street to 11 feet (exclusive of gutter pans), by narrowing the planting strip in this specific area to 4 feet, by reengineering the curve of Southern Street, and by allowing landscape plantings within the right-of-way next to the sidewalk.
  - w. Coordinate boundary information and final alignment of Southern Street with adjacent property (Block 11) to the west. \*(P&Z)(RP&CA)(T&ES)
3. For the pedestrian connection on the north side of the Block 19 buildings, provide the following to the satisfaction of the Director of P&Z.
- a. Where permanent walls or planters are necessary they shall be brick, stone or precast concrete to complement the building. The planting depth of the planters shall be in accordance with the requirements of the Landscape Guidelines.
  - b. Where practical, the raised planters shall be designed to be of seat wall height.
  - c. Provide black pedestrian scale single acorn luminaire street lights on the southern portion of the connection to reinforce the public nature of the sidewalk. (P&Z)

**C. OPEN SPACE/LANDSCAPING:**

4. Develop, provide, install and maintain an integrated Landscape Plan that is coordinated with other associated site conditions to the satisfaction of the Directors of P&Z and RP&CA. At a minimum the Landscape Plan shall:
  - a. Provide an enhanced level of detail plantings throughout the site (in addition to street trees). Plantings shall include a simple mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees, groundcovers and perennials that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.
  - b. Ensure positive drainage in all planted areas.
  - c. Provide detail, section and plan drawings of tree wells showing proposed plantings and associated materials, irrigation, adjacent curb/pavement construction, including edge restraint system, dimensions, drainage, and coordination with site utilities.
  - d. Provide detail sections showing above and below grade conditions for plantings above structure.
  - e. Provide planting details for all proposed conditions including street trees, multi-trunk trees, shrubs, perennials, and groundcovers.
  - f. Evergreen groundcover shall be provided within each tree well.  
(P&Z)(RP&CA)
  
5. Provide the following modifications to the landscape plan and supporting drawings:
  - a. Add one street tree north of parking area curb cut along Mill Rd on Block 19.
  - b. Demonstrate adequate soil volume for street tree above culvert on Mill Rd.
  - c. Clarify hatches on landscape plan sheets. It appears that a concrete paver hatch is used to denote turf in planting strip along Mill Rd.
  - d. The RPA trail to be located within the southern boundary of the RPA buffer on Block 19 as generally depicted on the preliminary plan dated March 17, 2009 shall be six (6) feet wide with a stone dust surface course with metal edging and designed and constructed to the satisfaction of the Directors of T&ES, RP&CA and P&Z.
  - e. The north-south RPA trail shall not extend north of the east-west RPA trail.
  - f. Provide a cross sectional detail of the RPA trail on the site plan prior to the final plan approval to the satisfaction of the Directors of T&ES, RP&CA, and P&Z.
  - g. Revise RPA wildflower mix according to *Attachment #1*. Provide installation notes and specifications according to Ernst Seed Company.
  - h. Relocate trees and shrubs shown in the wildflower mix area to the north side of the east-west 6 ft. stone dust trail in the RPA, except for those adjacent to the parking lot used for screening and those bordering the RPA trail.
  - i. Provide an exhibit to clarify which vegetation is to remain and to be removed. Applicant shall work with City Staff to retain vegetation to the maximum extent possible.
  - j. Replace *Ilex glabra* with other native species.
  - k. Designate all lawn areas to be sodded.

1. Provide tree protection and details per City of Alexandria Landscape Guidelines. Depict tree protection on demolition plan, erosion & sediment control plan, and landscape plan. (RP&CA)(P&Z)(T&ES)
6. Provide a site irrigation/water management plan developed, installed and maintained to the satisfaction of the Directors of RP&CA and Code Administration.
  - a. Demonstrate that all parts of the site can be accessed by a combination of building mounted hose bibs, ground set hose connections, and automatic irrigations systems.
  - b. Provide external water hose bibs continuous at perimeter of building. Provide at least one accessible external water hose bib on all building sides.
  - c. Hose bibs and ground set water connections and FDCs must be fully accessible and not blocked by plantings, site utilities or other obstructions.
  - d. Install all lines beneath paved surfaces as sleeved connections.
  - e. Locate water sources and hose bibs in coordination with City Staff.  
(Code)(RP&CA)
7. Develop a palette of site furnishings in accordance with the *Eisenhower East Design Guidelines* that is generally consistent with the Preliminary Plan submission.
  - a. Provide location and specification for site furnishings that depicts the scale, massing and character of site furnishings.
  - b. Site furnishings shall include benches, bicycle racks, trash receptacles, drinking fountains and other associated features and be developed to the satisfaction of the Directors of RP&CA, P&Z, and T&ES  
(RP&CA)(P&Z)(T&ES).
8. Provide material, finishes, and architectural details for all retaining walls, seat walls, decorative walls, and screen walls located at grade. Indicate methods for grade transitions, handrails- if required by code, directional changes, above and below grade conditions. Coordinate with adjacent conditions. Design and construction of all walls shall be to the satisfaction of the Directors of RP&CA, P&Z, and T&ES.  
(RP&CA)(P&Z)(T&ES)
9. Prior to the issuance of the last certificate of occupancy for the west or east tower of Block 19, dedicate to the City the open space including the resource protection area (RPA) for use as public open space/park. All improvements shall be completed prior to issuance of the last certificate of occupancy permit for the west tower or east tower of Block 19.  
(P&Z)(RP&CA)(T&ES)
10. Provide a maintenance plan for the community park in compliance with City of Alexandria Landscape Guidelines. (RP&CA)
11. Prior to the release of the final site plan for Block 19, the applicant and the City shall enter into a Memorandum of Understanding (MOU) regarding the maintenance of the Community Park. The MOU shall include an annual contribution by the applicant.\*  
(RP&CA)



12. Provide perpetual public access easements over all at-grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan.\* (P&Z)(RP&CA)

**D. TREE PROTECTION AND PRESERVATION:**

13. Contract with a professional tree preservation company to provide, implement and follow a tree conservation and protection program that is developed per the *City of Alexandria Landscape Guidelines* and to the satisfaction of the Directors of P&Z and RP&CA, and the City Arborist. (P&Z)(RP&CA)
14. A fine shall be paid by the applicant in an amount not to exceed \$10,000 for each tree to be preserved over 2” in caliper that is destroyed if the approved tree protection methods have not been followed. Trees less than or equal to 2” in caliper shall be replaced in kind with no fine. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit to the satisfaction of the City Arborist and in accordance with the *City of Alexandria Landscape Guidelines*.\*\*\* (P&Z)(RP&CA)
15. The area of the limits of disturbance and clearing for the site shall be limited to the areas as generally depicted on the preliminary plan dated March 17, 2009 and reduced if possible to retain existing trees and grades. (RP&CA)
16. The Condominium / Homeowners Association (HOA) documents shall incorporate language that requires the following elements and other restrictions deemed necessary by the City Attorney to ensure that the trees proposed to be saved are retained including:
  - a. Require property owners to sign a disclosure statement acknowledging the presence and required protection of the trees.
  - b. The trees to be protected as depicted on the approved site plan shall be required to be retained unless otherwise permitted to be removed by the City Arborist due to the health and safety of the tree.
  - c. Any proposal to remove a tree that is designated to be retained on the approved site plan for reasons other than health or safety shall require approval by the Homeowners Association and a site plan amendment. (P&Z)(RP&CA)

**E. BUILDING:**

17. Provide the following building refinements to the satisfaction of the Director of P&Z\*:

***Block 19***

- a. Provide the structure for future projecting glass storefront bays extending beyond the building wall on all active use facades along Dock Lane, at the corner of Mill Road and Dock Lane, and facing the central courtyard space.

**Block 20**

- b. Provide the structure for future projecting glass storefront bays extending beyond the building wall on all active use facades along Dock Lane, Port Street, and the central courtyard space.

**General**

- c. Provide high quality windows for each of the buildings.
  - d. Provide detailed design drawings (enlarged plan, section, and elevation studies) to evaluate the building base, entrance canopies, and window treatments, including the final detailing, finish and color of these elements, during final site plan review. Provide these detailed design drawings at a scale sufficient to fully explain the detailing and depth of façade treatment.
  - e. Color architectural elevations shall be submitted during final site plan review.
  - f. Provide detailed design drawings showing all architectural metalwork (balcony rails, transformer enclosure, garage doors, etc.) along with color, material and finish information for each.
  - g. Provide details including colors and materials for all balconies, decks, canopies, and rooftop spaces with the final site plan.
  - h. No visible wall penetrations or louvers for HVAC equipment are permitted in the individual units on Block 19. All such equipment shall be rooftop-mounted and louvers provided at that level. No wall penetrations shall be allowed for kitchen vents on Block 19. These shall be carried through the roof and located where they are not visible from the public right-of-way. Outside air, dryer and bathroom vents, if not carried through the roof, shall be painted to match the building and integrated within the façade design. On the ground floor of both blocks, building/window system integrated louvers for fresh/outside air and exhaust, i.e. toilet and or non-grease laden kitchen exhaust for the active use areas shall be allowed to the satisfaction of the Director of P&Z.
  - i. Provide plan and section details of the conditions adjoining garage and loading bay doors. The doors shall be an opaque screen or mesh to minimize the projection of light from the garage or loading bay onto the adjoining street.
  - j. The final materials, details, and color selection shall be subject to review by the Eisenhower East Design Review Board prior to obtaining a building permit.
  - k. On-site mock-up panels for Blocks 19 and 20 shall be provided for final approval of the precast and other major building materials (base, metal panels, windows, etc).\*\* (P&Z)
18. Energy Star labeled appliances shall be installed in all multi-family residential units. (T&ES)
19. Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Silver for Block 20 and LEED Certified for Block 19 to the satisfaction of the Directors of P&Z, RP&CA and T&ES. Diligent pursuance and achievement of this certification shall be monitored through the following:
- a. Provide evidence of the project's registration with LEED with the submission of the first final site plan.\*

- b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) prior to issuance of a certificate of occupancy.\*\*\*
  - c. Provide evidence of submission of materials for Construction Phase credits to USGBC within six months of obtaining a final certificate of occupancy.
  - d. Provide documentation of LEED Certification from USGBC within two years of obtaining a final certificate of occupancy.
  - e. If a certification level of LEED Silver for Block 20 and LEED Certified for Block 19 is not obtained, then a public hearing before City Council shall be docketed to review the cause for the applicant's inability to obtain such certification levels and to determine if a monetary fine should be imposed. (P&Z)(RP&CA)(T&ES)
20. To the extent possible and in accordance with LEED standards, the applicant shall work to reuse the existing building materials as part of the demolition process and coordinate with the City on leftover, unused, and/or discarded building materials. (T&ES)(P&Z)

**F. SIGNAGE:**

21. Prior to issuance of the first certificate of occupancy, design and develop a coordinated sign program in accordance with the Zoning Ordinance. (P&Z)
22. Freestanding monument signs shall be prohibited. (P&Z)
23. Install a temporary informational sign on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a contractor or real estate sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project.\* (P&Z)(T&ES)
24. Provide City standard park signage for the open space on Block 19. (P&Z)(RP&CA)

**G. HOUSING:**

***Block 19***

25. If the property is developed as rental apartments, the following conditions shall apply:
- a. The developer shall make a voluntary cash contribution of \$1,174,330 to the City's Housing Trust Fund in keeping with the conclusions of the Developer's Housing Contribution Policy Work Group (DHCPWG).
  - b. The developer shall provide affordable set-aside rental units, with a total of 30,020 gross square feet, with the mix of units to be to the satisfaction of the Director of Housing.
  - c. Rents payable for the set-aside units shall not exceed the maximum rents allowed under the Federal Low Income Housing Tax Credit program for households with incomes at or below 60% of Washington D.C. Metropolitan Area Family Median Income (taking into account utility allowances and any charges for parking spaces) for a period of 20 years from the date of initial

occupancy of each affordable unit. The developer shall re-certify the incomes of such households annually.

- d. Once an income-eligible household moves into a unit, that unit will be considered an affordable unit until the household's income increases to more than 140% of the then-current income limit. At that time, the over income household shall be allowed to remain, but the next available unit of comparable size (i.e., with the same number of bedrooms, den space and/or approximate square footage), and located on the first twelve floors must be rented to a qualified household. Once the comparable unit is rented, the rent of the over-income unit may then be increased to market rate in accordance with any lease restrictions.
  - e. Applicants receiving Section 8 assistance will not be denied admission on the basis of receiving Section 8. Section 8 payments will be treated as income for the purpose of determining minimum income eligibility.
  - f. The set-aside units shall be of the same size, floor plan and with the same amenities as other similar units in the development excluding the penthouse and the luxury two-bedroom units. Units designed as affordable housing shall be distributed throughout the first twelve floors of the development. Concentrations of affordable units will be avoided.
  - g. If the market rents are less than anticipated, the tax credit rents (as adjusted for utility allowances) will continue to be used as the affordable rents; however, in the event the differential between the market rents and the affordable rents falls below \$150, the affordable rents shall be reduced to maintain a differential of at least \$150 at all times.
  - h. Occupants of the affordable rental units shall be charged a parking fee equivalent to no more than the cost of the sticker and management fee.
  - i. The developer shall provide the City with access to the necessary records and information to enable annual monitoring of compliance with the above conditions for the 20-year affordability period.
  - j. Amendments to the approved Affordable Housing Plan must be submitted to the Affordable Housing Advisory Committee for consideration, and require final approval from the City Manager. (Housing)
26. Alternatively, if the property is developed as a condominium:
- a. The developer shall make a voluntary cash contribution of \$1,249,864 to the City's Housing Trust Fund in keeping with the conclusions of the Developer's Housing Contribution Policy Work Group (DHCPWG). The City shall also have the option of using this voluntary cash contribution to buy down additional affordable units.
  - b. The developer shall provide affordable condominium units to be used as rental units, with a total area of 30,020 gross square feet, with the mix of units to be to the satisfaction of the Director of Housing.
  - c. The affordable units shall be sold to an entity designated by the City at a price not to exceed \$175,000 for the one bedroom units; \$200,000 for the one-bedroom w/den units and \$225,000 for the two bedroom units, and shall be operated by that entity as rental units in perpetuity. The operation of the rental

- units shall be governed by a separate agreement to be entered into between the City and the designated entity.
- d. The set-aside units shall be of the same size, floor plan and with the same amenities as other similar units in the development excluding the penthouse and the luxury 2-bedroom units. Units designed as affordable housing shall be distributed throughout the first twelve floors of the development. Concentrations of affordable units will be avoided.
  - e. If the developer sells the market rate units for less than expected, the applicant shall index the price on the affordable units and ensure that a price differential between the market units and the affordable set-aside units of not less than 15% is maintained.
  - f. A minimum of one parking space shall be included in the price of each affordable set-aside unit. (Housing)
27. In the event of a development that combines rental and condominium units, each component will be subject to the applicable requirements listed above on a pro rata basis, and the developer shall submit a revised Affordable Housing Plan for the consideration of the staff of the Office of Housing and final approval from the City Manager. (Housing)
28. If at a future date the City Council approves a text amendment to the Zoning Ordinance Section 7-700 that allows for a cash contribution to be made in lieu of the provision of affordable housing, the requirement for on-site affordable sales units set forth above may be converted to a cash contribution in accordance with the policy in effect at that time for such cash contributions, by mutual agreement between the City and the developer. (Housing)
29. In the event of a reduction in the approved gross floor area of the proposed development for Block 19, the contribution will be scaled down in proportion to the reduction in gross floor area, with any reduction in the number of affordable units subject to review by the Affordable Housing Advisory Committee and final approval by the City Manager. (Housing)

***Block 20***

30. The developer shall make a voluntary contribution of \$1.50 per square foot of new gross floor area (\$877,500, based on current application) in keeping with the conclusions of the "Developer Housing Contribution Work Group Report" dated May 2005 and accepted by the Alexandria City Council on June 14, 2005. The contribution is to be made prior to issuance of Certificate of Occupancy.\*\*\* (Housing)
31. In the event of a reduction in the approved gross floor area of the proposed development for Block 20, the contribution will be scaled down in proportion to the reduction in gross floor area. (Housing)

**H. PARKING:**

32. Provide a Parking Management Plan with the final site plan submission, outlining mechanisms to maximize the use of the parking garage by residents, office workers, and

visitors and discouraging single occupancy vehicles. The Parking Management Plan shall be to the satisfaction of the Directors of P&Z and T&ES and be approved by the Departments of P&Z and T&ES prior to the release of the final site plan. The Parking Management Plan shall provide the following:\*

**Block 19**

- a. A *maximum* of 521 parking spaces shall be provided on the property in accordance with the *Eisenhower East Small Area Plan*. A minimum of 49 spaces in the garage shall be reserved for visitor use and shall include all applicable signage. Eight (8) at-grade parking spaces shall be reserved for the leasing center.
- b. The visitor spaces in the garage shall be located on the first level.
- c. A minimum of six (6) spaces shall be provided in the underground garage for active use employees. All spaces defined as “active use” spaces shall be reserved for active use uses and provided in convenient locations. The active use parking shall include all applicable signage.
- d. Provide controlled access into the underground garage for vehicles and pedestrians. The controlled access to the garage shall be designed to allow convenient access to the underground parking for residents and visitors.
- e. Residents of the building shall be ineligible to apply for or receive any residential, visitor, or guest on-street parking permits.
- f. An average of one parking space within the garage for each residential unit is optimal.

