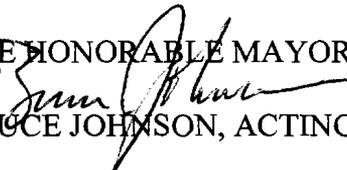


City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 17, 2011

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:  BRUCE JOHNSON, ACTING CITY MANAGER

SUBJECT: CONSIDERATION OF PARTICIPATION AS A CO-APPLICANT WITH THE PROPERTY OWNERS OF POTOMAC YARD IN THE SUBMISSION OF A COMPREHENSIVE ANALYSIS OF BUILDING HEIGHTS WITHIN POTOMAC YARD FOR REVIEW AND APPROVAL BY THE FEDERAL AVIATION ADMINISTRATION (FAA)

ISSUE: City participation with the property owners of Potomac Yard (Landbay F, Landbay G, Landbay H) in the submission of a comprehensive analysis of building heights within Potomac Yard for review and approval by the Federal Aviation Administration (FAA).

RECOMMENDATION: That City Council:

1. Authorize the City to be a co-applicant with Potomac Yard property owners in the submission of a comprehensive master plan analysis of building heights to the Metropolitan Washington Airports Authority (MWAA) and the Federal Aviation Administration (FAA) to ensure the approved building heights within Potomac Yard comply with all applicable aviation requirements related to the Ronald Reagan Washington National Airport; and
2. Authorize the Acting City Manager to execute all necessary documents that may be required.

BACKGROUND:

- A. Existing Potomac Yard Flight Path Restrictions-** Because of Potomac Yard's proximity to Ronald Reagan Washington National Airport, there is a flight path (height) restriction for a portion of Potomac Yard (Attachment 1). The flight path requirement is due to a runway (DCA runway # 22) within the Airport (Attachment 2). As depicted in Attachment 3, the flight path restriction forms a "trough" through the central portion of Potomac Yard, which limits the maximum building heights to approximately 100 feet for buildings below the flight path. While buildings up to approximately 100 feet are

permitted, obtaining the maximum height requires approval by the Federal Aviation Administration (FAA). For example, the Potomac Yard fire station tower, which is subject to the flight path requirements, required approval and mitigation by the FAA. The flight path requirements have been incorporated into the planning within Potomac Yard, including the recently approved North Potomac Yard Plan. For example, during the approval process for the rezoning and concept plan approval of North Potomac Yard, the City required the submission of a separate consultant report which confirmed that the proposed building heights generally complied with all applicable provisions and requirements of the flight path restrictions, the Potomac Yard to the Metropolitan Washington Airports Authority (MWAA) and the FAA.

B. Existing Review due to regional proximity of the Ronald Reagan Washington National Airport- In addition to the flight path restriction (Attachment 1), federal regulations (Part 77) require that taller buildings (generally taller than 50 ft to 60 ft), while not having a specific height limit, be reviewed and approved for potential operation and programming impacts by the FAA. The regulations require that all buildings obtain a determination from the FAA that they do not pose a hazard to air navigation. The requirement for review by the FAA applies to taller buildings within other areas of the City as well, such as Carlyle and Eisenhower East.

Following the standard FAA review process, FAA determinations are valid for only 18 months and may receive only one 18-month extension. The federal rationale for these limitations is that the FAA procedures are changing and thus the FAA cannot permanently approve proposed structures. From the experience of experts, individual building FAA reviews by different FAA reviewers at different times do not produce consistently reliable results.

C. North Potomac Yard Planning- As part of the recent planning for North Potomac Yard, there was extensive discussion about the existing flight path restrictions and the planned Metrorail station and potential impacts of the adjoining airport. In addition, it was envisioned that a subsequent implementation component of the North Potomac Yard Plan would be coordination with the MWAA and the FAA to create a process for the City and the developers that leads to greater surety in decisions on heights and associated impacts of the adjoining airport.

Staff recommends that City Council authorize the City to participate in a master plan process in co-sponsoring an application in conjunction with the property owners of Potomac Yard (Landbay F, Landbay G, Landbay H) which would be a comprehensive analysis of the approval heights and compliance with applicable aviation requirements. The plan and technical analysis would be prepared by a consultant who would be hired and reimbursed by the property owners. The plan would be reviewed by applicable City staff and submitted for review and approval to the MWAA and the FAA.

