

EXHIBIT NO. 1

4
6-16-01

Docket Item #3
SPECIAL USE PERMIT #2001-0047
JEFFERSON AT CARLYLE MILL

Planning Commission Meeting
June 5, 2001

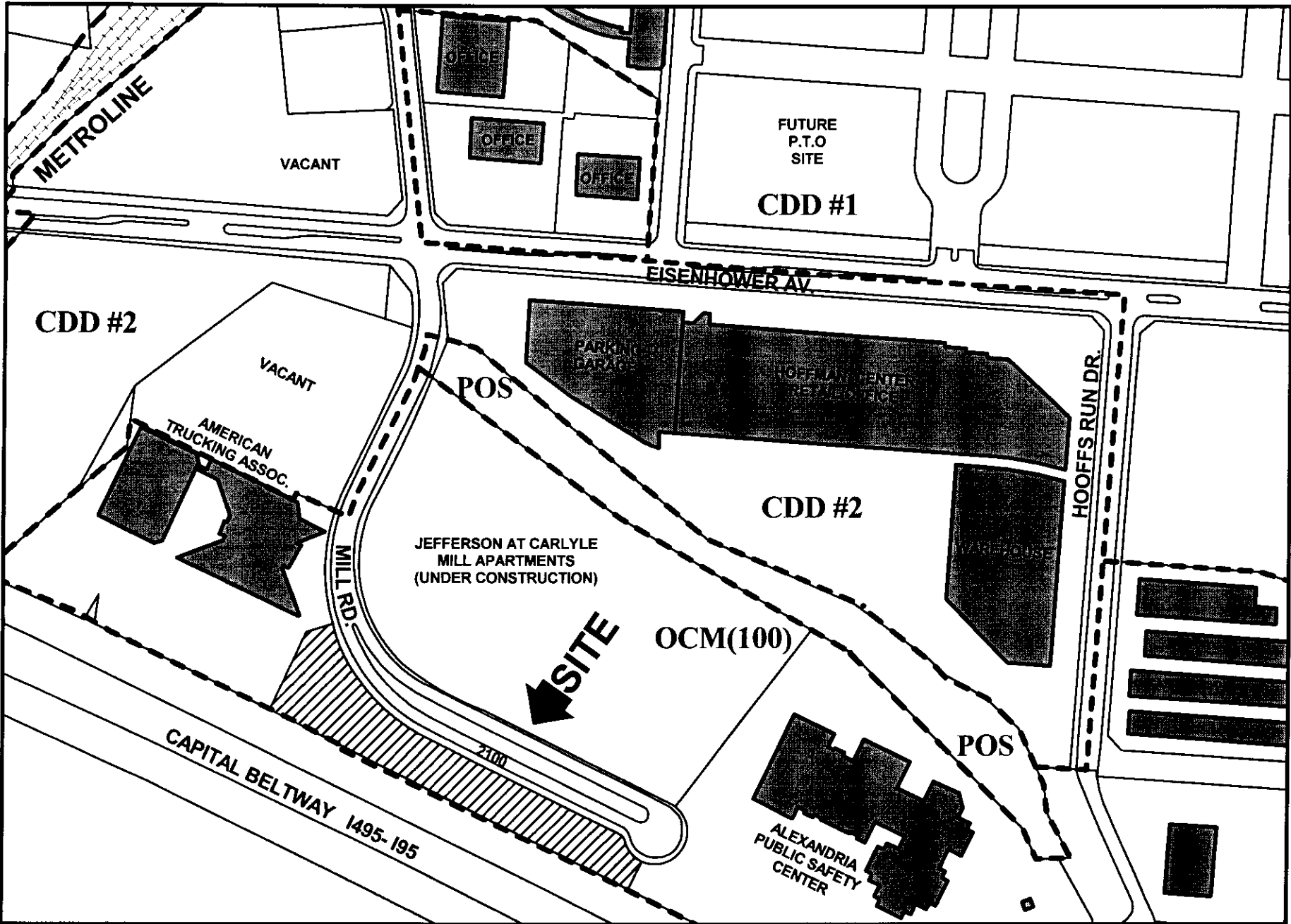
ISSUE: Consideration of a request for a special use permit for a construction staging area for the proposed development.