**Block 20**

- g. A maximum of 1,170 parking spaces shall be provided on the property in accordance with the *Eisenhower East Small Area Plan*. A minimum of six (6) spaces shall be provided in the underground garage for active use employees. All spaces defined as “active use” spaces shall be reserved for active uses and provided in convenient locations. The active use parking shall include all applicable signage.
  - h. If excess parking spaces are available in the office garage, they shall be made available to the public on an hourly basis to short-term users such as visitors.
  - i. Correct parking tabulations, eliminating the 5 standard surface spaces included in the tables. (P&Z)(T&ES)
33. In keeping with the City Council requirements for metered parking in the Eisenhower East area, the applicant shall furnish and install multi-space parking meters on all public and private streets serving the project that provide on-street parking. The location and detail of the meters shall be provided on the final site plan. Meters will be paid for by the applicant, but ordered and delivered by the City. Zip cars will be allowed to park in designated spaces without charge. (P&Z)(T&ES)
34. All on-street parking controls and restrictions within the project area shall be determined by the City. Any such controls and restrictions which the applicant desires shall be shown on the final site plan. Within the project area, any parking meters which are placed on private streets with public access easements or on public rights-of-way shall be

installed by the applicant in accord with City specifications. The City reserves the right to maintain, enforce, and collect revenue from parking meters on private streets containing public access easements. (P&Z)(T&ES)

35. Provide 108 bicycle parking spaces adjacent to the office space, 2 bicycle parking spaces adjacent to the retail space, 86 spaces for residential within the underground garage, and 36 spaces for residential visitor (short-term parking). The short term bicycle rack locations will preferably be covered, grouped, and located within 50 feet of the main entrance of the residential building or as close as practical to the satisfaction of the Director of T&ES. Bicycle parking racks shall be located in a manner that will not obstruct the existing/proposed sidewalks. Bicycle parking standards, acceptable rack types and details for acceptable locations for short-term parking are available at: [www.alexandriava.gov/bicycleparking](http://www.alexandriava.gov/bicycleparking) (T&ES)

#### **I. TRANSPORTATION MANAGEMENT PLAN:**

36. A Transportation Management Plan is required to implement strategies to persuade residents and employees to take public transportation or share a ride, as opposed to being a sole occupant of a vehicle. The details of the Plan are included in *Attachment #2* to the general staff conditions. Below are the basic conditions from which other details originate. (T&ES)
37. Any special use permit granted by City Council under this section 11-700, unless revoked or expired, shall run with the land and shall be mandatory and binding upon the applicant, all owners of the land and all occupants and upon all of their heirs, successors and assigns. Any use authorized by a special use permit granted under this section 11-700 shall be operated in conformity with such permit, and failure to so operate shall be deemed grounds for revocation of such permit, after notice and hearing, by the City Council. (T&ES)
38. Prior to any lease/purchase agreements, the applicant shall prepare appropriate language to inform tenants/owners of the transportation management plan special use permit and conditions therein, as part of its leasing/purchasing agreements; such language to be reviewed and approved by the City Attorney's office. The TMP provisions shall be included in the Condominium/Homeowner's Association documents. (T&ES)
39. Eisenhower East Blocks 19 & 20 shall integrate into the District Transit Management Program when it is organized. All TMP holders in Eisenhower East will be part of this District. The objective of this district is to make optimum use of transportation resources for the benefit of residents and employees through economies of scale. (T&ES)
40. Designate a TMP Coordinator for the entire project upon application for the initial building permit. The name, location and telephone number of the coordinator will be provided to the City at that time, as well as of any changes occurring subsequently. This person will be responsible for implementing and managing all aspects of the TMP and the parking management program for the project. (T&ES)

41. Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be \$120 per occupied residential unit and \$0.39 per usable square foot of office and/or retail space. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. It shall be necessary to revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually, to begin one year after the initial CO is issued, the rate shall increase by an amount equal to the rate of inflation (Consumer Price Index – CPI of the United States) for the previous year, unless a waiver is obtained from the Director of T&ES. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment. (T&ES)
42. The Director of T&ES may require that the funds be paid to the City upon determination that the TMP Association has not made a reasonable effort to use the funds for TMP activities. As so determined, any unencumbered funds remaining in the TMP account at the end of each reporting year may be either reprogrammed for TMP activities during the ensuing year or paid to the City for use in transportation support activities which benefit the site. (T&ES)
43. The TMP Association will submit annual reports, fund reports and modes of transportation surveys to the Office of Transit Services and Programs (OTS&P) as detailed in *Attachment #2*. (T&ES)

**J. SITE PLAN:**

44. Per Section 11-418 of the Zoning Ordinance as amended, the development site plan/development special use permit shall expire and become null and void as to any uncommenced construction and any uncompleted construction, unless substantial construction of the project is commenced within 36 months after initial approval and such construction is thereafter pursued with due diligence. Eighteen (18) months after the date of City Council approval of DSUP#2007-0017, the applicant shall submit a report to the Director of P&Z on the construction status for the project, including but not limited to information on any outstanding final site plan approvals, building permit approvals, and development financing. (P&Z)
45. Submit the plat of subdivision/consolidation and all applicable easements and/or dedications with the first final site plan submission. The plat(s) shall be approved and recorded prior to the release of the final site plan.\* (P&Z)
46. Coordinate location of site utilities with other site conditions to the satisfaction of the Directors of RP&CA, P&Z, and T&ES. These items include:
  - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
  - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.



- c. Do not locate above grade utilities in dedicated open space areas, except for the Block 19 emergency generator shaft curbs and 12-foot-high exhaust flume as shown on the preliminary plan. (RP&CA)(P&Z)(T&ES)
47. Provide a lighting plan with the final site plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES, P&Z, and RP&CA in consultation with the Chief of Police and shall include the following:
- a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information.
  - b. A site lighting schedule that identifies each type and number of all fixtures, mounting height, and strength of fixture in Lumens or Watts.
  - c. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s) and security lighting. For each fixture type, the applicant shall note "equal" or "approved equal" to the manufacturer's specifications.
  - d. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all adjacent streets and/or 20 feet beyond the property line on all adjacent properties and rights-of-way. Show existing and proposed street lights and site lights.
  - e. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights to minimize light spill into adjacent residential areas.
  - f. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
  - g. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
  - h. The lighting for the areas not covered by the City of Alexandria's standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
  - i. Provide numeric summary for various areas (i.e., roadway, walkway/ sidewalk, alley, and parking lot, etc.) in the proposed development.
  - j. The walls and ceilings in the garage must be painted white or dyed concrete (white) to increase reflectivity and improve lighting levels at night. The fixtures shall not be flushed against the ceiling, but should hang down at least to the crossbeam to provide as much light spread as possible.
  - k. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties.
  - l. The lighting for the underground parking garage shall be a minimum of 2.0 foot-candles with an average of 5.00 foot-candles. The fixtures should not be flush against the ceiling, unless there are no cross beams, but should hang down at least to the crossbeam to provide as much light spread as possible. (P&Z)(T&ES)(RP&CA)(Police)

48. Provide a unit numbering plan for each floor of a multi-unit building with the first final site plan submission. The unit numbers should comply with a scheme of 100 level numbers on the first floor, 200 level numbers on the second floor, and 300 level numbers for third floor and continue in this scheme for the remaining floors. (P&Z)

**K. CONSTRUCTION:**

49. Submit a construction management plan for review and approval by the Directors of P&Z, T&ES and Code Administration prior to final site plan release. The plan shall:
- a. Designate a location(s) for off-street parking for all construction employees during all stages of construction, which may include applicable provisions such as shuttles or other methods deemed necessary by the City;
  - b. Describe how the applicant will ensure that no construction workers park on public street(s);
  - c. Include a plan for temporary pedestrian and vehicular circulation;
  - d. Include the overall schedule for construction and the hauling route;
  - e. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work;
  - f. If the plan is found to be violated during the course of construction, citations will be issued for each infraction and a correction notice will be forwarded to the applicant. If the violation is not corrected within five (5) business days, a "stop work order" will be issued, with construction halted until the violation has been corrected.\* (P&Z)(T&ES)(Code)
50. **CONDITION AMENDED BY PLANNING COMMISSION:** Provide off-street parking for all construction workers. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall **require the contractor to** subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be a component of the construction management plan, which shall be submitted to the Department of P&Z and T&ES prior to final site plan release. This plan shall:
- a. Establish the location of the parking to be provided at various stages of construction, none of which shall be allowed on public streets, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit.
  - b. Provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes.
  - c. If the plan is found to be violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within five (5) business days, a "stop work order" will be issued, with construction halted until the violation has been corrected.\* (P&Z)(T&ES)(PC)
51. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation,

- and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)(T&ES)
52. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)
  53. No major construction staging shall be allowed along Mill Road. The Applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities.\*\* (T&ES)
  54. Identify a person who will serve as a liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, RP&CA and T&ES. (P&Z)(RP&CA)(T&ES)
  55. An early construction phasing plan to the satisfaction of the Director of T&ES, may be submitted, reviewed and approved for partial release. In addition, building and construction permits required for site pre-construction shall be permitted prior to release of the final site plan to the satisfaction of the Director of T&ES.\* (T&ES)
  56. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owner's other agent shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of T&ES and Code Administration. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)(Code)
  57. Temporary construction trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a certificate of occupancy permit.\*\*\* (P&Z)
  58. Submit a wall check prior to the commencement of vertical construction above grade. The wall check shall include the building footprint, as depicted in the approved final site plan, the top-of-slab elevation and the first floor elevation. The wall check shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the P&Z prior to commencement of vertical construction. (P&Z)
  59. Submit a height certification and a location survey for all site improvements to the Department of P&Z as part of the request for a certificate of occupancy permit. The height certification and the location survey shall be prepared and sealed by a registered architect, engineer, or surveyor. The height certification shall state that the height was

calculated based on all applicable provisions of the Zoning Ordinance as set forth in the preliminary submission.\*\*\* (P&Z)

60. All owner/condominium association covenants shall be reviewed by the Director of P&Z and the City Attorney to ensure inclusion of all the conditions of this DSUP/DSP prior to applying for the first certificate of occupancy permit for the project. The association covenants shall include the conditions listed below, which shall be clearly expressed in a separate section of the covenants. The language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this development special use permit approved by City Council.
- a. The principal use of the individual resident parking spaces in the underground garage shall be for passenger vehicle parking only; storage which interferes with the use of a parking space for a motor vehicle is not permitted.
  - b. The designated visitor parking spaces shall be reserved for the use of the condominium guests.
  - c. No more than two parking spaces shall be assigned to a specific condominium unit until all settlement on the units are complete; all unassigned spaces in the garage shall be made generally available to residents and/or visitors.
  - d. All landscaping and open space areas within the development shall be maintained by the owner/condominium association.
  - e. Prior history of the Eisenhower East area indicates the presence of environmental conditions and past or ongoing remediation efforts.
  - f. Vehicles shall not be permitted to park on sidewalks, or on any emergency vehicle easement. The Homeowner's Association shall maintain a contract with a private towing company to immediately remove any vehicles violating this condition on Dock Lane.
  - g. Exterior building improvements or changes by future residents shall require the approval of the City Council, as determined by the Director of P&Z.
  - h. If the City establishes a special taxing district for this area for a transit improvement project to raise funds to finance transit capital projects or transit operating programs and services which would serve the district, all owners of property within this development shall be required to participate in the district.
  - i. On-site affordable dwelling units are located within the Block 19 buildings and will be maintained as affordable housing.
  - j. That retail uses may be provided on site including, but not limited to restaurants, bakeries, banks, bookstores, clothing, clothing accessories, drugstores, dry cleaners, florists, groceries, jewelry stores, restaurants, and any similar use deemed by the Director of P&Z, shall be present within the first floor retail spaces and that outdoor dining may be associated with any restaurants. The retail uses will generate noise and truck traffic on the adjoining public and internal streets surrounding the project and may have extended hours of operation.
  - k. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit.

- i. Notify prospective buyers, in homeowner documents that Dock Lane is a private street and that storm sewers located within the site are privately owned and maintained. \*\*\* (T&ES)(P&Z)

**L. STREETS/TRAFFIC:**

61. Port Street shall be dedicated to the City as a public street. The Port Street cross-section from Southern Street to Eisenhower Avenue shall be consistent with the alignment approved in DSUP#2005-0034. All improvements for Port Street shall be installed and the street shall be operational prior to the issuance of the first certificate of occupancy permit for the east and/or west tower for Blocks 19 or 20. The street shall not be accepted for dedication until a determination by the City is made that the street complies with all applicable codes and standards. A perpetual public access easement shall be provided for Dock Lane, including the adjoining sidewalks which shall be recorded as part of the subdivision plat, prior to the release of the final site plan.\* (P&Z)(T&ES)
62. The following street names shall apply for the new public streets within the project: Port Street and Southern Street. The approved street names shall be depicted on the final site plan and subsequent documentation and plans. (P&Z)
63. Provide street signs, stop signs, and traffic control signs, which shall consist of the following to the satisfaction of the Directors of T&ES and P&Z:
  - a. Sign posts shall be 2" galvanized posts; signs shall be Highway C aluminum, 0.080 gauge blank, 3M VIP sheeting.
  - b. All appropriate on-street parking signage and any other signage adjacent to the project for control of pedestrians and vehicles shall be installed by the developer to the satisfaction of the Director of T&ES. (T&ES)(P&Z)
64. If the City's existing public infrastructure is damaged during construction, or patch work is required for utility installation then the applicant shall be responsible for construction/ installation or repair of the same as per the City of Alexandria standards and specifications and to the satisfaction of Director of T&ES. (T&ES)
65. A pre-construction walk/survey of the site shall occur with T&ES Construction and Inspection (C&I) staff to document the existing conditions prior to any land disturbing activities. (T&ES)
66. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia.\* (T&ES)
67. Submit a Traffic Control Plan as a part of the final site plan, for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging shall be provided for informational purposes. In addition, the Traffic Control Plan shall be amended as necessary and submitted to the Director of T&ES along with the Building and other Permit Applications as required. The Final Site

Plan shall include a statement "FOR INFORMATION ONLY" on the Traffic Control Plan Sheets.\* (T&ES)

68. Mark all private street signs that intersect a public street with a fluorescent green strip to notify the plowing crews, both City and contractor, that they are not to plow those streets.\*\*\*\* (T&ES)
69. The slope on parking ramps to garage entrances shall not exceed 12 percent. In case the slope varies between 10% and 12% then the applicant shall provide a trench drain connected to a storm sewer to eliminate or diminish the possibility of ice forming. (T&ES)
70. The sidewalk along Mill Road shall remain open to the extent possible during construction and pedestrian access shall be maintained to the satisfaction of the Director of T&ES throughout the construction of the project. (T&ES)
71. Show turning movements of standard vehicles in the parking garage and parking lot. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. Provide 1 color copy of turning movements with First Final Site Plan submission.\* (T&ES)
72. Demonstrate that a 30 foot box truck can access loading bays with 15 foot curb radii on Block 19 without any encroachment into sidewalks or parked cars. (T&ES)
73. Demonstrate that a 40 foot box truck can ingress/egress Dock Lane without any encroachment into sidewalks or parked cars. (T&ES)
74. Eliminate proposed crossing of Mill Road at Dock Lane. Provide new crosswalk across Mill Road at Southern Street on the north side of the intersection. (T&ES)
75. Provide an actual count of I-495 Mill Road off-ramp and on-ramp traffic at submission of first Final Site Plan to verify projected ramp volumes in traffic study.\* (T&ES)
76. Provide documentation from VDOT that the proposed right-of-way acquisition or access easement required at the southern corner of the Mill Road and Southern Street has been obtained prior to release of the Final Site Plan.\* (T&ES)
77. If required per condition #79, provide signalization at the intersection of Mill Road and Southern Street. Provide signal plans with Final Site Plan #1. Prior to the start of construction, submit shop drawings to T&ES for approval for the following equipment: traffic signal poles/masts, traffic signal foundation design, LED traffic signals, countdown pedestrian signals, ADA accessible push buttons, and backlit street signs.\*\* (T&ES)
78. The applicant shall furnish and install two 4" conduits with pull wires, and junction boxes located at a maximum interval of 300' along Mill Road. These conduits shall terminate in

underground junction boxes at the signals located at Eisenhower Avenue and Mill Road, and Mill Road and Southern Avenue. (T&ES)

79. Provide one of the following transportation alternatives and associated traffic/signalization improvements as determined by the City:

***Alternative A (Dedicated left turn lane from Northbound Mill Road onto Southern Street)***

- a. Provide a dedicated left turn lane from northbound Mill Road onto Southern Street. Provide documentation from VDOT that the proposed lane reconfiguration on the I-495 Mill Road off-ramp necessary to provide a dedicated left turn lane has been reviewed and approved.

***Alternative B (No left turns at Mill Road and Southern Street intersection)***

- b. Prohibit left turns from northbound Mill Road onto Southern Street.  
c. In addition to the two proposed northbound Mill Road through lanes, provide a left turn lane on northbound Mill Road at Dock Lane with a minimum vehicle storage length of 50 feet.