The preparation of the plan is an important component of implementing the North Potomac Yard and Potomac Yard plans and the potential construction of the planned Potomac Yard Metrorail Station. It is anticipated that rather than an 18-month validity period, the City and property owners would work with MWAA and FAA to obtain a longer validity period of the building

heights, for a period such as 10 or 15 years. This is an important component of the potential construction of a Metrorail station, in providing greater surety that the planned level of development will be approved by the FAA. It is anticipated that the preparation of the necessary technical data and the overall plan and subsequent review by MWAA and FAA will take approximately 10 to 12 months. This comprehensive approach or “master plan” approval for building heights has been an approach that has been successfully utilized by other jurisdictions including Arlington County for the Crystal City area. During this master plan process, the consultant, the property owners and the City will work with MWAA and FAA to determine the applicable aviation procedures which impact building heights. Some of the existing aviation procedures may need to be amended in order to prevent the proposed buildings from posing a hazard to air navigation.

It is anticipated that the plan will likely result in a subsequent text amendment to the Zoning Ordinance to implement the anticipated requirements of the MWAA and FAA as part of the review process. As the analysis and plan proceed, staff will keep the Planning Commission, City Council and other applicable commissions updated throughout the process. In addition, any subsequent regulatory changes such as zoning text changes will require subsequent review and approval by the Planning Commission and City Council.

FISCAL IMPACT: There is no direct negative fiscal impact to the City as the property owners would provide all necessary funding to hire the consultants for the analysis and preparation of the plan. No City match is required. There will be staff resources allocated for review of the Plan, coordinated among various agencies, primarily Planning & Zoning; however, these resources can be accommodated with existing staff levels based on the Department’s current work program. There is a likely positive fiscal impact as the master planning process will create more certainty that the City’s approved levels of development can be constructed, and the tax revenues generated at a sufficient level to support the financing of the proposed Potomac Yard Metrorail station.

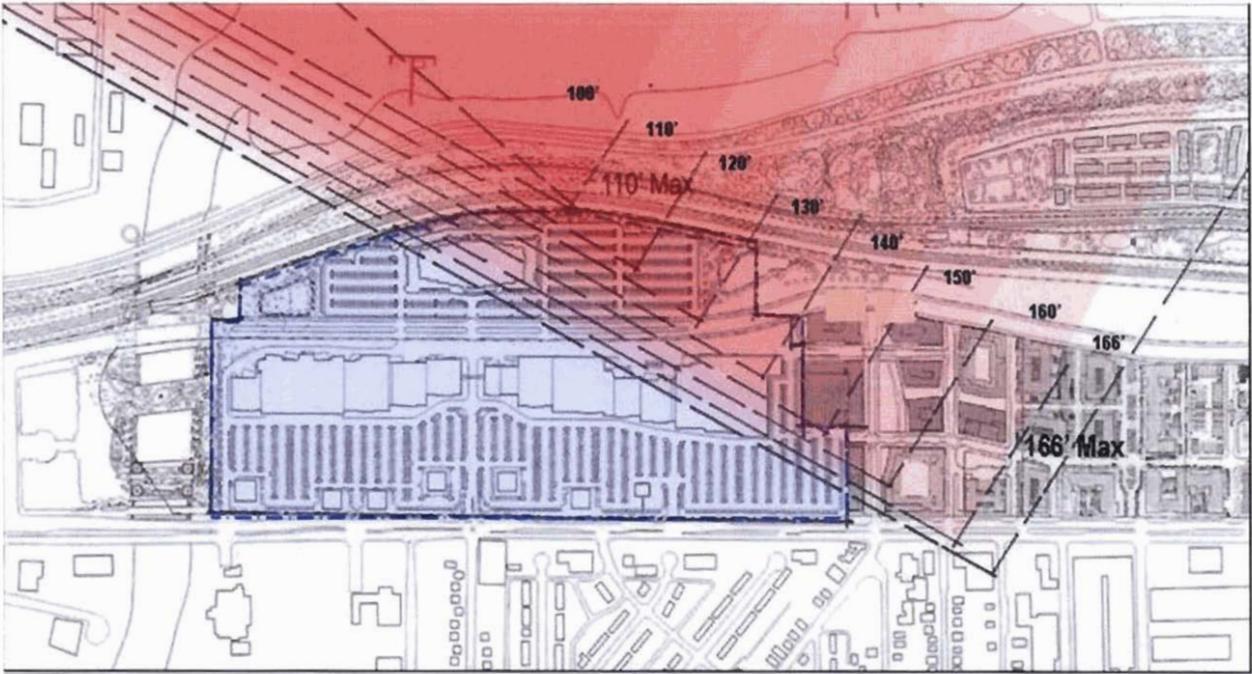
ATTACHMENTS:

- Attachment 1: Existing Flight Requirements
- Attachment 2: DCA Runways and Potomac Yard
- Attachment 3: Three Dimensional Flight Path Requirements
- Attachment 4: Potomac Yard Context Plan
- Attachment 5: Approved Building Heights

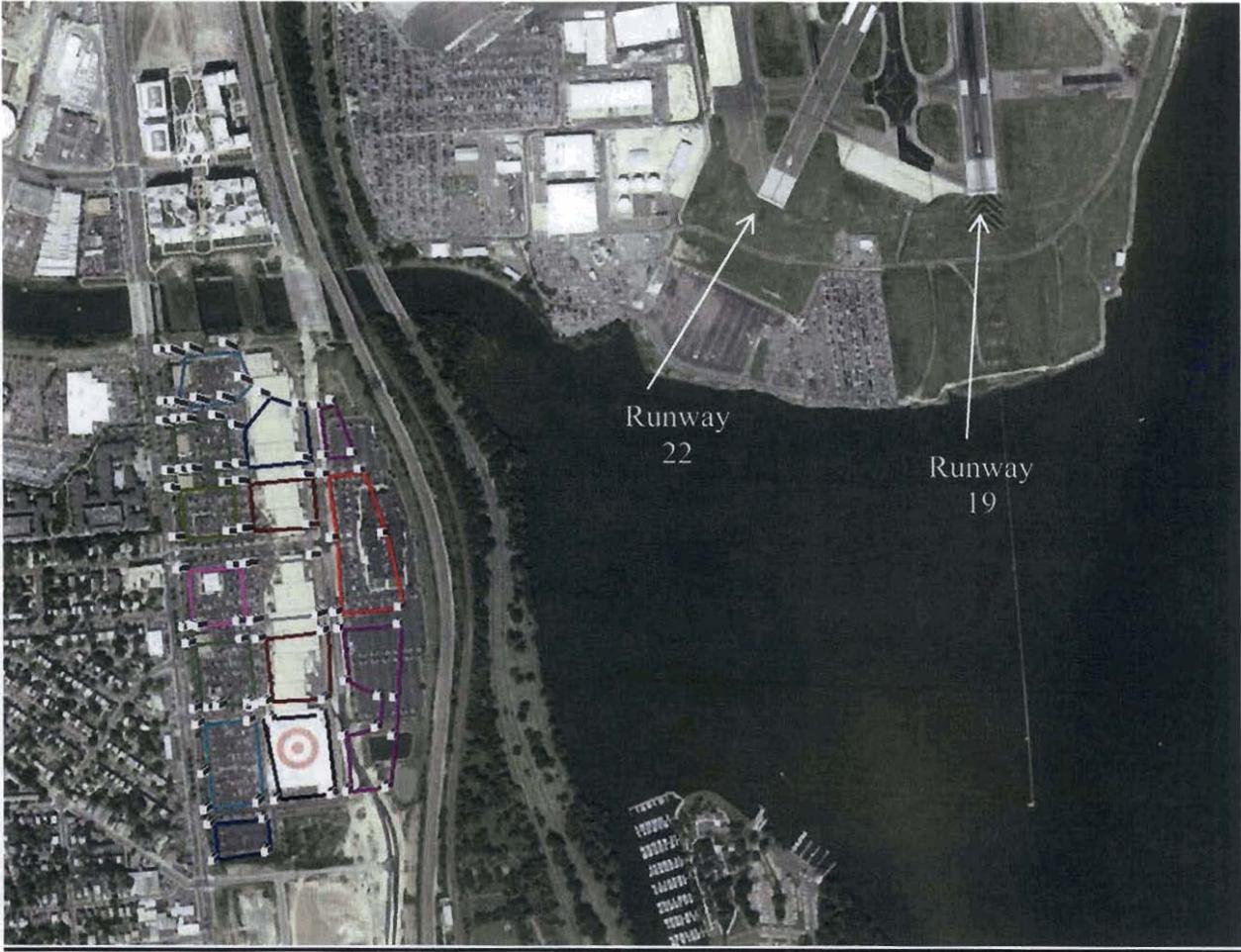
STAFF:

- Mark Jinks, Deputy City Manager
- Faroll Hamer, Director, Planning & Zoning
- Jeffrey Farner, Deputy Director, Planning & Zoning
- Christopher Spera, Deputy City Attorney

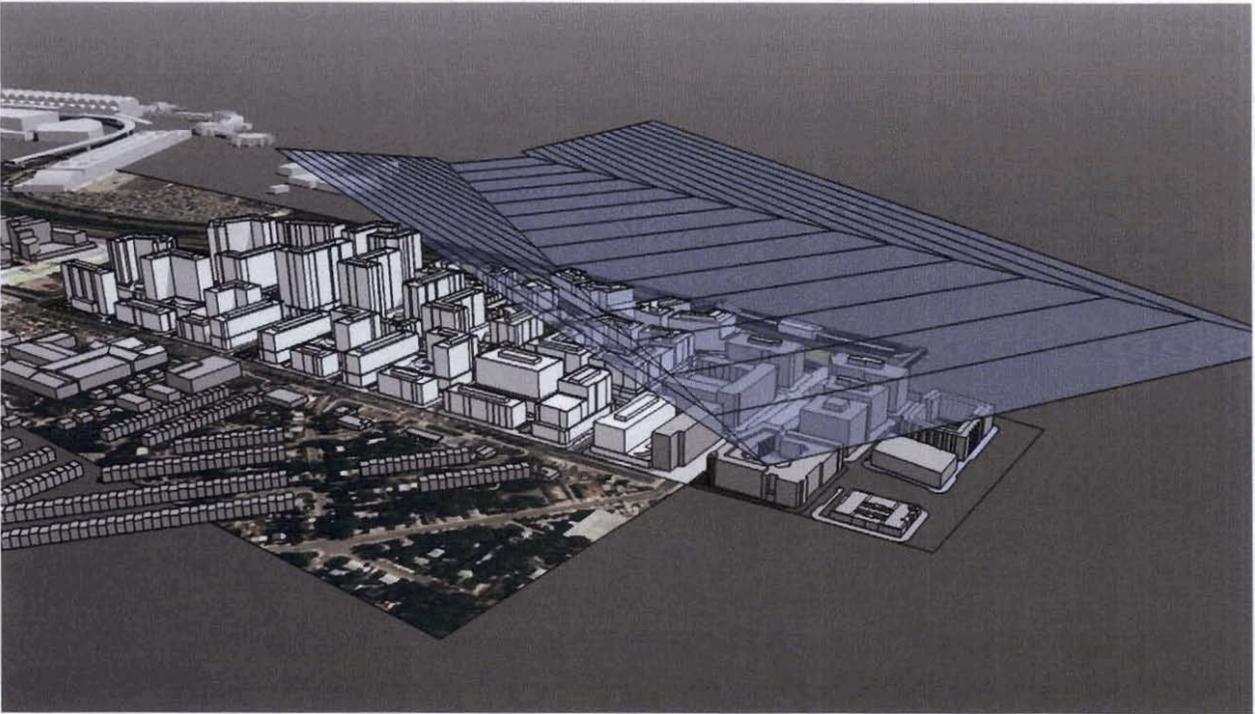
Existing Potomac Yard Flight Path Requirements



DCA Runways and Potomac Yard



Three Dimensional Flight Path Requirements



Potomac Yard Context Plan