APPLICANT: JPI Apartment Development, LP
by M. Catharine Puskar, attorney

LOCATION: 2100 Mill Road

ZONE: OCM-100/Office Commercial Medium

PLANNING COMMISSION ACTION, JUNE 5, 2001: By unanimous consent the Planning Commission recommended approval of the request, subject to all applicable codes and ordinances and the staff recommendations.



SUP #2001-0047

06/05/01



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The construction staging area shall be removed and restored pursuant to condition #2, within 30 days of the issuance of the last certificate of occupancy for the apartments. (P&Z)
2. Upon completion of the construction staging:
 - the curbcuts for the staging area shall be removed,
 - all curbing, sidewalk and medians shall be restored,
 - all gravel and paving shall be removed, and
 - the area shall be replanted with ground cover to the satisfaction of the Director of P&Z. (P&Z)
3. All construction and/or advertising signage shall other than directional signage shall be prohibited. (P&Z)
4. No vehicles other than contractor vehicles shall be parked on the site; no heavy equipment shall be stored on the property. No materials storage shall occur on the site except within the proposed trailers. (P&Z)
5. Parking related to construction of the project, including parking by construction workers, shall not be permitted on Mill Road, and the on-street spaces along Mill Road shall not be eliminated as a result of approval, except for the two spaces the entrance to the staging area. (P&Z)
6. Show location of construction trailers and contractor parking area. Indicate the number of spaces, surface material and temporary lighting. (T&ES)
7. The final erosion and sediment control plan shall conform to the current standards of the City of Alexandria and the Virginia Erosion and Sediment Control Handbook. (T&ES)
8. Show how pedestrian traffic will be accommodated.(T&ES)
9. Prior to approval of final plan the applicant shall provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, storage and staging. (T&ES)
10. Provide complete topographic information on, and around the perimeter of the proposed construction staging area. (T&ES)

11. Applicant shall maintain traffic control personnel at the entrance of the staging area at all hours during construction activity. The construction staging entrance shall be right-in, left-out only, with a cut made in the Mill Road median to allow the left-out. (T&ES)
12. Provide an Environmental Site Assessment for this parcel prior to any land disturbing activity. If any portion of the site is within a Resource Protection Area (RPA) T&ES may restrict use of that portion of the site pursuant to city regulations. (T&ES)
13. Show nature of ground cover and the tree line if one exists.(T&ES)
14. A security survey for the trailers shall be completed prior to use of the site.(Police)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

BACKGROUND:

The applicant, JPI Apartment Development is requesting approval for a construction staging area including construction trailers and contractor parking. The storage yard is intended to facilitate the construction of the Jefferson @ Carlyle Mill Road (DSP99-0050) which received approval from City Council on June 27, 2000 to construct a 315 unit apartment complex. The construction staging area is intended to be operational during the approximately 24 months that it will take to construct the apartment complex. The applicant has stated that heavy equipment will not be stored within the staging area, and such storage is not permitted by the zoning ordinance. Nor is the outdoor storage of building materials. The OCM zoning of the site does permit motor vehicle parking and storage on the site with a special use permit, and temporary trailers are also permitted with a special use permit.

A primary reason for the need to provide a construction staging area and a location for employee parking is that a condition of approval for the development special use permit was that “ no construction worker shall park on Mill Road and no construction vehicles or equipment shall be parked on Mill Road during construction of the project.” The proposed staging area will provide an area for parking for the expected 25-30 construction employees and 6 construction trailers that are necessary for construction of the apartment complex. The proposed curb cut to access the site will result in the loss of two on-street parking spaces.

Staff recommends **approval** of the special use permit to operate a temporary construction staging area with the conditions outlined within the staff report.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development;
Jeffrey Farner, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Code Enforcement:

No comment.

Health Department:

No Comment.

Archaeology:

Low potential for significant archeological resources to be present. No archeology action is required.

JF.

APPLICATION for SPECIAL USE PERMIT # 2001-0047

[must use black ink or type]

PROPERTY LOCATION: 2100 Mill Road

TAX MAP REFERENCE: 79.00-01-04 ZONE: OCM-100

APPLICANT Name: JPI Apartment Development, L.P.