***Alternative C (Shared through/left turn lane from Northbound Mill Road)***

- d. Provide an updated traffic analysis that shows signalization of Southern Street with a shared left/through lane. This analysis should allow left turns from northbound Mill Road onto Southern Street during AM peak travel times. The study should propose a left turn restriction from northbound Mill Road during periods other than the AM peak where capacity is needed to serve other approaches. Analyze if allowing left turns off of Southern Street is feasible. If providing left turns off Southern Street is not feasible, propose a channelization method for eastbound Southern Street vehicles to discourage/prevent left turns off Southern Street onto Mill Road.  
e. Allow unsignalized left turn from northbound Mill Road onto Dock Lane except during AM peak hours when the left onto Southern is operational. (T&ES)

**M. UTILITIES**

80. All private utilities without a franchise agreement shall be located outside of the public right-of-way and public utility easements. (T&ES)  
81. All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided.\* (T&ES)

**N. STORMWATER:**

82. All storm water designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and storm water flow conveyance systems shall be signed and sealed by a professional engineer, registered in the

Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)

83. Demonstrate compliance with flood plain ordinance Section 6-300 to Section 6-311 of Article VI Special and Overlay Zones. No final plan shall be released until full compliance with flood plain ordinance has been demonstrated.\* (T&ES)

**O. WASTEWATER/SANITARY SEWERS**

84. The proposed sanitary sewer within the private street (Dock Lane) shall be privately owned and maintained. (T&ES)
85. Per the Alexandria Sanitation Authority (ASA) any new flow into the Holmes Run Trunk Sewer during wet weather will cause downstream surcharging and increase overflow at the Holmes Run Junction Chamber. In order to prevent additional overflows at the HRJC, storage of all incremental flow from the proposed project (base flow or dry weather flow and wet weather) will need to be provided at the proposed project facility during precipitation events. Due to the distance of the site from the HRJC, it is recommended that the flow be detained throughout the precipitation event. A standard level of service in the industry is to consider typical precipitation events as 24 hours. ASA recommends that the project reduce the sanitary sewer flow as much as possible through water conservation and reuse methods. However, if the City of Alexandria and ASA develops an alternate solution(s) to this condition prior to release of the approved Final Site Plan (FSP) then the applicant shall implement the adopted alternate solution(s) under the terms and conditions acceptable to the City and ASA. If the alternate solution is adopted by the City and ASA subsequent to release of the FSP but prior to construction then the applicant shall submit a revision to amend the approved FSP and implement the solution(s) adopted by the City and ASA. (T&ES)
86. The applicant shall use EPA-labeled WaterSense fixtures to minimize the generation of municipal wastewater from the site and explore the possibilities of adopting water reduction strategies (i.e., use of gray water system on site) and other measures that could possibly reduce the wastewater generation from this site. A list of applicable mechanisms can be found at <http://www.epa.gov/WaterSense/pp/index.htm> (T&ES)

**P. SOLID WASTE**

87. Provide eight (8) Iron Site Bethesda Series, Model SD-42 decorative black metal trash cans by Victor Stanley. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES.\* (T&ES)



**Q. WATERSHED, WETLANDS, & RPAS:**

88. The storm water collection system is located within the Timber Branch watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES.\*\*\*\* (T&ES)
89. The project is located within an existing RPA or mapped wetland area, therefore the applicant shall prepare a Water Quality Impact Assessment in accordance with the provisions of Article XIII of the City of Alexandria Zoning Ordinance to the satisfaction of the Director of T&ES. (T&ES)
90. Mitigate any impacts on water quality of the development by encroachment into and/or destruction of an existing resource protection areas (RPA's) and mapped wetland area by the following methods to the satisfaction of the Director of T&ES:
- a. Restoring streams on site subject to historic erosion damage.
  - b. Increasing vegetation onsite and/or performing offsite plantings.
  - c. Contribution to T&ES/OEQ funds to stream restoration / water quality projects.
- These mitigation efforts shall be quantified and tabulated against encroachments as follows:
- d. Wetlands destruction shall be mitigated at a ratio of 2:1 and offsite at 3:1.
  - e. Resource Protection Area Encroachments shall be mitigated according to the guidelines suggested in the "Riparian Buffers Modification & Mitigation Guidance Manual" by the Chesapeake Bay Local Assistance Department. (T&ES)
91. Mitigation plan shall include invasive species removal within the RPA and a monitoring plan to assure survival of vegetation within the RPA, to the satisfaction of the Directors of T&ES and RP&CA. (T&ES)(RP&CA)

**R. BMP FACILITIES:**

92. The City of Alexandria's storm water management regulations regarding water quality are two-fold: first, phosphorus removal requirement and second, water quality volume default. Compliance with the phosphorus requirement does not relieve the applicant from the water quality default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility.\* (T&ES)
93. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A or B and Worksheet C, as applicable.\* (T&ES)

94. The storm water Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
- a. Constructed and installed as designed and in accordance with the approved Final Site Plan.
  - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized.\*\*\*\* (T&ES)
95. Submit two originals of a storm water quality and detention BMP Maintenance Agreement(s) with the City to be reviewed as part of the Final #2 Plan. It must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to approval of the final site plan.\* (T&ES)
96. The Applicant shall be responsible for maintaining storm water Best Management Practices (BMPs) until activation of the homeowner's association (HOA), if applicable, or until sale to a private owner. Prior to transferring maintenance responsibility for the BMPs to the HOA or owner, the Applicant shall execute a maintenance service contract with a qualified private contractor for a minimum of three years, and transfer the contract to the HOA or owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City. (T&ES)
97. If units will be sold as individual units and a homeowner's association (HOA) established the following two conditions shall apply:
- c. **The Applicant shall furnish the Homeowner's Association with an Owners Operation and Maintenance Manual** for all Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City.
  - d. **The Developer shall furnish each home purchaser** with a brochure describing the storm water BMP(s) installed on the site, outlining the responsibilities of the homeowners and the Homeowners Association (HOA) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners.
- Otherwise the following condition applies:
- e. **The Developer shall furnish the owners with an Owner's Operation and Maintenance Manual** for all Best Management Practices (BMPs) on the project. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including mechanical or electrical equipment; manufacturer contact names and phone

numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. (T&ES)

98. The Applicant/Owner of non-residential properties shall be responsible for installing and maintaining storm water Best Management Practices (BMPs). The Applicant/Owner shall execute a maintenance service contract with a qualified private contractor for a minimum of three years and develop an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City.\*\*\*\* (T&ES)
99. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the Office of Environmental Quality on digital media.\*\*\*\* (T&ES)
100. Prior to release of the performance bond, submit a certification by a qualified professional to the satisfaction of the Director of T&ES that any existing storm water management facilities adjacent to the project and associated conveyance systems were not adversely affected by construction operations and that they are functioning as designed and are unaffected by construction activities. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed.\*\*\*\* (T&ES)

**S. IMPACTED LAND:**

101. The final site plan shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
  - a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
  - b. Submit a Risk Assessment indicating any risks associated with the contamination.
  - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. Utility corridors in contaminated soil shall be over excavated by 2 feet and backfilled with "clean" soil.
  - d. The applicant shall screen for PCBs as part of the site characterization to comply with the City's Department of Conservation and Recreation Municipal Separate Storm Sewer (MS4) permit.

- e. Submit a Health and Safety Plan indicating measures to be taken during remediation and/or construction activities to minimize the potential risks to workers, the neighborhood, and the environment.

Applicant shall submit 5 copies of the above. The remediation plan must be included in the Final Site Plan.\* (T&ES)

- 102. If methane is detected on the property, design and install a vapor barrier and ventilation system for the buildings and parking areas to prevent the migration or accumulation of methane or other gases under parking areas or into buildings, or conduct a study and provide a report signed by a professional engineer showing that such measures are not needed to the satisfaction of Directors of T&ES and Code Administration. (T&ES)(Code)

**T. NOISE:**

- 103. Prepare a noise study identifying the levels of noise residents of the project will be exposed to at the present time, and 10 years into the future in a manner consistent with the Noise Guidance Book used by the Department of Housing and Urban Development (HUD). Identify options to minimize noise exposure to future residents at the site, particularly in those units closest to the interstate highway, railroad tracks and airport traffic, including triple-glazing for windows, additional wall/roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES. (P&Z)(T&ES)
- 104. The noise study shall be submitted and approved prior to final site plan approval.\* (T&ES)
- 105. Present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Directors of P&Z and T&ES and the City Attorney:
  - a. That Eisenhower Avenue is a major four-lane arterial and that future traffic is expected to increase significantly as development along Eisenhower Avenue continues.
  - b. Other neighboring uses surrounding the site include the Metro operations, the Beltway, and Mill Road, and these uses, surrounding streets, and traffic volumes including truck traffic are permitted to continue indefinitely. (P&Z)(T&ES)
- 106. All building mounted loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- 107. If a restaurant use is proposed, outdoor musicians are prohibited, unless approved through a separate special use permit. (T&ES)
- 108. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

**U. AIR POLLUTION:**

109. If fireplaces are utilized in the development, the Applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
110. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)
111. The Applicant shall control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of T&ES. (T&ES)
112. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)

**V. CONTRIBUTIONS:**

113. Contribute \$1,246,050 towards the Eisenhower East Open Space Fund prior to release of the final site plan. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled.\* (P&Z)

**W. ARCHAEOLOGY:**

114. Call Alexandria Archaeology immediately (703-838-4399) if any evidence of buried structural remains (wooden piers or boats, wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. If such resources are discovered, the applicant shall cooperate with Alexandria Archaeology toward the preservation of these resources; provided, however, that the Applicant shall not be responsible for carrying out or for the cost of carrying out such actions. (Archaeology)
115. No metal detection or artifact collecting shall be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology)
116. The statements in archaeology conditions above shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheet piling and Shoring) so that on-site contractors are aware of the requirements. (Archaeology)

## **CITY DEPARTMENT CODE COMMENTS**

Legend: C - Code Requirement R - Recommendation S - Suggestion F - Finding

### **Planning and Zoning**

- R-1 For all first floor bays with a street-facing door providing their primary access, please coordinate with the Geographic Information Systems (GIS) Division for address assignments at tenant fit out. These uses are not permitted to use the primary building address as their address. Please contact the Addressing Coordinator in the GIS Division (703-838-4884) as each new tenant is determined, and an appropriate address based on the location of the primary entrance door of the new space will be assigned. (P&Z)

### **Transportation and Environmental Services**

- F-1 The plan shall show sanitary and storm sewer, and water line in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label the sanitary and storm sewer, or water line plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of all the existing and proposed sanitary and storm sewer at manholes, and water line piping at gate wells on the respective profiles. Use distinctive stationing for various sanitary and storm sewers (if applicable or required by the plan), and water line in plan and use the corresponding stationing in respective profiles. (T&ES)
- F-2 The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F-3 Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F-4 All storm sewers shall be constructed to the City of Alexandria standards and specifications. The minimum diameter for storm sewers shall be 18-inches in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead shall be 15". The acceptable pipe material will be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 or Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. For roof drainage system, Polyvinyl Chloride (PVC) ASTM 3034-77 SDR 35 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.5 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES)

- F-5 All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. The minimum diameter of sanitary sewers shall be 10" in the public Right of Way and sanitary lateral 6". The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM 3034-77 SDR 35, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12" or larger diameters); however, RCP C-76 Class III pipe may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Lateral shall be connected to the sanitary sewer through a manufactured "Y" of "T" or approved sewer saddle. Where the laterals are being connected to existing Terracotta pipes, replace the section of main and provide manufactured "Y" or "T", or else install a manhole. (T&ES)
- F-6 Lateral Separation of Sewers and Water Mains: A horizontal separation of 10' (edge to edge) shall be provided between a storm or sanitary sewer and a water line; however, if this horizontal separation cannot be achieved then the sewer and water main shall be installed in separate trenches and the bottom of the water main shall be at least 18" above of the top of the sewer. If both the horizontal and vertical separations cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place without leakage prior to installation. (T&ES)
- F-7 Maintenance of Vertical Separation for Crossing Water Main Over and Under a Sewer: When a water main over crosses or under crosses a sewer then the vertical separation between the bottom of one (i.e., sewer or water main) to the top of the other (water main or sewer) shall be at least 18"; however, if this cannot be achieved then both the water main and the sewer shall be constructed of Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 with joints that are equivalent to water main standards for a distance of 10 feet on each side of the point of crossing. A section of water main pipe shall be centered at the point of crossing and the pipes shall be pressure tested in place without leakage prior to installation. Sewers crossing over the water main shall have adequate structural support (concrete pier support and/or concrete encasement) to prevent damage to the water main. Sanitary sewers under creeks and storm sewer pipe crossings with less than 6" clearance shall be encased in concrete. (T&ES)
- F-8 No pipe shall pass through or come in contact with any part of sewer manhole. Manholes shall be placed at least 10 feet horizontally from the water main whenever possible. When local conditions prohibit this horizontal separation, the manhole shall be of watertight construction and tested in place. (T&ES)
- F-9 Crossing Existing or Proposed Utilities: Underground telephone, cable T.V., gas, and electrical duct banks shall be crossed maintaining a minimum of 12" of separation or clearance with water main, sanitary, or storm sewers. If this separation cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place

- without leakage prior to installation. Sewers and water main crossing over the utilities shall have adequate structural support (pier support and/or concrete encasement) to prevent damage to the utilities. (T&ES)
- F-10 Dimensions of parking spaces, aisle widths, etc. within the parking lot and garage shall be provided on the plan. Note that dimensions shall not include column widths. (T&ES)
- F-11 Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)
- F-12 Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F-13 All pedestrian, traffic, and way finding signage shall be provided in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)
- F-14 The site discharges the sanitary flow to Holmes Run Trunk sewer that is surcharged during wet weather; therefore, the Alexandria Sanitation Authority (ASA) **MAY** have additional requirement of providing storage for dry and wet weather flows for a period of 24-hours during wet weather events.
- C-1 Per the requirements of the City of Alexandria Zoning Ordinance Article XI, complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development storm water flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C-2 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, comply with the peak flow requirements and prepare a Stormwater Management Plan so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. (T&ES)
- C-3 Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer outfall as per the requirements of Memorandum to the industry on Downspouts, Foundation Drains, and Sump Pumps, Dated June 18, 2004 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the storm sewer outfall, where applicable after



treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO). (T&ES)

- C-4 In compliance with the City of Alexandria Zoning Ordinance Article XI, complete a sanitary sewer adequate outfall analysis as per the requirements of Memorandum to Industry No. 02-07 New Sanitary Sewer Connection and Adequate Outfall Analysis dated June 1, 2007. (T&ES)
- C-5 Americans with Disability Act (ADA) ramps shall comply with the requirements of Memorandum to Industry No. 03-07 on Accessible Curb Ramps dated August 2, 2007 with truncated domes on the end of the ramp with contrasting color from the rest of the ramp. A copy of this Memorandum is available on the City of Alexandria website. (T&ES)
- C-6 Provide storage space for solid waste and recyclable material containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of T&ES. The plan shall show the turning movements of a trash truck. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- C-7 Deliver the solid waste, as defined by the City Charter and Code of the City of Alexandria, to the Covanta Energy Waste Facility located at 5301 Eisenhower Avenue. A note to that effect shall be included on the plan. The developer further agrees to notify any prospective purchaser in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. This condition does not apply to construction debris which is to be recycled. (T&ES)
- C-8 Submit a Recycling Implementation Plan form to the Solid Waste Division, as outlined in Article H to Title 5 (Ordinance Number 4438), which requires all commercial properties to recycle. (T&ES)
- C-9 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys. (T&ES)
- C-10 Bond for the public improvements must be posted prior to release of the plan. (T&ES)
- C-11 The sewer tap fee must be paid prior to release of the Site Plan. (T&ES)
- C-12 All easements and/or dedications must be recorded prior to release of the plan. (T&ES)

- C-13 Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan. (T&ES)
- C-14 All drainage facilities must be designed to the satisfaction of the Director of T&ES. Drainage divide maps and computations must be provided for approval. (T&ES)
- C-15 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C-16 Per the Memorandum To Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (T&ES)
- C-17 The thickness of sub-base, base, and wearing course shall be designed using "California Method" as set forth on page 3-76 of the second edition of a book entitled, "Data Book for Civil Engineers, Volume One, Design" written by Elwyn E. Seelye. Values of California Bearing Ratios used in the design shall be determined by field and/or laboratory tests. An alternate pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading designed using California Bearing Ratio (CBR) determined through geotechnical investigation and using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications designed to the satisfaction of the Director of T&ES will be acceptable. (T&ES)
- C-18 No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code. (T&ES)
- C-19 All driveway entrances, sidewalks, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C-20 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C-21 Comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

- C-22 Comply with Article XIII of the City of Alexandria Zoning Ordinance, which includes requirements for storm water pollutant load reduction, treatment of the water quality volume default, and storm water quantity management. (T&ES)
- C-23 Comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law. (T&ES)
- C-24 All required permits from Virginia Department of Conservation and Recreation, Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, and Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the state requirement for a Virginia Stormwater Management Program (VSMP) General Permit for Discharges of Stormwater from Construction Activities for land disturbing activities greater than 2500 SF. (T&ES)
- C-25 Ensure all discharges are in accordance with City of Alexandria Code 4035. (T&ES)
- C-26 Applicant shall underground all the secondary utility services serving the site. (T&ES)
- R-1 Ensure that planned flow capacity does not exceed City of Alexandria allotted ASA plant capacity of 20.5 mgd. (T&ES)
- R-2 Ensure in writing to ASA that additional flow planned does not exceed flow capacity in ASA interceptors and trunk sewers during wet and average flow conditions. (T&ES)
- R-3 Provide sanitary flow computations. (T&ES)
- R-4 Additional sewage flow from proposed development could exceed present design criteria for existing service chamber. Engineer for development is required to contact ASA to discuss issues related to additional sewage flow from the development and the standby service chamber pumping limitations. (T&ES)
- R-5 Developer should review requirements agreed by ASA under DSUP#2004-0016.

### **Code Administration**

- F-1 Structures over 75 feet in height shall conform to the USBC requirements for high rise structures. Acknowledged by applicant.
- F-2 **Sheets A1-1A through Sheets A1-1D show in the parking tabulation chart a total of 13 accessible parking spaces and 2 van accessible parking spaces. The plans show a total of 16 accessible parking spaces. Please clarify the**

**amount provided and also note on the plans which accessible parking spaces will be van accessible.**

- R-1 For firefighting reasons it is recommended that all stairs extend thru the roof so that door access to the roof is provided. Applicant indicates all stairs will extend thru the roof, granting door access to the roof.
- C-1 An automatic fire suppression system will be required for the structures and garage. Acknowledged by applicant.
- C-2 A separate tap is required for the building fire service connection. Acknowledged by applicant.
- C-3 The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress routes to the site; b) two fire department connections (FDC) to the building, one on each side/end of the building; c) fire hydrants located within one hundred (100) feet of each FDC; d) on site fire hydrants spaced with a maximum distance of three hundred (300) feet between hydrants and the most remote point of vehicular access on site; e) emergency vehicle easements (EVE) around the building with a twenty-two (22) foot minimum width; f) all Fire Service Plan elements are subject to the approval of the Director of Code Enforcement. Acknowledged by applicant. Additional hydrants and one additional FDC per building is required. Both FDC's and hydrant locations shall comply with the above distance requirements. The western fire hydrant is farther than 300 feet from another fire hydrant. **The plans are still not in compliance with this code requirement. The applicant must comply by no later than Final #2.**
- C-4 Prior to submission of the Final Site Plan #3, the developer shall provide three wet stamped copies of the fire flow analysis performed by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. The three copies shall be submitted to the Site Plan Coordinator of Code Administration, 301 King Street, Suite 4200, Alexandria, VA 22314.
- C-5 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0. Acknowledged by applicant.
- C-6 This structure contains mixed use groups [M, Mercantile; R-2 Residential; B, Business; S-2 Low-Hazard Storage (public garage, group 2)], and is subject to the mixed use and occupancy requirements of USBC. Acknowledged by applicant. The applicant indicates Mercantile is not required, however it is included in the building code analysis therefore will be required. Shown on Sheet 7 under the Building Code Information section. If the applicant does not wish to provide a mercantile use, the applicant is required to edit the Building Code Information on Sheet 7 to indicate the correct use groups within the proposed buildings.

- C-7 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided. Acknowledged by applicant.
- C-8 The public parking garage (Use Group S-2) is required to be equipped with a sprinkler system (USBC 903.2.11). Acknowledged by applicant.
- C-9 The public parking garage floor must comply with USBC 406.2.6 and drain through oil separators or traps to avoid accumulation of explosive vapors in building drains or sewers as provided for in the plumbing code (USBC 2901). This parking garage is classified as an S-2, Group 2, public garage. Acknowledged by applicant.
- C-10 Provide Stairway Identification. A sign shall be provided at each floor landing in interior vertical exit enclosures connecting more than three (3) stories designating the floor level, the terminus of the top and bottom of the stair enclosure and the identification of the stair. The signage shall also state the story of, and the direction to the exit discharge and the availability of roof access from the stairway for the fire Department, in accordance with USBC 1019.1.7. Acknowledged by applicant.
- C-11 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. Acknowledged by applicant.
- C-12 The final site plans shall show placement of fire easement signs. Acknowledged by applicant.
- C-13 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems. Acknowledged by applicant.
- C-14 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Acknowledged by applicant.
- C-15 A soils report must be submitted with the building permit application. Acknowledged by applicant.
- C-16 Sheeting and shoring shall not extend beyond the property line; except when the developer has obtained a written release from the adjacent property owners which has been recorded in the land records; or through an approved encroachment process. Acknowledged by applicant.

C-17 The applicant of any building or structure constructed in excess of 10,000 square feet; or any building or structure which constructs an addition in excess of 10,000 square feet shall contact the City of Alexandria Radio Communications Manager prior to submission of final site plan. The proposed project shall be reviewed for compliance with radio requirements of the City of Alexandria to the satisfaction of the City of Alexandria Radio Communications Manager prior to site plan approval. Such buildings and structures shall meet the following conditions:

- a) The building or structure shall be designed to support a frequency range between 806 to 824 MHz and 850 to 869 MHz.
- b) The building or structure design shall support a minimal signal transmission strength of -95 dBm within 90 percent of each floor area.
- c) The building or structure design shall support a minimal signal reception strength of -95 dBm received from the radio system when transmitted from within 90 percent of each floor area.
- d) The building or structure shall be tested annually for compliance with City radio communication requirements to the satisfaction of the Radio Communications Manager. A report shall be filed annually with the Radio Communications Manager which reports the test findings.

If the building or structure fails to meet the above criteria, the applicant shall install to the satisfaction of the Radio Communications Manager such acceptable amplification systems incorporated into the building design which can aid in meeting the above requirements. Examples of such equipment are either a radiating cable system or an FCC approved type bi-directional amplifier. Final testing and acceptance of amplification systems shall be reviewed and approved by the Radio Communications Manager. Acknowledged by applicant.

**C-18 A fire prevention code permit is required for the proposed operation (Fuel Storage Room, Sheet A1-1A). An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application. An inventory and MSDS sheets for hazardous materials are required.**

### Archaeology

F-1 This property is situated on filled land that was historically part of a large marshy area along Hunting Creek. The marshes would have been utilized by Native Americans during prehistoric times, and the creek would have been navigable in this area during the early historic period. While unlikely, it is possible that evidence of occupation and use during the Late Pleistocene and early Holocene could remain buried in the historically marshy areas, and historic wharves and even small boats could be present under the fill. However, given the depth of the fill and the impact of groundwater infiltration, there is low potential for the archaeological recovery of buried resources in the development area, but there is a slight possibility that some evidence of early historic resources, such as piers or small boats, could be seen during the excavation for the underground garage construction.

**Police**

No comments.

**Virginia American Water Company**

No comments.

**Health**

No comments.

Asterisks denote the following:

- \* Condition must be fulfilled prior to release of the final site plan
- \*\* Condition must be fulfilled prior to release of the building permit
- \*\*\* Condition must be fulfilled prior to issuance of the certificate of occupancy
- \*\*\*\* Condition must be fulfilled prior to release of the bond



## Attachment #1

### Alexandria, VA Upland Meadow Mix

% of Mix	Latin binomial
12	<i>Elymus virginicus</i>
2	<i>Eragrostis spectabilis</i> 'VA'
27	<i>Schizachyrium scoparium</i> 'PA'
16	<i>Sorghastrum nutans</i> 'PA'
8	<i>Tridens flavus</i> 'VA'
1	<i>Aster laevis</i>
1	<i>Aster prenanthoides</i>
5	<i>Chamaecrista fasciculata</i> 'PA'
5	<i>Coreopsis lanceolata</i> 'NC'
4	<i>Monarda fistulosa</i>
4	<i>Penstemon laevigatus</i> 'PA'
5	<i>Rudbeckia hirta</i> 'NC'
3	<i>Senna hebecarpa</i> 'NC/VA'
2	<i>Silphium trifoliatum</i> 'PA'
2	<i>Solidago bicolor</i> 'PA'
3	<i>Zizia aurea</i>
100	Total

## **Attachment #2 Transportation Management Plan**

The Transportation Management Plan (TMP) program was enacted by the Alexandria City Council on May 16, 1987 and is now part of the Alexandria Zoning Code (Chapter 6, Title 7). The ordinance requires that office, retail, residential and industrial projects which achieve certain square footage thresholds submit a special use permit application which must include a traffic impact analysis and a transportation management plan (TMP). The Planning Commission and the City Council consider all special use permit applications, and the City Council makes the final decision on the approval of the applications. Any project requiring a TMP must receive the TMP special use permit, before the project can proceed. The TMP Program is a comprehensive effort to increase the use of transit and reduce the number of single occupant vehicles (SOVs) in the City.

The Transportation Management Program for Eisenhower East Blocks 19 and 20 consists of 5 parts:

- 1) Goal and Evaluation of the TMP
- 2) Organization and Funding
- 3) Transportation Management Plan
- 4) Evaluation of the Effectiveness of the TMP
- 5) Permanence of the TMP Ordinance

### **1. Goal and Evaluation of the TMP**

- a. The Eisenhower East Blocks 19 and 20 site is located **approximately** 1,500 feet from the Eisenhower Avenue Metro Station. Several DASH and Metro bus lines servicing the site provide connection to the nearby King Street Metro Station and the VRE commuter train station. In view of this accessibility to transit, the TMP goals were established as 45% non-SOV for mixed uses within 1,500 feet of the Metro Station.<sup>3</sup>
- b. The achievement of this goal will be demonstrated by the activities conducted and financed by the TMP fund and the annual survey that are requirements of this special use permit. The fund report should demonstrate that enough activities are being conducted to persuade residents and tenants, as well as office employees, to switch to transit as opposed to using their personal vehicles. The survey should progressively show that the strategies financed through the TMP fund are increasing the number of transit users in the site up to the goal. The fund report and survey are covered under paragraph 3., sections c., d. and e.

### **2. TMP Organization and Funding**

- a. The developer has agreed to establish an owners/tenant's association (the TMP Association) to manage and implement the TMP on behalf of the

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<sup>3</sup> Eisenhower East Small Area Plan, Adopted by City Council by Ordinance – April 12, 2003, p.5-5.

residents of the project. The City of Alexandria Office of Transit Services & Programs (OTS&P) may assist the TMP Association.

- b. An Annual Work Plan will be developed by the TMP Association and approved by the Office of Transit Services & Programs. This work plan will be due on January 15 of every year. To fund the ongoing operation and management of the TMP, the TMP Association will assess each owner of property within the development following issuance of each building's certificate of occupancy. The annual rates for the fund are established in paragraph 3.c. of this same document. The rates will be adjusted yearly as per the consumer price index (CPI).

**3. Transportation Management Plan**

- a. The Special Use Permit application has been made for the following uses:

Use	Units	Square Feet
Office	---	585,000
Residential	450 <sup>4</sup>	---

- b. According to the guidelines of Zoning Ordinance Chapter 11-700, the above level of development requires a Transportation Management Program (TMP). Such plan shall include the following elements:
  - i. A TMP Coordinator shall be designated for the entire project *upon application for the initial building permit*. The name, location and telephone number of the coordinator will be provided to the City at that time, as well as of any changes occurring subsequently. This person will be responsible for implementing and managing all aspects of the TMP and the parking management program for the project.
  - ii. Transit, ridesharing, staggered work hours/compressed workweeks, parking restrictions and the other program elements shall be promoted to prospective tenants and to employers and their employees.
  - iii. Printed information about transit, ridesharing, and other TMP elements shall be distributed and displayed to residents — including transit schedules, rideshare applications and information, incentive information, parking information, etc. This information

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<sup>4</sup> Final number of residential units in the project to be provided by the applicant at a later date.

shall be kept current. Displays of these brochures and applications shall be placed in a prominent location in the building and a web site with this information and appropriate links to transit providers will be provided and maintained.

- iv. A ridesharing program shall be established that includes not only participation in the regional Metropolitan Washington Council of Governments Commuter Connections Program, but also site-specific matching efforts.
  - v. Establish and promote a Guaranteed Ride Home Program as part of the ridesharing and transit marketing efforts.
  - vi. A carshare program shall be established as part of the ridesharing and transit marketing efforts for the building. At least two parking spaces should be reserved for the location of carshare vehicles. These spaces should be in a convenient location for residents and the TMP Coordinator will arrange with any of the carshare companies for placement of vehicles in this project. Currently, Zipcar has vehicles in the Alexandria area. For those individuals who take transit, carpool, vanpool, walk, or bike to work, the TMP program will pay the registration and annual membership fees (not the usage fees) to use the carshare vehicles.
  - vii. Discounted bus and rail fare media shall be sold on-site to residents of the project including during hours that are convenient for them. The fare media to be sold will include, at a minimum, fare media for Metrorail, Metrobus, DASH and any other public transportation system fare media requested by residents and/or the Office of Transit Services and Programs. The availability of this fare media will be prominently advertised. At a minimum, the initial discount will be 20%.
- c. **TMP Fund:** The annual rate for the TMP Fund account is calculated based on the TMP goal established for Eisenhower East Blocks 19 and 20, the project's size and the benefits to be offered to participating residents. Based on a 45% non-SOV goal for the proposed project, a monthly benefit rate is established at the initial annual contribution levels of \$120.00 per residential unit and \$0.39 per square foot of office uses. This preliminary rate may change when TMP district is established. These contributions will be adjusted yearly as per the consumer price index (CPI). *The first payment to the fund shall be made with the issuance of initial Certificate of Occupancy.* Payments shall be the responsibility of the developer until this responsibility is transferred by lease or other legal arrangement to the owners of the condominiums. Annually, to begin one year after the initial CO is issued, the rate shall increase by an amount equal to the rate of

inflation for the previous year, unless a waiver is obtained from the Director of T&ES. The TMP fund shall be used exclusively for these approved activities:

- i. Discounting the cost of bus and transit fare media for on-site employees and residents. Exception: The fund shall not be utilized to subsidize the cost of transit for employees whose employers already reimburse them for their transit cost.
  - ii. Subsidies to transit providers.
  - iii. Marketing activities, including advertising, promotional events, etc.
  - iv. Bicycle lockers for residents.
  - v. Membership and application fees for carshare vehicles.
  - vi. Participate in air quality/ozone action day programs.
  - vii. Any other TMP activities as may be proposed by the TMP Association and approved by the Director of T&ES as meeting goals similar to those targeted by the required TMP measures.
- c. **Unencumbered Funds:** As determined by the Director of T&ES, any unencumbered funds remaining in the TMP account at the end of each reporting year may be either reprogrammed for TMP activities during the ensuing year or paid to the City for use in transit and/or ridesharing programs and activities.
- d. The TMP Association will provide semi-annual TMP Fund reports to the Office of Transit Services and Programs. These reports will provide a summary of the contributions to the fund and all expenses and should be accompanied by supporting documentation. ***The first report will be due six months following the issuance of the first certificate of occupancy.*** The Director of T&ES may require that the funds be paid to the City upon determination that the TMP Association has not made reasonable effort to use the funds for TMP activities.
- e. The TMP Association shall provide annual reports to OTS&P, including an assessment of the effects of TMP activities on carpooling, vanpooling, transit ridership and peak hour traffic, the summary results of the annual survey, together with the raw data, and a work program for the following year. ***The initial report shall be submitted 1 year from the time of 60% occupancy of Eisenhower East Blocks 19 and 20.*** The annual report shall identify, as of the end of the reporting period, the amount of square footage of occupied office space. In conjunction with the survey, the TMP Association shall provide an annual report of the TMP program to the Director of T&ES, reviewing this TMP condition as well as compliance with the approved parking management program for the project.

#### **4. Evaluation of the Effectiveness of the TMP**

- a. The goals for transit mode share and auto occupancy established in paragraph 1.a of this document, will be used in evaluating the performance and effectiveness of the TMP. The annual survey will be used to continually determine whether the development is meeting these targets.
- b. The City of Alexandria, in conjunction with the TMP Association, will identify performance standards and objectives to measure the cost effectiveness and develop methodologies to monitor the performance of each element of the TMP. The performance of the development in meeting these objectives will be evaluated in the annual report prepared by the TMP Association, and will be used in developing the Annual Work Plan for the association.
- c. This TMP has been designed to be flexible and responsive to the inputs of these annual evaluations in prescribing Transportation Demand Management (TDM) and Transportation Supply Management (TSM) strategies and tactics to be implemented in the Annual Work Program. The combination of size, scale of buildings, mixed-uses and phasing of development and transportation infrastructure requires that the TMP have flexibility to respond to the various challenges posed by changes in tenant mix, supply of parking, transit system capacity, transit fares, construction staging and traffic, fuel prices, regional transportation policies and projects, and changes in travel behaviors, prevalence of Metrochek subsidies, telework and flexible work hours, and changes in surrounding developments. By linking evaluation to work planning, the TMP standards of performance will also change throughout the development cycle as the “right” solutions are adjusted in response and anticipation of changes in transportation conditions.

#### **5. District Transit Management Program**

As it is established in the Eisenhower East Small Area Plan<sup>5</sup> transportation elements, Eisenhower East Blocks 19 and 20 should integrate the District Transit Management Program when it is organized. All TMP holders in the Eisenhower Valley will be part of this District. The objective of this district is to make optimum use of transportation resources for the benefit of residents and employees through economies of scale.

#### **6. Permanence of the TMP Ordinance**

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<sup>5</sup> Ibid, p. 5-13.

- a. ***Prior to any lease/purchase agreements***, the applicant shall prepare appropriate language to inform tenants/owners of the transportation management plan special use permit and conditions therein, as part of its leasing/purchasing agreements; such ***language to be reviewed and approved by the City Attorney's office***.
- b. The Director of T&ES may approve modifications to agreed TMP activities, provided that any changes are consistent with the goals of the TMP.

*TMP/SUP #2008-0091: Eisenhower East Blocks 19 & 20 — Transit Inventory*





**TMP/SUP #2008-0091: Eisenhower East Blocks 19 & 20 — Annual Rate and Sample Benefits Program**

<b>TMP Fund</b>	<b>Units</b>	<b>Square Feet</b>	<b>Annual Rate <sup>6</sup></b>	<b>Total Annual Rate</b>
Residential	450 <sup>7/</sup>	---	\$120.00 x unit	\$54,000.00
Office Space	---	585,000	\$0.39 x sf	\$228,150.00

<b>Transit Benefits</b>				
<b>Number of Residents [2 residents per unit]</b>	<b>45% SOV Reduction Goal = 405 residents</b>	<b>Benefit Amount</b>	<b>Total Monthly Benefit</b>	<b>Total Annual Benefit</b>
900	122 <sup>8/</sup>	\$30.74	\$3,750.28	\$45,003.36

<b>Carshare Benefits</b>		
<b>Number of Beneficiaries</b>	<b>Annual Membership Cost</b>	<b>Total Cost Zipcar Benefit</b>
50 <sup>9/</sup>	\$75.00	\$3,750.00

<sup>6</sup> The rate is paid on occupied space only.

<sup>7/</sup> Number of residential units represents an estimate only. Actual residential contribution may change when the definite number of units is decided.

<sup>8/</sup> Assuming that the remaining 50% of residents already get transit benefits from their employer, and 20% of residents work at locations where transit is not an option.

<sup>9/</sup> Assuming that 50 residents do not own cars.

**TMP/SUP #2008-0091: Eisenhower East Blocks 19 & 20 — Rate Calculations**

**Assumptions**

<b>Land Use and Occupancy</b> <sup>10/</sup>	
Office	3.5 persons per 1,000 gross square feet
<b>TMP Goal 45% reduction of SOV</b>	

**Office Space**

585,000 sf / 3.5 = 1,671 office employees

1,671 x 45% = 752 office employees

752 x \$24.38 monthly benefit = \$18,333.76 x 12 months = \$220,005.12.

TMP Fund Allocations	Annual Contributions	Expenses	Totals
450 Residential Units	\$54,000.00		
585,000 sf Office Space	\$228,150.00		\$282,150.00
Transit Benefits for Residents		\$45,003.36	
Carshare Benefits		\$3,750.00	
Transit Benefits for Employees		\$220,005.12	
TMP Promotional and Administrative Costs Residential Units (remainder of annual contribution after benefits)		\$5,246.64	
TMP Promotional and Administrative Costs Office Space (remainder of annual contribution after benefits)		\$8,144.88	\$282,150.00

<sup>10/</sup> Institute of Transportation Engineers (ITE) Trip Generation Handbook. Calculations assume gross square feet.

Docket Item #11-B

Planning Commission Meeting  
June 6, 2006

**CASE:** EISENHOWER EAST PLAN IMPLEMENTATION

**ISSUE:** Request for the Planning Commission and City Council approval of a formula for the implementation of the open space elements of the Eisenhower East Small Area Plan.

---

**CITY COUNCIL ACTION, JUNE 17, 2006:** City Council approved the Planning Commission recommendation.

**PLANNING COMMISSION ACTION, JUNE 6, 2006:** On a motion by Mr. Komoroske, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the open space formula, with the request that staff return to the Planning Commission at a later date to present a plan for accounting for a future escalation of costs. The motion carried on a vote of 5 to 1; Mr. Jennings voted against; Mr. Dunn was absent.