Address: c/o JPI, 8230 Boone Boulevard, Suite 340, Vienna, VA 22182

PROPERTY OWNER Name: Carlyle Development Corporation

Address: 110 Franklin Road, S.E., Roanoke, VA 24042

PROPOSED USE: Construction Staging Area

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 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.

M. Catharine Puskar, Attorney/Agent
Print Name of Applicant or Agent

M Catharine Puskar
Signature

Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Blvd., 13th Floor
Mailing/Street Address

703/528-4700 703/525-3197
Telephone # Fax #

Arlington, VA 22201
City and State Zip Code

Date

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

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

JEFFERSON AT CARLYLE MILL

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 (check one) the Owner Contract Purchaser
 Lessee or Other: _____ of the subject property.

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.

99% - JPI Lifestyle Apartment Community, L.P.

600 E. Las Colinas Boulevard, Suite 1800

Irving, Texas 75039

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.
2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. 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. (Attach additional sheets if necessary)

The Applicant, JPI Apartment Development, is requesting approval for a temporary construction staging area for use during construction of the Jefferson at Carlyle Mill apartments. The proposed staging area is located on a .5 acre parcel south of Mill Road across the street from the Jefferson at Carlyle Mill project and will be utilized for the duration of construction, which is estimated to be approximately (24) twenty four months from the date of commencement. Approval of the proposed staging area will result in more efficient construction and decrease construction time as work on the project site will not be delayed by having to relocate the staging area as construction proceeds throughout the site. In addition, the proposed staging area will provide ample parking for construction workers who are not permitted to park on Mill Road pursuant to a site plan condition. As such, by parking in the temporary staging area, workers will have convenient access to the construction site without burdening other streets and parking spaces in the area.

The proposed staging area will be used for the storage of construction materials, construction trailers and contractor parking. There will be no stockpiling of earth in this area. Furthermore, no heavy equipment will be stored on the property. As such, vans and trucks will be used to transport materials from this area to the construction area. Vehicles and personnel accessing Mill Road will do so under the supervision of a qualified flag person so as not to impede traffic flow from and to the Public Safety Center.

In order to access the site, a temporary curb cut will be installed on Mill Road resulting in the loss of two on-street parallel parking spaces. A sediment and erosion control plan has been included as part of the plan submitted with this request. In addition, a safety fence will be installed to provide security for the site.

USE CHARACTERISTICS

4. The proposed special use permit request is for: *(check one)*

a new use requiring a special use permit,

a development special use permit,

an expansion or change to an existing use without a special use permit,

expansion or change to an existing use with a special use permit,

other. Please describe: _____

5. Please describe the capacity of the proposed use:

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

Varies based on construction activity

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

Varies based on construction activity

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

During construction hours as approved by T&ES

7. Please describe any potential noise emanating from the proposed use:

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

Noise levels will comply with the requirements of the Alexandria

City Code

B. How will the noise from patrons be controlled?

Noise levels will comply with the requirements of the

Alexandria City Code

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

N/A

9. Please 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

10. 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:

11. 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:

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

N/A

ALCOHOL SALES

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

Yes. No. N/A

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.

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

During construction hours as approved by T&ES

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

During construction hours as approved by T&ES

16. 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?

A temporary curb cut will be installed for access to the site.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be? 1/2 acre
_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: open-air site and trailers

JF APPLICATION for SPECIAL USE PERMIT # 2001-0047

JEFFERSON AT CARLYLE MILL

[must use black ink or type]

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M. Catharine Puskar, Attorney/Agent
 Print Name of Applicant or Agent

M Catharine Puskar
 Signature

Walsh, Colucci, Stackhouse, Emrich & Lubeley
 2200 Clarendon Blvd., 13th Floor
 Mailing/Street Address

703/528-4700 703/525-3197
 Telephone # Fax #

Arlington, VA 22201
 City and State zip Code

 Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: 6/5/01 Recommended Approval UC

ACTION - CITY COUNCIL: 6/16/01PH-- CC approved the Planning Commission recommendation.