**Reason:** The Planning Commission supported the open space implementation formula with an amendment that staff return to the Planning Commission with a plan to account for future escalation of costs.

**Speakers:**

Ms. Ellen Pickering spoke to recommend the inclusion of an 'escalation clause' within the open space formula. Ms. Pickering recommended an escalation amount to be reviewed every three or five years due to the extended time frame of the Eisenhower East area's buildout. The speaker also objected to the inclusion of the Eisenhower Avenue median as designated open space and cautioned that the African-American Heritage Park should not be consider open space for Eisenhower East developments.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the sum of \$2.13 per allowable gross square foot, computed in accordance with formula set forth in this report, and to be paid or contributed as recommended in this report, for the implementation of the open space elements of the Eisenhower East Small Area Plan.

## EISENHOWER EAST PLAN IMPLEMENTATION

### SUMMARY

The Eisenhower East Small Area Plan (EESAP or Plan) calls for the developers and owners of the land within Eisenhower East to make a “fair-share contribution” to the implementation of the parks and open space within Eisenhower East. Staff has devised, and recommends adoption of, a formula for the determination of that contribution based upon current assessed land values and cost estimates for remediation and development of the parks and open space within Eisenhower East. Staff recommends a rate of \$2.13 per square foot of allowable gross floor area, as set forth in the EESAP, with the contribution to be made on a monetary and/or in-kind basis.

### DISCUSSION

The EESAP provides for “a comprehensive system of urban spaces, parks and conservation areas that are adequately sized and properly located to serve the neighborhood and the City.” In order to implement the Plan, the City has identified specific urban spaces/ neighborhood parks including areas within or adjacent to Blocks 2 and 3, Block 9, Blocks 24 and 25, and Blocks 25 and 27. Additionally, significant conservation areas are reflected in Block 31 up to and adjoining the existing African-American Heritage Park, and a “green” median for Eisenhower Avenue east of the Eisenhower Avenue Metro Station. To implement the acquisition, remediation and construction of the parks and open space, the City has utilized previously-available data regarding land value and has determined estimates of costs of remediation and costs of construction. As explicitly set forth in the Plan, the implementation will “include a determination of the appropriate fair-share contribution of each of the property owners or developers.” Each specific project is being treated equitably as that project comes forward in the development process.

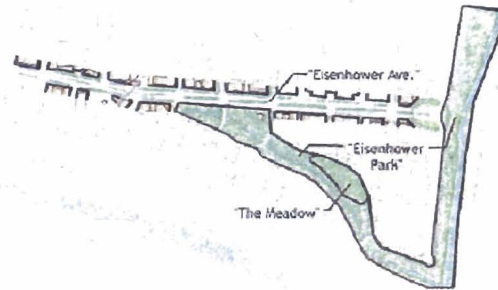
Included below in this staff report are the specific determination of the “fair-share contribution” anticipated on a per-square foot basis for the square footage development allowable under the EESAP – amounting to \$2.13 per square foot.

The “fair-share contribution” may take the form of in-kind payment (e.g., a transfer of land and/or owner-development of certain open spaces), a monetary contribution, or both.

## EISENHOWER EAST PLAN IMPLEMENTATION

### Parks and Open Space Plan Details

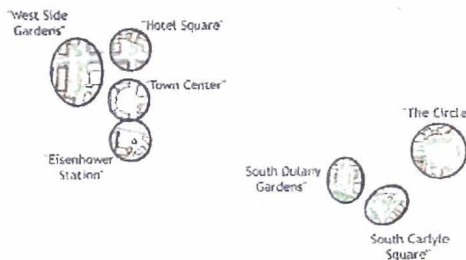
The details of the parks and open space envisioned in the EESAP are set forth at Section 4, pages 4-20 through 4-24 of the Plan. That section is summarized as follows:



Parks/Resource Protection Area: Natural amenities such as stream valleys, watersheds, and resource protection areas with large expanses of open space for formal and informal recreational amenities including nature trails, bike paths and fitness trails. These areas are designated as Eisenhower Park (connecting to the African-American Heritage Park on the east side of Eisenhower East continuing along the eastern and southern perimeter of Eisenhower East until terminating at Block 19), The Meadows (abutting the north side of Eisenhower Park along Blocks 25/27), and the Community Park (Block 19/22 but shown on Figure 4-15 as part of Eisenhower Park).

Boulevard Park Space: Linear park located as the central spine of Eisenhower Avenue, with rows of trees, pathways, seating areas, ample crosswalks and distinctive lighting.

Neighborhood Squares: Generally a green space with grass at its center and trees defining the open edge of the space, situated in a neighborhood unit, and usable for informal and formal activities – a “green oasis in the urban fabric.” These squares are designated at West Side Gardens (Blocks 2/3), South Dulany Gardens Square (Blocks 24/25), and South Carlyle Square (Blocks 25/27).



## EISENHOWER EAST PLAN IMPLEMENTATION

Urban Squares: Centrally located space surrounded by active uses and covered by hard paving material. Trees mark the confines of the space and the space is the location of activities such as concerts, outdoor markets, and areas for exterior restaurant and cafe seating. These squares are designated as Eisenhower Station (between Block 9 and Eisenhower Metro), Hoffman Town Center Square (Block 6), and Hotel Square (Blocks 4/5).

Other Open Space: Although not specifically designated in the EESAP in one of the foregoing categories, the area at the east end of Eisenhower Avenue, at the intersection with Holland Lane, is identified on Figure 4-16 as “The Circle” and has been included in the open space computations.

### **Implementation Requirements**

The requirements for implementation are set forth in the EESAP as Section 7, at page 7-7. That section provides for the City to “create an implementation program to develop detailed designs for the public spaces, acquire the land for public use and develop the parks.” Rather than each individual parcel contributing open space in a piecemeal fashion and solely related to that site, open space is distributed as detailed above, thus providing value-added to all of the projects in Eisenhower East. Funding of these open spaces must come from the development projects themselves - either in the contribution of the land necessary to create the open space or in a monetary contribution, or both.

### **Development of a “Fair-Share Contribution” Formula**

In order to achieve a “fair-share contribution” from each property owner or developer, Staff has developed a formula that first recognizes the per square foot “acquisition” cost or value of the land. The per square foot estimated cost of the development of the open space – remediation and construction – is then added to the land cost or value. The resulting square foot costs are then applied to the total square footage of each park/open space, thus providing a “Total Cost” for each. Table A sets forth the computation of the Total Cost for each park/open space. Based on the recommended formula, the total cost of acquisition and development of the parks and open space is \$24,874,295.

## EISENHOWER EAST PLAN IMPLEMENTATION

### TABLE A

<u>EESAP Plan Description</u>	<u>Name of "Park"</u>	<u>Gross SF</u>	<u>"Land Value" (psf)**</u>	<u>Development Cost (psf)</u>	<u>Total Cost (dollars)</u>
<b>Parks/RPA (4-20)</b>					
Block 31	Eisenhower Park/Meadow	586,432	8.32	6.00	8,397,706.24
Block 31	Eisenhower Park/Meadow	63,568	0.00	6.00	381,408.00
Block 19	Community Park *	55,000	38.28	6.00	2,435,400.00
Block 22	Community Park *	116,000	38.28	6.00	5,136,480.00
<b>Neighborhood Squares (4-21)</b>					
Block 2	West Side Gardens	34,800	37.50	19.00	1,966,200.00
Block 24/25A	South Dulany Gardens Sq.	15,300	26.40	19.00	694,620.00
Block 25A/27	South Carlyle Square	28,200	20.51	19.00	1,114,041.00
<b>Urban Squares (4-21)</b>					
Block 9B	Eisenhower Station	28,300	37.50	38.00	2,136,650.00
Block 6	Existing Hoffman Town Center				
Block 5	"Block 5" Square	10,900	52.50	38.00	986,450.00
<b>Boulevard Park (4-21)</b>					
	Eisenhower Avenue	46,350	26.40	6.00	1,501,740.00
<b>Other Open Space (Fig 4-16)</b>					
	The Circle	20,600	0.00	6.00	123,600.00
	<b>Total square footage</b>	<b>1,005,450</b>		<b>Total cost</b>	<b>24,874,295.24</b>

\* A portion of this site includes existing RPA land

\*\* Unless otherwise noted, land value is based on per-square foot 2005 assessed value

Land value (psf) at 0.00 is based on City-owned or existing open space land

Land value (psf) at 8.32 is based on Block 30 (adjoining Block 31)

The figures in the column entitled "Land Value (psf)" are based on City assessment records. While the assessed value of the land on a particular block may be subject to argument, it is the proportional relationship of the values that are of significance in allocating a "fair-share contribution" among the various development blocks.

The figures in the column entitled "Development Cost (psf)" were developed by the Department of Recreation, Parks and Cultural Activities based on recommended costs for a particular type of development. RPA/open park remediation/development is based upon a cost of \$6.00 per square foot and typically include the following:

**Trails, trail heads, benches, trash receptacles, pedestrian/bicycle bridge,  
lighting, irrigation, RPA rehabilitation, plant materials, and related items.**

Neighborhood Squares are based upon a cost of \$19.00 per square foot and typically include the following:

**Grass lawn, concrete sidewalk, tree pits and grates, benches, trash receptacles,  
bollards, lights and conduits, signage, irrigation,  
plant materials, and related items.**

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EISENHOWER EAST PLAN IMPLEMENTATION

Urban Squares are based upon a cost of \$38.00 per square foot and typically include the following:

**Unit pavers, concrete sidewalk, tree pits and grates, benches, trash receptacles, bollards, lights and conduits, tables and chairs, signage, irrigation, plant materials, and related items.**

The EESAP at Figures 4-9 and 4-10 sets out the allowable gross floor area of each block within Eisenhower East. Those allowable gross floor areas total 11,693,000 square feet and represent the basis for a fair-share apportionment of the park/open space costs among the owners and developers of Eisenhower East at a rate of \$2.13 per square foot of allowable gross floor area for each block.

**Table B**

Block	Owner	Use	Site Square Footage	Allowable Gross
1	Hoffman	Holiday Inn	179,119	101,000
2	Hoffman	Office	168,400	789,000
2	Hoffman	West Side Gardens	34,800	
3	Hoffman	Office	98,700	379,000
4	Hoffman	Office	59,700	339,000
5	Hoffman	Hotel	55,400	304,000
5	Hoffman	Hotel Square	10,900	
6	Hoffman	Office	195,210	1,036,000
6	Hoffman	Retail		50,000
7	Hoffman	Retail	105,800	29,000
7	Hoffman	Cinema		136,000
8	Hoffman	Residential	59,200	500,000
9	See 9A/9B below			
9A	Hoffman	Residential	82,500	407,000
9B	Hoffman	Office	74,100	958,000
9B	Hoffman	Eisenhower Station	28,300	
10	Metro	Retail	9,700	4,000
11	Hoffman	Office	66,800	591,000
12	Hoffman	Residential	48,300	549,000
13	MHI Race	Residential	59,260	490,000
14	Hoffman	Retail	105,400	78,000
14	Hoffman	Parking		
15	WMATA/City of Alexandria			
16	Andrews	Hotel	20,822	100,000
17	MHI Race	Office	77,400	433,000
18	MHI Race	Residential	76,700	525,000
19	ATA	Residential	57,800	395,000
19	ATA	RPA/Park	55,000	
20	ATA	Office	77,100	585,000
21	City of Alexandria	Jail		
22	Hoffman	Community Park(RPA)	116,000	
23	Simpson - Phase I	Office	60,100	98,000
23	Simpson - Phase II	Office	92,400	304,000
24	Hoffman	Office	61,100	151,000
24	Hoffman	Residential	48,200	144,000
24	Hoffman	South Dulaney Gardens	15,300	
25A	Hoffman	Office	38,500	135,000
25A	Hoffman	Residential	60,400	96,000
25B	Carlyle	Office	66,800	204,000
26A	Carlyle Block P	Office	92,600	411,000
26B	City of Alexandria	Residential	41,000	124,000
26/27	Carlyle/Alex Mini Storage	South Carlyle Square	28,200	
27	Alexandria Mini Storage	Residential	73,300	350,000
28	Virginia Concrete	Residential	63,600	282,000
29	Hooff-Fagelson	Residential	55,500	170,000
30	Hooff-Fagelson	Office	114,000	512,000
31	Various Owners	Eisenhower Park	586,432	
31	City of Alexandria	Eisenhower Park	63,568	
	City of Alexandria	The Circle	20,600	
	City of Alexandria	Eisenhower Avenue	46,350	
<b>Total allowable gross square footage</b>				<b>11,693,000</b>
<b>Open Space Allocation per allowable gross square foot</b>				<b>2.13</b>
<b>Note to Block 14: No allowable gross square footage included in EESAP; it is a parking garage only</b>				

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## EISENHOWER EAST PLAN IMPLEMENTATION

### **Payment of a “Fair-share Contribution” Amount**

The park/open space areas within Eisenhower East include undeveloped sites owned by the private sector, developed sites owned by the private sector, and sites owned by the City already. In order to maintain a fair-share contribution approach to the implementation of the Plan, credit must be given to the private sector for the value of the land contributed to the open space program. Where a particular development block does not contribute land in kind, it will pay its full contribution in monetary kind.

On the other hand, where a particular development block provides a contribution of land, the calculated monetary contribution for that block should be reduced by the value of the land contributed, at the “Land Value (psf)” for that particular block.

### **Alternative “Fair-Share Contribution”**

Prior discussions before the Planning Commission and City Council have included a “fair-share contribution” cost of \$1.76 per square foot of allowable gross floor area. This contribution is based upon a reduced value of the Eisenhower Park land (to \$4.50 per square foot) and the remediation and development of all of the Eisenhower East park and open space at the RPA/open space rate of \$6.00 per square foot. Any development cost beyond \$6.00 per square foot would have to be borne solely by the City. If this alternative is adopted, total cost of acquisition/remediation/development is reduced to \$20,361,825 and the “fair-share contribution” is reduced to \$1.74 per square foot of allowable gross floor area.

**STAFF:** Eileen P. Fogarty, Director, Planning and Zoning;  
Jeffrey Farmer, Chief, Development;  
Aimee Vosper, Landscape Architect Supervisor, Recreation Parks and Cultural Activities.



**APPLICATION**

**CDD DEVELOPMENT CONCEPT PLAN**

**CDD #** 2008-0005

[must use black ink or type]

**PROPERTY LOCATION:** 2250 Mill Road; 2200 Mill Road

**TAX MAP REFERENCE:** 078.02.01-06; 078.02-01-05 **ZONE:** CDD #2

**APPLICANT'S NAME:** Lane Development LLC  
**ADDRESS:** 43 Riverside Drive, Binghamton, NY 13905

**PROPERTY OWNER NAME:** Eisenhower-Lane-CFRI Venture, LLC  
**ADDRESS:** 43 Riverside Drive, Binghamton, NY 13905

**REQUEST:** Approval of a CDD Concept Plan for the development of Block 19 in the EESAP with a residential use and the redevelopment of Block 20 with an office use.

**THE UNDERSIGNED** hereby applies for CDD Development Concept Plan approval in accordance with the provisions of Section 5-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Jonathan P. Rak, Esquire, Agent  
Print Name of Applicant or Agent

*Jonathan P. Rak*  
Signature

McGuireWoods LLP  
Mailing Address  
1750 Tysons Boulevard, Suite 1800  
McLean, VA  
City and State

(703) 712-5411 (703) 712-5231  
Telephone # Fax #  
22102 11/24/2008  
Zip Code Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date and Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_  
ACTION - PLANNING COMMISSION: \_\_\_\_\_ ACTION - CITY COUNCIL: \_\_\_\_\_



**APPLICATION**

2008-0006

Master Plan Amendment MPA # \_\_\_\_\_  
 Zoning Map Amendment REZ # \_\_\_\_\_

**PROPERTY LOCATION:** 2200 Mill Road

**APPLICANT**

Name: Lane Development LLC  
Address: 43 Riverside Drive, Binghamton, NY 13905

**PROPERTY OWNER:**

Name: Eisenhower-Lane-CFRI Venture, LLC  
Address: 43 Riverside Drive, Binghamton, NY 13905

**Interest in property:**

Owner     Contract Purchaser  
 Developer     Lessee     Other \_\_\_\_\_

If property owner or applicant is being represented by an authorized agent such as an attorney, a realtor, or other person for which there is some form of compensation, does this agent or the business in which they are employed have a business license to operate in Alexandria, VA:

yes: If yes, provide proof of current City business license.

no: If no, said agent shall obtain a business license prior to filing application.

**THE UNDERSIGNED** certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

Jonathan P. Rak, Esq.  
Print Name of Applicant or Agent

Jonathan P. Rak  
Signature

McGuireWoods LLP  
1750 Tysons Blvd., Suite 1800  
Mailing/Street Address

(703) 712-5411    (703) 712-5231  
Telephone #    Fax #

McLean, VA 22102  
City and State    Zip Code

Nov 24, 2008  
Date

**DO NOT WRITE IN THIS SPACE – OFFICE USE ONLY**

Application Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	_____
ACTION – PLANNING COMMISSION _____	ACTION – CITY COUNCIL: _____



**JUSTIFICATION FOR AMENDMENT**

(attach separate sheets if needed)

1. Explain how and why any proposed amendment(s) to the Master Plan are desirable, beneficial to surrounding properties, in character with the applicable Small Area Plan and consistent with City policies:

The proposed amendment is needed in order to accommodate additional open space and sidewalk width on Block 20 which is achieved by the reducing the building foot print. The additional height is also necessary in order to provide architectural embellishments on the top of the office buildings, which provides an interesting and varied sky line in Eisenhower East.

2. Explain how and why the proposed amendment to the Zoning Map(s) is consistent with the proposed amendment to the Master Plan, or, if no amendment to the Master Plan is being requested, how the proposed zoning map amendment is consistent with the existing Master Plan:

The proposed amendment does not require an amendment to the zoning map.

3. Explain how the property proposed for reclassification will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire, drainage structures, refuse disposal, water and sewers, and schools.

The proposed development has been designed to be well served by essential public facilities and services.

4. If this application is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinance, identify all proffered conditions that are to be considered part of this application (see Zoning Ordinance Section 11-804 for restrictions on conditional zoning):

The applicant is not subject to conditional zoning approval or proffered conditions.

APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN  
DSUP # 2007-0017

PROJECT NAME: Blocks 19 & 20 Eisenhower East

PROPERTY LOCATION: 2250 Mill Road; 2200 Mill Road

TAX MAP REFERENCE: 78.02-01-06; 78.02-01-05 ZONE: CDD-2

APPLICANT Name: Lane Development, LLC

Address: 34 Riverside Drive, Binghamton, NY 13905

PROPERTY OWNER Name: Eisenhower-Lane-CFRI Venture, LLC

Address: 34 Riverside Drive, Binghamton, NY 13905

SUMMARY OF PROPOSAL: 474,000 sf of residential and 585,000 sf of office space

MODIFICATIONS REQUESTED: \_\_\_\_\_

SUP's REQUESTED: Special Use Permit for more than one penthouse on each building on

Blocks 19 and 20

**THE UNDERSIGNED** hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.  
**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.  
**THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Jonathan P. Rak, Esq.

*Print Name of Applicant or Agent*

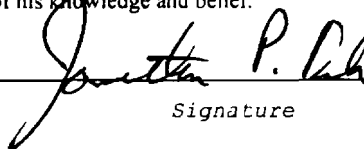
McGuireWoods LLP

1750 Tysons Boulevard, Suite 1800

*Mailing/Street Address*

McLean, Virginia 22102

*City and State* *Zip Code*

  
*Signature*

(703) 712-5411 (703) 712-5231

*Telephone #* *Fax #*

5/11/09

*Date*

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_

Fee Paid & Date: \$ \_\_\_\_\_

Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

Development Special Use Permit with Site Plan (DSUP) # 2007-0017

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the (*check one*):

- Owner                       Contract Purchaser  
 Lessee                         Other: Agent for Owner

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Michael W. Lane  
3348 Laurie Brook Drive  
Binghamton, NY 13903  
Owner – 100 % of Lane Development, LLC

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes.    Provide proof of current City business license  
 No.     The agent shall obtain a business license prior to filing application, if required by the City Code.

Development Special Use Permit with Site Plan (DSUP) # 2007-0017

**NARRATIVE DESCRIPTION**

2. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 4-7. *(Attach additional sheets if necessary)*

Applicant proposes to construct more than one penthouse on each building on Block 19 in order to provide access to the roof top deck and to house mechanical equipment and stairs.

Applicant proposes to construct more than one penthouse on each building on Block 20 in order to house mechanical structures, wind turbines and stairs.



) )

**Development Special Use Permit with Site Plan (DSUP) # 2007-0017**

3. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

N/A  
\_\_\_\_\_  
\_\_\_\_\_

4. How many employees, staff and other personnel do you expect?  
Specify time period (i.e. day, hour, or shift).

N/A  
\_\_\_\_\_  
\_\_\_\_\_

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
<u>N/A</u>			
_____			
_____			
_____			

6. Describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

N/A  
\_\_\_\_\_  
\_\_\_\_\_

B. How will the noise from patrons be controlled?

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Describe any potential odors emanating from the proposed use and plans to control them:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

Development Special Use Permit with Site Plan (DSUP) # 2007-0017

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

N/A  
\_\_\_\_\_

B. How much trash and garbage will be generated by the use?

N/A  
\_\_\_\_\_

C. How often will trash be collected?

N/A  
\_\_\_\_\_

D. How will you prevent littering on the property, streets and nearby properties?

N/A  
\_\_\_\_\_

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes.       No.

If yes, provide the name, monthly quantity, and specific disposal method below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes.       No.

If yes, provide the name, monthly quantity, and specific disposal method below:

\_\_\_\_\_  
\_\_\_\_\_

Development Special Use Permit with Site Plan (DSUP) # 2007-0017

11. What methods are proposed to ensure the safety of residents, employees and patrons?

N/A

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**ALCOHOL SALES**

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes.       No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

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**PARKING AND ACCESS REQUIREMENTS**

13. Provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

N/A

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---

B. How many parking spaces of each type are provided for the proposed use:

\_\_\_\_\_ Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ Handicapped accessible spaces.

\_\_\_\_\_ Other. (Visitor)

Development Special Use Permit with Site Plan (DSUP) # 2007-0017

- C. Where is required parking located? (check one)                       on-site      off-site.

If the required parking will be located off-site, where will it be located:

\_\_\_\_\_

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? N/A

B. How many loading spaces are available for the use? \_\_\_\_\_

- C. Where are off-street loading facilities located? \_\_\_\_\_

N/A

- D. During what hours of the day do you expect loading/unloading operations to occur?

N/A

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

N/A

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

N/A

APPLICATION for ENCROACHMENT # 2008-0006

[must use black ink or type]

PROPERTY LOCATION: 2250 Mill Road

TAX MAP REFERENCE: 078.02-01-06 ZONE: CDD #2

APPLICANT'S NAME: Lane Development

ADDRESS: 34 Riverside Drive, Binghamton, NY 13905

PROPERTY OWNER NAME: Eisenhower-Lane-CFRI Venture, LLC

ADDRESS: 34 Riverside Drive, Binghamton, NY 13905

ENCROACHMENT DESCRIPTION: Entrance canopy on Port Street for western façade of Block 19

INSURANCE CARRIER (copy attached) \_\_\_\_\_ POLICY # \_\_\_\_\_ A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

**THE UNDERSIGNED** hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Jonathan P. Rak, Esq., Agent for Applicant  
Print Name of Applicant or Agent

  
Signature

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Mailing/Street Address

(703) 712-5411 (703) 712-5231  
Telephone # Fax #

McLean, Virginia 22102  
City and State Zip Code

Nov. 24, 2008  
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

APPLICATION for NEW STREET NAME  
ST NAME # 2009-0002

[*must use black ink or type*]

LOCATION: East of Blocks 11 and 12 and West of Blocks 19 and 20 North-South from  
Eisenhower Avenue to Southern Street


TAX MAP REFERENCE: 078.02 ZONE: CDD #2

APPLICANT'S NAME: Lane Development, LLC

ADDRESS: 43 Riverside Drive, Binghamton, NY 13905

REASON FOR REQUEST FOR A NEW STREET NAME:  
Creation of a new street pursuant to the Eisenhower East Small Area Plan

Name Requested: Port Street

<u>Jonathan P. Rak, Esq., Agent</u> <i>Print Name of Applicant or Agent</i>	<u></u> <i>Signature</i>	
<u>McGuireWoods LLP</u>	<u>(703) 712-5411</u>	<u>(703) 712-5231</u>
<u>1750 Tysons Boulevard, Suite 1800</u> <i>Mailing/Street Address</i>	<u>Telephone #</u>	<u>Fax #</u>
<u>McLean, VA</u> <i>City and State</i>	<u>22102</u> <i>Zip Code</i>	<u>5/11/09</u> <i>Date</i>

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Legal Advertisement: \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

McGuireWoods LLP  
1750 Tysons Boulevard  
Suite 1800  
McLean, VA 22102-4215  
Phone: 703.712.5000  
Fax: 703.712.5050  
www.mcguirewoods.com

Kenneth W. Wire  
Direct: 703.712.5362

McGUIREWOODS

Land Use and Environmental  
kwire@mcguirewoods.com

May 29, 2009

VIA EMAIL TO Gwen.Wright@alexandriava.gov

Chairman Komoroske and Members of the Planning Commission  
301 King Street  
Alexandria, VA 22314

RE: DSUP 2007-0017; Lane Development; Docket Items 16A-F

Dear Chairman Komoroske and Members of the Planning Commission:

On behalf of our client, Lane Development, we are writing to request the following revisions to the staff recommended conditions set forth in the staff report for DSUP 2007-0017.

**Condition 12**

~~Provide perpetual public access easements over all at grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan.\* (P&Z)(RP&CA)~~

Basis for revision to Condition 12: The Eisenhower East Small Area Plan does not envision or recommend any additional open space beyond that which is provided for by the RPA dedication. The privately owned open space between each of the four buildings is located over the parking garage. The applicant does not object to keeping this area open to the public but cannot agree to do so by easement because the easement is not necessary to obtain the goal of the public access to the property.

**Condition 41**

Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be ~~\$120~~ \$65 per occupied residential unit and ~~\$0.39~~ \$0.16 per usable square foot of office and/or retail space. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. It shall be necessary to revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually; to begin one year after the initial CO is issued, the rate shall increase by an amount equal to the rate of inflation (Consumer Price Index – CPI of the United States) for the

previous year, unless a waiver is obtained from the Director of T&ES. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment. (T&ES)

Basis for revision to Condition 41: When the City Council approved of the previous development approval for Block 19, the TMP fees imposed were \$65 per occupied residential unit and \$0.15 per usable square foot of office and/or retail space. The previously imposed rate is consistent with all of the surrounding properties in Eisenhower East. Attached is an exhibit indicating the TMP fees imposed for these properties. Staff's proposed fees will put the project at a significant competitive disadvantage in future efforts to obtain tenants.

### **Condition 50**

Provide off-street parking for all construction workers. ~~For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit.~~ Compliance with this condition shall be a component of the construction management plan, which shall be submitted to the Department of P&Z and T&ES prior to final site plan release. This plan shall:

Basis for revision to Condition 50: The applicant will require that all construction contractors provide off-street parking for their employees. While the applicant will emphasize the use of mass transit in its requests for construction contract bids, the applicant cannot provide a direct subsidy to the contractor's employees.

### **Condition 113**

~~Contribute \$1,246,050 towards the Eisenhower East Open Space Fund prior to release of the final site plan. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled.\* (P&Z)~~

Basis for revision to Condition 113: The value of the applicant's contributions of public open space exceeds the pro rata contribution amount set forth in the Eisenhower East Open Space Implementation Plan by \$97,344. See attached exhibit.

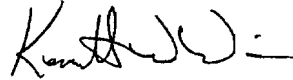
It is appropriate to evaluate the value of the contribution for both Blocks 19 and 20 collectively because the applicant is developing both Blocks as a unified project. This pro rata approach was used in the adjacent Hoffman approvals and is consistent with the basic premise of fair share contribution as described in the EESAP, which states in part: "The implementation program should include the determination of the appropriate fair-share contribution of each of the property owners or developers."



May 29, 2009  
Page 3

We appreciate the time and effort staff has put into this project and look forward to discussing the project at the upcoming Planning Commission hearing. Please let me know if you have any questions or if I can provide additional information to support our requests.

Sincerely,

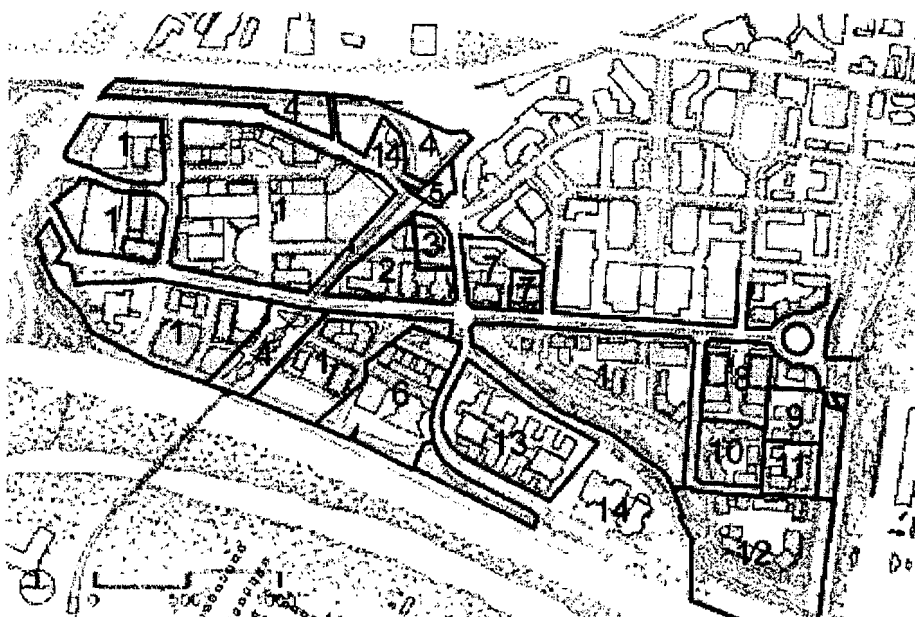


Kenneth W. Wire

cc: Gwen Wright, Chief Development  
Natalie Sun, Planner  
Michael Lane, Lane Development  
Thomas Andrews, Lane Development  
Jonathan Rak, McGuire Woods

\9178579.1

## Eisenhower East TMP Fees



- 1 — Hoffman Family LLC - \$60.00 per residential unit, \$0.15 per square foot commercial
- 2 — Trammell-Crow Company - \$60.00 per residential unit, \$0.11 per square foot commercial
- 3 — Trammell-Crow Company - \$60.00 per residential unit, \$0.11 per square foot commercial
- 4 — Washington Metropolitan Area Transit Authority – N/A
- 5 — Marriott Residence Inn – N/A
- 6 — Lane Development – THE APPLICANT
- 7 — Simpson Development Corporation – Annual rate consistent with Eisenhower East TMP
- 8 — Carlyle Development Corporation – \$60.00 per residential unit, \$0.10 per square foot commercial
- 9 — Alexandria Sanitation Authority – N/A
- 10 — Trammell-Crow Company – \$60.00 per residential unit
- 11 — Virginia Concrete Company – N/A
- 12 — Hooff Fagelson Tract LLC – N/A
- 13 — Jefferson at Carlyle Mill LP - \$60.00 per residential unit
- 14 — City of Alexandria – N/A

**DSUP 2007-0017, Blocks 19 & 20  
Eisenhower East Open Space Contributions**

<b>Actual Contributions</b>				
	Open Space Area	Value of Contribution		
Dedication of Block 19 RPA	43,092 sf	\$44.28	\$1,908,114	
Block 19 & 20 Open Space	46,105 sf	\$6.00	\$276,630	
			Total	\$2,184,744
<b>Required Contributions</b>				
	Building Area	Contribution Rate		
Block 19	395,000 sf	\$2.13	\$841,350	
Block 20	585,000 sf	\$2.13	\$1,246,050	
			Total	\$2,087,400
			Difference	\$97,344

6.6

RESOLUTION NO. MPA 2008-0006

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City of Alexandria and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the Eisenhower East Small Area Plan chapter of the 1992 Master Plan was filed with the Department of Planning and Zoning on May 11, 2009 for changes in the land use designations to the parcels at 2200 Mill Road and 2250 Mill Road; and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on June 2, 2009 with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the Eisenhower East Small Area Plan section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the Eisenhower East Small Area Plan chapter of the 1992 Master Plan; and
3. The proposed amendment shows the Planning Commission's long-range recommendations for the general development of the Eisenhower East Small Area Plan; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the Eisenhower East Small Area Plan chapter of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;


NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

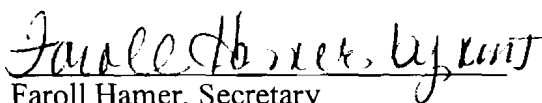
1. The following amendment is hereby adopted in its entirety as an amendment to the Eisenhower East Small Area Plan chapter of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

**Increase permitted height for 2200 Mill Road (Block 20)  
from 200 feet to 220 feet.**

2. This resolution shall be signed by the Chairman of the Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED the 2nd day of June, 2009.

  
\_\_\_\_\_  
John Komoroske, Chairman  
Alexandria Planning Commission

ATTEST:   
Faroll Hamer, Secretary

19  
6-13-09

McGuireWoods LLP  
1750 Tysons Boulevard  
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Jonathan P. Rak  
Direct: 703.712.5411

McGUIREWOODS

Land Use and Environmental  
jrak@mcguirewoods.com

June 13, 2009

**VIA HAND DELIVERY**

Mayor Euille and Members of City Council  
City Hall  
301 King Street  
Alexandria, VA 22314

RE: REVISED CONDITIONS, Lane Development; June 13<sup>th</sup> City Council Hearing, Blocks 19 & 20 in Eisenhower East; Docket Item # 19

Dear Mayor Euille and Members of City Council:

On behalf of our client, Lane Development, we are writing to request the following revisions to the staff recommended conditions set forth in the staff report for DSUP 2007-0017.

**Condition 12**

Except for the visitor parking area and residential patio areas immediately north of the residential buildings on Block 19, provide perpetual public access easements over all at-grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. The open space easement areas shall not be considered a street or public right-of-way and the applicant shall have the right to conduct ordinary maintenance and repairs without obtaining a T&ES permit. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan.\* (P&Z)(RP&CA)

**Condition 26g**

The developer will work with the City and ARHA to consider the possibility of providing 16 public housing replacement units to ARHA as an alternative to some or all of the aforementioned units.

**Condition 41**

Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be \$120 per occupied residential unit and ~~\$0.39~~ **\$0.16** per usable square foot of office and/or retail space. The annual contribution rate for the residential buildings may be reduced provided that the applicant

maintains the reduction goal of 45% for single occupant vehicles. These reduction goals may be revised in the future based on City wide TMP policies or legislation. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. ~~It shall be necessary to revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually, to being one year after the initial CO is issued,~~ The annual TMP rate shall increase by an amount equal to the rate of inflation (Consumer Price Index – CPI of the United States) for the previous year, unless a waiver is obtained from the Director of T&ES. For the residential units, the increase shall begin one year after the initial CO is issued. For the commercial portion, the rate increase shall commence upon approval of this application. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment. (T&ES)


**Condition 113**

Contribute \$1,246,050 **\$350,000** towards the Eisenhower East Open Space Fund prior to release of the final site plan. If substantial construction does not commence within three years of this approval, the contribution amount shall be \$1,246,050. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled.\* (P&Z)

Basis for Revision to Condition 113.

We believe the proposed reduction is justified by both the adverse economic conditions for obtaining financing and the unique open space benefits of the proposed development. This project will compete against other development projects across the country for scarce investment dollars. Other jurisdictions are offering major financial incentives to attract this type of progressive development.

The EESAP calls for the dedication of approximately one acre of open space. Our proposal includes over two acres of high quality public open space that will be constructed and maintained by the developer. The developer has spent considerable time and money to redesign the previously approved plans for Block 19 in order to split the planned buildings and create a public open space connecting to Eisenhower Park. This new public open space includes high-quality design and elements of public art.

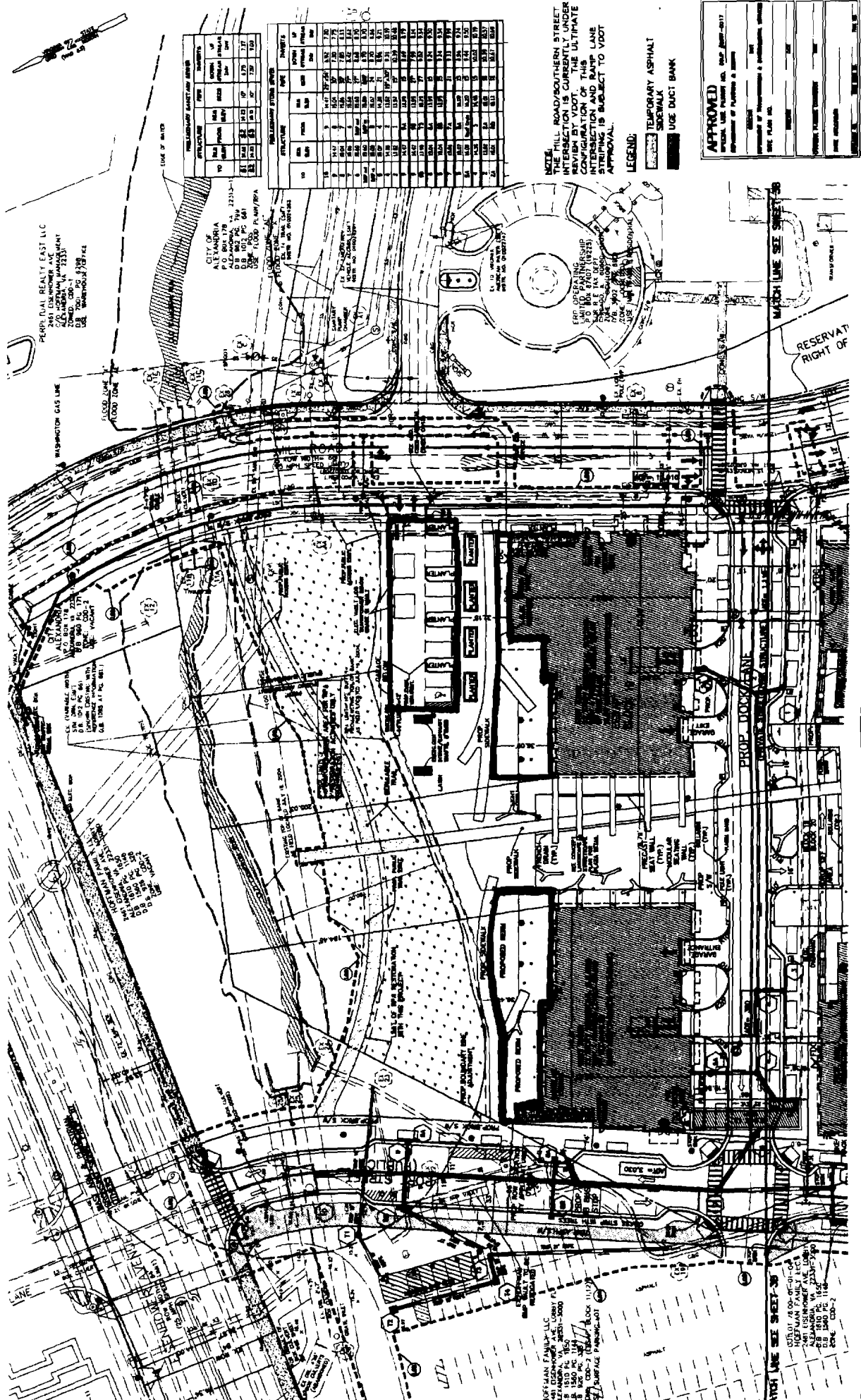
Sincerely,  
  
Jonathan P. Rak

Enclosures

cc: Gwen Wright, Chief Development  
Natalie Sun, Planner

# BLOCKS 19 & 20 - AREAS EXCLUDED FROM PUBLIC ACCESS EASEMENTS

DSUP #7007-0017



EXISTING UTILITIES		PROPOSED UTILITIES	
TO	FROM	TO	FROM
1	2	1	2
3	4	3	4
5	6	5	6
7	8	7	8
9	10	9	10
11	12	11	12
13	14	13	14
15	16	15	16
17	18	17	18
19	20	19	20
21	22	21	22
23	24	23	24
25	26	25	26
27	28	27	28
29	30	29	30
31	32	31	32
33	34	33	34
35	36	35	36
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59	60	59	60
61	62	61	62
63	64	63	64
65	66	65	66
67	68	67	68
69	70	69	70
71	72	71	72
73	74	73	74
75	76	75	76
77	78	77	78
79	80	79	80
81	82	81	82
83	84	83	84
85	86	85	86
87	88	87	88
89	90	89	90
91	92	91	92
93	94	93	94
95	96	95	96
97	98	97	98
99	100	99	100

NOTE: THE HILL ROAD/SOUTHERN STREET INTERSECTION IS CURRENTLY UNDER REVIEW BY VDOT. THE ULTIMATE INTERSECTION AND BAY LANE STRIPING IS SUBJECT TO VDOT APPROVAL.

LEGEND:  
 [Symbol] TEMPORARY ASPHALT  
 [Symbol] SIDEWALK  
 [Symbol] USE DUCT BANK

APPROVED	DATE
PROJECT MANAGER	DATE
CHECKED BY	DATE
DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
DESIGNED BY	DATE
DRAWN BY	DATE



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Jonathan P. Rak  
Direct: 703.712.5411

McGUIREWOODS

Land Use and Environmental  
jrak@mcguirewoods.com

June 9, 2009

**VIA EMAIL**

Mayor Euille and Members of City Council  
City Hall  
301 King Street  
Alexandria, VA 22314

RE: Lane Development; June 13<sup>th</sup> City Council Hearing, Blocks 19 & 20 in Eisenhower East;  
Docket Item # 19

Dear Mayor Euille and Members of City Council:

On behalf of our client, Lane Development, we are writing to request the following revisions to the staff recommended conditions set forth in the staff report for DSUP 2007-0017.

**I. Staff's Recommended TMP Fees Are Not Consistent With The Previous Approval For Block 19 Or With TMP Fees Imposed On The Surrounding Developments.**

The applicant requests that the City Council impose a TMP fee that is consistent with the previous approval and with the TMP fees imposed on the surrounding developments.

When the City Council approved the previous Development Special Use Permit for Block 19 in 2006, the approved TMP fees were \$65 per occupied residential unit and \$0.15 per usable square foot of office and/or retail space. The previously imposed fees were consistent with all of the surrounding properties in Eisenhower East. Attached is an exhibit indicating the TMP fees imposed for the surrounding properties and their current inflation adjusted rates. *See* Eisenhower TMP Rates, attached as Exhibit "A". At the Planning Commission hearing, staff stated that the proposed rates are consistent with the inflation adjusted rates for the other surrounding properties. As the attached chart shows, this assertion is not correct.

If the rates imposed upon the applicant's project are not consistent with the TMP rates for the surrounding development, the project will have a significant competitive disadvantage in future efforts to obtain tenants. The TMP fees will be incorporated in the lease agreements on the property and tenants will not pay a higher lease rate due to an additional TMP fee for similarly situated spaces. As such, the applicant can only continue its development of the project if the TMP rates are consistent with the previous approval and the rates for surrounding properties.

In addition, staff stated that the TMP fee amount is needed to ensure that the project meets the Eisenhower East non-SOV goal of 45%. This fee amount was not necessary to obtain the goal when the development of Block 19 was previously approved in 2006 and is not necessary now. Even without any TMP fee, the project will obtain at least a 25% non-SOV rate due to the close proximity to the Eisenhower METRO Station and local bus routes. The previously approved TMP fee is more than sufficient to increase the non-SOV rate to 45%. Therefore, the applicant requests the following revision to the TMP condition:

**Condition 41**

Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be ~~\$120~~ ~~\$65~~ per occupied residential unit and ~~\$0.39~~ ~~\$0.16~~ per usable square foot of office and/or retail space. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. It shall be necessary to revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually, to begin one year after the initial CO is issued, the rate shall increase by an amount equal to the rate of inflation (Consumer Price Index – CPI of the United States) for the previous year, unless a waiver is obtained from the Director of T&ES. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment. (T&ES)

**II. The Value Of The Eisenhower Park Dedication To The City Must Be Applied Towards The Overall Contribution Requirement For The Entire Project.**

The applicant requests that the City Council apply the fair-share contribution value for the dedication of the Eisenhower Park on Block 19 towards the contribution requirement for the entire project.

The Eisenhower East Open Space Implementation Plan (the "Plan") provides a formula to determine the value of the Park dedication to the City. The Plan states that the value of the contribution to the City is \$1,908,114. See Chart, attached as Exhibit "B". Without the Park dedication, the Plan would request that the applicant contribute \$2,087,400 to the City. Applying the fair-share contribution value to the project as a whole, which is envisioned by the Plan, will leave \$179,286 to be contributed by the applicant to the City for the purchase and development of off-site open space.

It is appropriate to credit the value of the park dedication toward the required contribution for both Blocks 19 and 20 collectively because the applicant is developing both Blocks as a unified project. This pro rata approach was used in the adjacent Hoffman approvals and is consistent with the basic premise of fair-share contribution as described in the Eisenhower East Small Area Plan (the "EESAP"), which states in part: "The implementation program should include the determination of the appropriate fair-share contribution of each of the property owners or developers." (p. 7-7) The EESAP expressly ties the fair-share contribution to the

“property owners or developers” and not to individual blocks. This makes sense because many of the planned parks and open spaces are not shown as being part of any numbered development block.

At the Planning Commission hearing, staff made several assertions about the open space fees which were incorrect. First, staff stated that the fair-share contribution for other applications in Eisenhower East were only applied on a block-by-block basis and credit was not given to an owner developing multiple blocks. The only multiple block SUP approved since the adoption of the EESAP is the Hoffman DSUP. The Hoffman approvals included a fair-share contribution that was aggregated for the entire development. The Hoffman approvals state “the value of the land transferred by Hoffman and/or developed as part of the Block-specific urban squares and parks, will exceed the amount of the ‘fair-share contribution’ otherwise required of land owners and developers in Eisenhower East.” (p. 40)

Second, staff also stated that if the fair-share contribution was applied to the applicant’s development of Blocks 19 and 20, there would be insufficient funds to implement the Plan. This assertion is not supported by the basic cost-benefit methodology used in drafting the Plan. *See* Amended Table A from the Plan, attached as Exhibit “C”. The initial cost estimate for the City to purchase and develop all of the open space in Eisenhower East was approximately \$24 million. This amount, however, is not needed to create and establish the open space set forth in the Plan as private property owners either have already dedicated the planned open space on their respective properties or have agreed to do so in the future at no cost to the City.

The only unfunded portions of the Plan are the development of the Eisenhower median and the Eisenhower Park/Meadow (the “Park”). These two remaining items, however, are either partially completed or already funded. First, the Virginia Department of Transportation (“VDOT”) grant to the City to improve Eisenhower Avenue already includes funds for improving the median. Second, the majority of the Park area is already dedicated to the City and approximately half of the Park area is already improved. In the Plan, the total Park area is listed at 586,432 square feet; 466,225 square feet of the Park was already dedicated to the City, and 288,416 square feet of which is already improved as part of the African-American Heritage Park. Therefore, assuming that 90% of the Eisenhower median is funded by VDOT and that the City will spend the \$6.00 per square foot of undedicated Park area and \$3.00 per square foot of already improved Park area, the remaining cost to implement the plan is \$2,858,352. *See* Exhibit “C”.

To date, \$1,576,630 has already been contributed to the open space fund with an additional \$2,233,320 to be contributed by future developments. *See* Amended Table B from the Plan, attached as Exhibit “D”. Applying the fair-share contribution methodology set forth in the Plan will result in \$3,809,950 of contributions to the City with total cost to implement the Plan of \$2,858,352. The Plan as currently designed will provide the City with \$951,598 more than needed to implement the Plan. Therefore, staff’s assertion that the fair-share contribution on Block 19 should not be applied to the applicant’s entire project because it would result in underfunding the Plan is incorrect.

June 9, 2009

Page 4

Therefore, the applicant requests the following revision:

**Condition 113**

Contribute ~~\$1,246,050~~ **\$179,286** towards the Eisenhower East Open Space Fund prior to release of the final site plan. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled.\* (P&Z)

**III. The Applicant Should Not Be Required To Record A Public Access Easement Over Open Space Which Is Not Required By The EESAP.**

The applicant requests that the requirement to donate an open space easement for plaza areas between buildings be deleted.

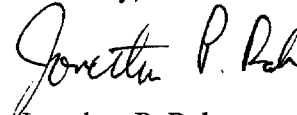
Neither the EESAP nor the Plan envision or recommend any additional open space beyond that which is provided for by the Park dedication. The privately owned open space between each of the four buildings is located over the parking garage and will be maintained as an amenity for residents and office tenants. Furthermore, the applicant is not receiving any credit for this open space under the Open Space contribution formula set forth in the Plan. The applicant does not object to keeping this area open to the public but cannot agree to do so by easement because the easement is not necessary to obtain the goal of the public access to the property. Therefore, the applicant can only agree to the following revised condition:

**Condition 12**

~~Provide perpetual public access easements over all at-grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan.\* (P&Z)(RP&CA)~~

We appreciate the time and effort staff has put into this project and look forward to discussing the project at the upcoming City Council hearing. Please let me know if you have any questions or if I can provide additional information to support our requests.

Sincerely,



Jonathan P. Rak

Enclosures

June 9, 2009  
Page 5

cc: Gwen Wright, Chief Development (via email)  
Natalie Sun, Planner (via email)  
Michael Lane, Lane Development (via email)  
Thomas Andrews, Lane Development (via email)

19313520.3

**EXHIBIT "A"**

**Eisenhower East TMP Fee CPI Calculations**

Project	TMP Approved	Original Office Residential	Rate Increase	2009 Adjusted Amount		
				Adjusted Office	Adjusted Residential	
Carlyle, SUP #2254	1990	\$0.10	\$60.00	4% per year	\$0.21	\$126.41
Carlyle Mill, SUP #99-0108	1999	N/A	\$60.00	Based on CPI	N/A	\$76.80
Mill Race, DSUP #2005-0011	2002	\$0.11	\$60.00	Based on CPI	\$0.13	\$71.12
Hoffman, SUP #2005-0115	2006	\$0.15	\$60.00	Based on CPI	\$0.16	\$63.46
Carlyle Center, DSUP #2006-0012	2006	N/A	\$60.00	N/A	N/A	\$60.00

**Exhibit "B"**

**DSUP 2007-0017, Blocks 19 & 20  
Eisenhower East Open Space Contributions**

<b>Actual Contributions</b>	<b>Open Space Area</b>	<b>Per Square Foot Value of Land Contribution*</b>	<b>Per Square Foot Value of Improvement*</b>	
Dedication of Block 19 RPA	43,092 sf	\$38.28	\$6.00	\$1,908,114
<b>Required Contributions</b>				
	<b>Building Area</b>	<b>Contribution Rate</b>		
Block 19	395,000 sf	\$2.13	\$841,350	
Block 20	585,000 sf	\$2.13	\$1,246,050	
			<b>Total</b>	<b>\$2,087,400</b>
			<b>Difference</b>	<b>\$179,286</b>

\* Value determined by the Eisenhower East Open Space Implementation Plan approved by City Council on June 17, 2006.

**Exhibit "C"**  
**Table A**

<u>EESAP Plan Description</u>	<u>Name of "Park"</u>	<u>Gross SF</u>	<u>"Land Value" (psf)**</u>	<u>Development Cost (psf)</u>	<u>Total Cost Dollars</u>	<u>Status</u>	<u>Remaining</u>
<b>Parks/RPA (4-20)</b>							
Block 31	Eisenhower Park/Meadow	586,432	8.32	6.00	\$8,397,706 ***		\$2,203,344 ****
Block 31	Eisenhower Park/Meadow	63,568	0.00	6.00	\$381,408		\$381,408
Block 19	Community Park*	55,000	38.28	6.00	\$2,435,400	TBD Lane; City Property	\$0
Block 22	Community Park*	116,000	38.28	6.00	\$5,136,480	TBD Hoffman	\$0
<b>Neighborhood Squares (4-21)</b>							
Block 2	West Side Gardens	34,800	37.50	19.00	\$1,966,200	TBD Hoffman	\$0
Block 24/25A	South Dulaney Gardens Sq	15,300	26.40	19.00	\$694,620	TBD Hoffman	\$0
Block 25A/27	South Carlyle Square	28,200	20.51	19.99	\$1,114,041	9,100 dedicated by TCR remained TBD Hoffman	\$0
<b>Urban Squares (4-21)</b>							
Block 9B	Eisenhower Station	28,300	37.50	38.00	\$2,137,650	TBD Hoffman	\$0
Block 6	Existing Hoffman Town Center					Existing	\$0
Block 5	"Block 5" Square	10,900	52.50	38.00	\$986,450	TBD Hoffman	\$0
<b>Boulevard Park (4-21)</b>							
	Eisenhower Avenue	46,350	26.40	6.00	\$1,501,740	90 % VDOT Funded	\$150,000
<b>Other Open Space (Fig 4-16)</b>							
	The Circle	20,600	0.00	6.00	\$123,600		\$123,600
	<b>Total square footage</b>	<b>1,005,450</b>					
				<b>Total cost</b>	<b>\$24,875,295</b>		<b>\$2,858,352</b>

\* A portion of this site includes existing RPA land

\*\* Unless otherwise noted, land value is based on per-square foot 2005 assessed value

Land value (psf) at 0.00 is based on City-owned or existing open space land

Land value (psf) at 8.32 is based on Block 30 (adjoining Block 31)

\*\*\* 466,225 sf of the Park is already dedicated. Hoffman will be dedicating an additional 75,000 sf with remaining balance of 45,207 sf TBD by ASA.

\*\*\*\* Remaining amount due assumes \$3.00 per sf of already improved area of 288,416 sf which is part of the African American Heritage Park, and \$6.00 psf for improvements of previously dedicated area unimproved area of 177,809 sf and the 45,207 sf TBD by ASA



**Exhibit "D"**  
**EISENHOWER EAST PLAN IMPLEMENTATION**  
**TABLE B**

Block	Owner	Use	Site Square	Allowable Gross	\$ Paid	\$ Remaining
1	Hoffman	Holiday Inn	179,119	101,000		
2	Hoffman	Office	168,400	789,000		
2	Hoffman	West Side Gardens	34,800			
3	Hoffman	Office	98,700	379,000		
4	Hoffman	Office	59,700	339,000		
5	Hoffman	Hotel	56,400	304,000		
5	Hoffman	Hotel Square	10,900			
6	Hoffman	Office	195,210	1,036,000		
6	Hoffman	Retail		50,000		
7	Hoffman	Retail	105,800	25,000		
7	Hoffman	Cinema		136,000		
8	Hoffman	Residential	59,200	500,000		
9	See 9A/9B below					
9A	Hoffman	Residential	82,500	407,000		
9B	Hoffman	Office	74,100	956,000		
9B	Hoffman	Eisenhower Station	28,300			
10	Metro	Retail	9,700	4,000		
11	Hoffman	Office	66,600	591,000		
12	Hoffman	Residential	48,300	549,000		
13	Mill Race	Residential	59,260	490,000		
14	Hoffman	Retail	109,400	18,000		
14	Hoffman	Parking				
15	WMATA/City of Alexandria					
16	Andrews	Hotel	20,822	100,000	\$270,000	
17	Mill Race	Office	77,400	433,000	\$160,000	
18	Mill Race	Residential	76,700	525,000		
19	ATA	Residential	57,800	395,000		\$180,000
	ATA	RPA/park	55,000			
20	ATA	Office	77,100	585,000		
21	City of Alexandria					
22	Hoffman	Community Park (RPA)	116,000			
23	Simpson - Phase I	Office	60,100	98,000	\$208,740	
23	Simpson - Phase II	Office	92,400	304,000	\$647,520	
24	Hoffman	Office	61,100	151,000		
24	Hoffman	Residential	48,200	144,000		
24	Hoffman	South Dulaney Gardens	15,300			
25A	Hoffman	Office	38,500	135,000		
25A	Hoffman	Residential	60,400	96,000		
25B	Carlyle	Office	66,800	204,000		
26A	Carlyle Block P	Office	92,600	411,000		
26B	City of Alexandria	Residential	41,000	124,000		
25/27	Carlyle/Alex Mini Storage	South Carlyle Square	28,200			
27	Alexandria Mini Storage	Residential	73,300	350,000	\$290,370	
28	Virginia Concrete	Residential	63,600	282,000		\$600,660
29	Hooff-Fagelson	Residential	55,500	170,000		\$362,100
30	Hooff-Fagelson	Office	114,000	512,000		\$1,090,560
31	Various Owners	Eisenhower Park	586,432			
31	City of Alexandria	Eisenhower Park	63,568			
	City of Alexandria	The Circle	20,600			
	City of Alexandria	Eisenhower Avenue	46,350			
<b>Total allowable gross square footage</b>				<b>11,693,000</b>	<b>\$1,576,630</b>	<b>\$2,233,320</b>
<b>Open Space Allocation per allowable gross square</b>				<b>2.13</b>		
<b>Total Contributions Accounting for Fair-Share Allocations</b>						<b>\$3,809,950</b>

**Note to Block 14: No allowable gross square footage included in EESAP; it is a parking garage only**  
**" "** Blocks 29 & 30: Blocks have been purchased by ASA for the treatment plant expansion, however, EESAP recommends transfer of density to other blocks in the EESAP.



**Felix Oliver**  
<foliver@eisenhowerpartnership.org>

05/20/2009 01:18 PM

Please respond to  
Felix Oliver  
<foliver@eisenhowerpartnership.org>

To william.euille@alexandriava.gov,  
timothy.lovain@alexandriava.gov, councilmangaines@aol.com,  
council@krupicka.com, delpepper@aol.com,

cc

bcc

Subject COA Contact Us: Mill Road Blocks 19 and 20

19  
6-13-09

**Time: [Wed May 20, 2009 13:18:35] IP Address: [98.218.82.248]**

**Issue Type:** Mayor, Vice Mayor, and Council Members  
**First Name:** Felix  
**Last Name:** Oliver  
**Street Address:** 2034 Eisenhower Avenue  
Suite 145  
**City:** Alexandria  
**State:** VA  
**Zip:** 22314  
**Phone:** 703-684-5124  
**Email Address:** foliver@eisenhowerpartnership.org  
**Subject:** Mill Road Blocks 19 and 20  
The Eisenhower Partnership support letter for Lane Development's proposed  
**Comments:** development of Block 19 and 20 in Eisenhower East.  
**Attachment:** ca7d65eb61cc3625daeeeee9715f45d7d.doc



ca7d65eb61cc3625daeeeee9715f45d7d.doc



May 14, 2009

Mayor Euille and Members of City Council  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: Eisenhower East

Dear Mayor Euille and Members of City Council:

On behalf of the Eisenhower Partnership (the "Partnership"), I am writing to express the Partnership's support for Lane Development's proposed development of Blocks 19 and 20 in Eisenhower East. Lane Development presented the proposed development plans for Blocks 19 and 20 to the Partnership at its monthly meeting on April 29<sup>th</sup>. The Partnership enthusiastically supports the proposed development as it will bring a significant amount of high quality office space and residential units to the Eisenhower Valley. The Project's architectural design will also provide a prominent entrance feature and focal point for vehicles entering the Eisenhower Valley from the Mill Road off-ramp.

The Partnership also supports Lane Development's efforts to obtain VDOT approval of a full-access intersection at the intersection of Mill Road and the proposed Southern Street. A full-access intersection at this location will enable vehicles entering the Eisenhower Valley from the Mill Road off-ramp to make a left onto Southern Street. This left turn will provide vehicles with direct access to the Lane Development project and adjacent developments to the west directly from Southern Street without having to use Eisenhower Avenue. This direct access to Southern Street will significantly reduce congestion at the intersection of Eisenhower Avenue and Mill Road.

Therefore, the Partnership encourages the City Council to support Lane Development's efforts to obtain VDOT approval of the full-access intersection.

Sincerely,

A handwritten signature in black ink, appearing to read "Felix Oliver".

Felix Oliver  
Executive Director

SPEAKER'S FORM

DOCKET ITEM NO. 19

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK  
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

- 1. NAME: Jonathan Rak
- 2. ADDRESS: 1750 Tysons Blvd. #1800 McLean, VA 22102  
TELEPHONE NO. 703 712 5411 E-MAIL ADDRESS: jrak@mcquirewoods.com
- 3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Applicant
- 4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
- 5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Attorney
- 6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES  NO \_\_\_\_\_

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.



**APPLICATION**

**CDD DEVELOPMENT CONCEPT PLAN**

**CDD #** 2008-0005

[must use black ink or type]

**PROPERTY LOCATION:** 2250 Mill Road; 2200 Mill Road

**TAX MAP REFERENCE:** 078.02.01-06; 078.02-01-05      **ZONE:** CDD #2

**APPLICANT'S NAME:** Lane Development LLC  
**ADDRESS:** 43 Riverside Drive, Binghamton, NY 13905

**PROPERTY OWNER NAME:** Eisenhower-Lane-CFRI Venture, LLC  
**ADDRESS:** 43 Riverside Drive, Binghamton, NY 13905

**REQUEST:** Approval of a CDD Concept Plan for the development of Block 19 in the EESAP with a residential use and the redevelopment of Block 20 with an office use.

**THE UNDERSIGNED** hereby applies for CDD Development Concept Plan approval in accordance with the provisions of Section 5-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Jonathan P. Rak, Esquire, Agent  
Print Name of Applicant or Agent

*Jonathan P. Rak*  
Signature

McGuireWoods LLP  
Mailing Address  
1750 Tysons Boulevard, Suite 1800  
McLean, VA  
City and State

(703) 712-5411      (703) 712-5231  
Telephone #      Fax #  
22102      11/24/2008  
Zip Code      Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date and Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_  
ACTION - PLANNING COMMISSION: \_\_\_\_\_ ACTION - CITY COUNCIL: \_\_\_\_\_

application CDD development plan.pdf  
8/1/06 Pnz\Applications, Forms, Checklists\Planning Commission

PC Action Recommended Approval 6-0 6-2-09

CC approved PC recommendation w/ amendments 7-0 6/13/09

80

DSUP Recommend Approval w/amendments	6-0
SUP Recommend Approval	6-0
ENC Recommend Approval	6-0

(A copy of Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/13/09, and is incorporated as part of this record by reference.)

Planner Sun made a presentation of the report and responded to questions of City Council, and Mr. Keeler, from the Office of Housing, also made a presentation.

The following person participated in the public hearing on this item:

(a) Jonathan Rak, attorney representing the applicant, 1750 Tysons Blvd., #1800, McLean, spoke in favor of the request and noted his June 13 letter with changes to conditions #12, 26(g), 41, and 113, and noted they were interested in similar language on the LEED requirement in condition #19(e).

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with the amendments as noted by the applicant in a letter dated June 13, 2009, as agreed by the applicant and staff, as follows:

Condition 12: "Except for the visitor parking area and residential patio areas immediately north of the residential buildings on Block 19, provide perpetual public access easements over all at-grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. The open space easement areas shall not be considered a street or public right-of-way and the applicant shall have the right to conduct ordinary maintenance and repairs without obtaining a T&ES permit. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan." (P&Z) (RP&CA)"

Condition 26g: "The developer will work with the City and ARHA to consider the possibility of providing 16 public housing replacement units to ARHA as an alternative to some or all of the aforementioned units."

Condition 41: "Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be \$120 per occupied residential unit and \$0.39 \$0.16 per usable square foot of office and/or retail space. The annual contributions rate for the residential buildings may be reduced provided that the applicant maintains the reduction goal of 45% for single occupant vehicles. These reduction goals may be revised in the future based on City wide TMP policies or legislation. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. It shall be necessary to

~~revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually, to being one year after the initial CO is issued. The annual TMP rate shall increase by an amount equal to the rate of inflation (Consumer Price Index - CPI of the United States) for the previous year, unless a waiver is obtained from the Director of T&ES. For the residential units, the increase shall begin one year after the initial CO is issued. For the commercial portion, the rate increase shall commence upon approval of this application. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment. (T&ES)"~~

~~Condition 113: "Contribute \$1,246,050 **\$350,000** towards the Eisenhower East Open Space Fund prior to release of the final site plan. If substantial construction does not commence within three years of this approval, the contribution amount shall be \$1,246,050. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled. \*(P&Z)~~

~~Also to replace the language on condition 19(e) with the following: "failure to achieve LEED certification will first go to staff to review, and if staff determines a good faith effort was not made to achieve LEED silver certification, then any existing City-wide policies on Green Buildings will apply."~~

Councilman Smedberg noted that this was another major project in a significant area that has no public art, noting that the architecture and materials itself could be made as a statement for public art, and it bothered him that they have lost that opportunity.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Wilson	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

**ORDINANCES AND RESOLUTIONS**

- 20. Public Hearing, Second Reading and Final Passage of an Ordinance to Impose a Maximum Service Period of 10 Consecutive Years for Any Member of a Board, Committee or Commission, Unless the Term of Service is Otherwise Governed by State Law, City Code or By Another Document That Creates the Committee, Board or Commission. (#15, 5/12/09, #14, 5/26/09) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 21, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 20; 6/13/09, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20;

19

APPLICATION for ENCROACHMENT # 2008-0006

[must use black ink or type]

PROPERTY LOCATION: 2250 Mill Road

TAX MAP REFERENCE: 078.02-01-06 ZONE: CDD #2

APPLICANT'S NAME: Lane Development

ADDRESS: 34 Riverside Drive, Binghamton, NY 13905

PROPERTY OWNER NAME: Eisenhower-Lane-CFRI Venture, LLC

ADDRESS: 34 Riverside Drive, Binghamton, NY 13905

ENCROACHMENT DESCRIPTION: Entrance canopy on Port Street for western façade of Block 19

INSURANCE CARRIER (copy attached) \_\_\_\_\_ POLICY # \_\_\_\_\_ A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

**THE UNDERSIGNED** hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Jonathan P. Rak, Esq., Agent for Applicant  
Print Name of Applicant or Agent

  
Signature

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Mailing/Street Address

(703) 712-5411 (703) 712-5231  
Telephone # Fax #

McLean, Virginia 22102  
City and State Zip Code

Nov. 24, 2008  
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: Recommended Approval 6-0 6-2-09

ACTION - CITY COUNCIL: CC approved PC recommendations w/amendments

7-0 6/13/09



DSUP Recommend Approval w/amendments	6-0
SUP Recommend Approval	6-0
ENC Recommend Approval	6-0

(A copy of Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/13/09, and is incorporated as part of this record by reference.)

Planner Sun made a presentation of the report and responded to questions of City Council, and Mr. Keeler, from the Office of Housing, also made a presentation.

The following person participated in the public hearing on this item:

(a) Jonathan Rak, attorney representing the applicant, 1750 Tysons Blvd., #1800, McLean, spoke in favor of the request and noted his June 13 letter with changes to conditions #12, 26(g), 41, and 113, and noted they were interested in similar language on the LEED requirement in condition #19(e).

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with the amendments as noted by the applicant in a letter dated June 13, 2009, as agreed by the applicant and staff, as follows:

Condition 12: "Except for the visitor parking area and residential patio areas immediately north of the residential buildings on Block 19, provide perpetual public access easements over all at-grade privately owned open space areas. The perpetual open space easement(s) shall enable the open space areas to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. The open space easement areas shall not be considered a street or public right-of-way and the applicant shall have the right to conduct ordinary maintenance and repairs without obtaining a T&ES permit. All easements and reservations shall be depicted on the easement plat and shall be approved prior to the release of the final site plan." (P&Z) (RP&CA)"

Condition 26g: "The developer will work with the City and ARHA to consider the possibility of providing 16 public housing replacement units to ARHA as an alternative to some or all of the aforementioned units."

Condition 41: "Create a TMP fund, based on the reduction goal of 45% of single occupant vehicles, established for Eisenhower East Blocks 19 & 20, the project's size and the benefits to be offered to participating residents. The annual contribution rate for this fund shall be \$120 per occupied residential unit and ~~\$0.39~~ **\$0.16** per usable square foot of office and/or retail space. The annual contributions rate for the residential buildings may be reduced provided that the applicant maintains the reduction goal of 45% for single occupant vehicles. These reduction goals may be revised in the future based on City wide TMP policies or legislation. These rates have been established on a temporary basis and they reflect an average of residential and retail space for other projects in the Eisenhower Avenue area. It shall be necessary to

~~revise these rates when the developer decides on the number of residential units and retail square feet for the project. Annually, to being one year after the initial CO is issued, The annual TMP rate shall increase by an amount equal to the rate of inflation (Consumer Price Index - CPI of the United States) for the previous year, unless a waiver is obtained from the Director of T&ES. For the residential units, the increase shall begin one year after the initial CO is issued. For the commercial portion, the rate increase shall commence upon approval of this application. The TMP fund shall be used exclusively for the approved transportation activities detailed in the attachment (T&ES)"~~

Condition 113: "Contribute ~~\$1,246,050~~ **\$350,000** towards the Eisenhower East Open Space Fund prior to release of the final site plan. If substantial construction does not commence within three years of this approval, the contribution amount shall be \$1,246,050. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled. \*(P&Z) \*

Also to replace the language on condition 19(e) with the following: "failure to achieve LEED certification will first go to staff to review, and if staff determines a good faith effort was not made to achieve LEED silver certification, then any existing City-wide policies on Green Buildings will apply."

Councilman Smedberg noted that this was another major project in a significant area that has no public art, noting that the architecture and materials itself could be made as a statement for public art, and it bothered him that they have lost that opportunity.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Wilson	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

**ORDINANCES AND RESOLUTIONS**

- 20. Public Hearing, Second Reading and Final Passage of an Ordinance to Impose a Maximum Service Period of 10 Consecutive Years for Any Member of a Board, Committee or Commission, Unless the Term of Service is Otherwise Governed by State Law, City Code or By Another Document That Creates the Committee, Board or Commission. (#15, 5/12/09, #14, 5/26/09) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 21, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 20; 6/13/09, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20;

APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN  
DSUP # 2007-0017

PROJECT NAME: Blocks 19 & 20 Eisenhower East

PROPERTY LOCATION: 2250 Mill Road; 2200 Mill Road

TAX MAP REFERENCE: 78.02-01-06; 78.02-01-05 ZONE: CDD-2

APPLICANT Name: Lane Development, LLC

Address: 34 Riverside Drive, Binghamton, NY 13905

PROPERTY OWNER Name: Eisenhower-Lane-CFRI Venture, LLC

Address: 34 Riverside Drive, Binghamton, NY 13905

SUMMARY OF PROPOSAL: 474,000 sf of residential and 585,000 sf of office space

MODIFICATIONS REQUESTED: \_\_\_\_\_

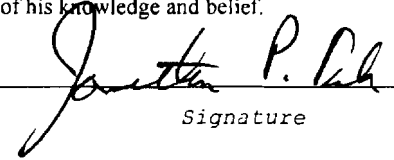
SUP's REQUESTED: Special Use Permit for more than one penthouse on each building on  
Blocks 19 and 20

**THE UNDERSIGNED** hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.  
**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.  
**THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Jonathan P. Rak, Esq.

*Print Name of Applicant or Agent*  
McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800

*Mailing/Street Address*  
McLean, Virginia 22102  
*City and State* *Zip Code*

  
*Signature*

(703) 712-5411 (703) 712-5231

*Telephone #* *Fax #*  
5/11/09  
*Date*

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_  
Fee Paid & Date: \$ \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_  
Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: Recommended Approval w/amendments 6-0 6-2-09  
ACTION - CITY COUNCIL: CC approved PC recommendations w/amendments 7-0

6/13/09

DSUP Recommend Approval w/amendments	6-0
SUP Recommend Approval	6-0
ENC Recommend Approval	6-0

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