

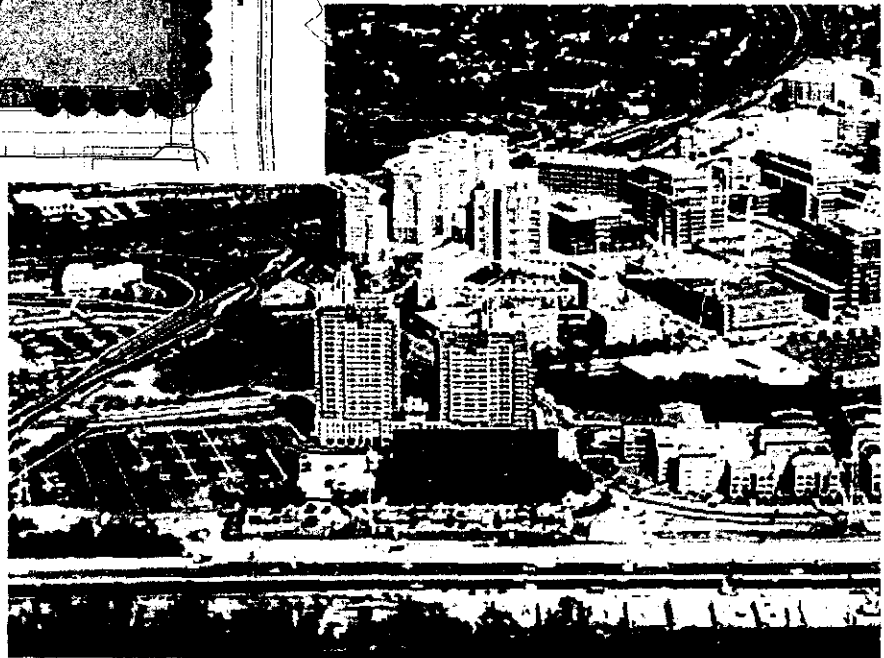
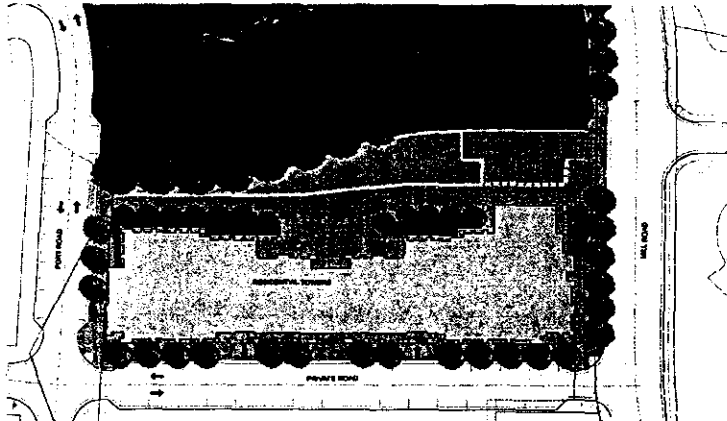
Docket Item #14 A-E

**Lane Development -
ATA SITE**

Planning Commission
June 6, 2006



- CDD #2005-0001 (A)
- DSUP #2004-0016 (B)
- TMP SUP #2006-0047 (C)
- MPA #2005-0005 (D)
- ENC #2006-0002 (E)



Docket Item #14 A-E

Coordinated Development District #2005-0001(A)
Development Special Use Permit #2004-0016(B)
TMP Special Use Permit #2006-0047(C)
Master Plan Amendment #2005-0005(D)
Encroachment #2006-0002(E)

LANE DEVELOPMENT - ATA SITE

Planning Commission Meeting
June 6, 2006

ISSUE: Consideration of a request for: (A) CDD concept plan approval; (B) a CDD preliminary development special use permit, with site plan and subdivision, to construct a multi-story residential building with ground floor retail and underground parking; with requests for bonus increases in height and density for affordable housing under section 7-700 of the zoning ordinance; and an encroachment to allow entrance canopies; (C) approval of a Transportation Management Plan for the development; and (D) a request for an amendment to the Eisenhower East Small Area Plan to allow height to be increased to 250 feet in CDD #2 (E) increase penthouse height from 15 feet to 24 feet to allow multiple penthouses; zoned CDD-2/Coordinated Development District.

APPLICANT: Lane Development, LLC
by Jonathan P. Rak, attorney

LOCATION: 2203 Mill Road

ZONE: CDD#2/ Coordinated Development District-Eisenhower East

PLANNING COMMISSION ACTION, JUNE 6, 2006: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of CDD #2005-0001, DSUP #2004-0016, TMP Special Use Permit #2006-0047, and ENC #2006-0002 subject to compliance with all applicable codes, ordinances and staff recommendations with amendment to conditions #9b, 10b, and 48, and voted to adopted Master Plan Amendment #2005-0005. The motion carried on a vote of 6 to 0. Mr. Dunn was absent.

Reason:

The Planning Commission generally agreed with the staff recommendations and expressed support for the project, noting the introduction of the grid, provision of ground-level retail, underground parking, streetscape improvements and on-site affordable housing and consistency with the intent of the Eisenhower East Plan.

The Planning Commission generally agreed with the staff analysis and staff recommendations. The Planning Commission found that the proposed Master Plan amendment for increased height was compatible with the adjoining building heights, consistent with the intent of the *Eisenhower East Plan* for buildings to “step-up” in height adjacent to the metro station, and due to the open space-park between the building and Eisenhower Avenue.

Based on the proximity to the adjoining metro station and compatibility with the adjoining heights and buildings, the Commission recommended approval of the proposed 20% increase in density. As part of the 20% additional density requested by the applicant, the Commission discussed the possibility of additional on-site affordable housing opportunities for this higher density development near the metro station. As part of the discussion, the applicant offered to increase the amount of affordable housing to 38% (or 30,020 sq. ft.) of the allowed density bonus in on-site affordable housing in lieu of the originally proposed 26,070 sq.ft. It was agreed as part of the discussion that the mix of units would be to the satisfaction of the Director of Housing. To address the revised affordable housing contribution, conditions 9b and 10b were revised.

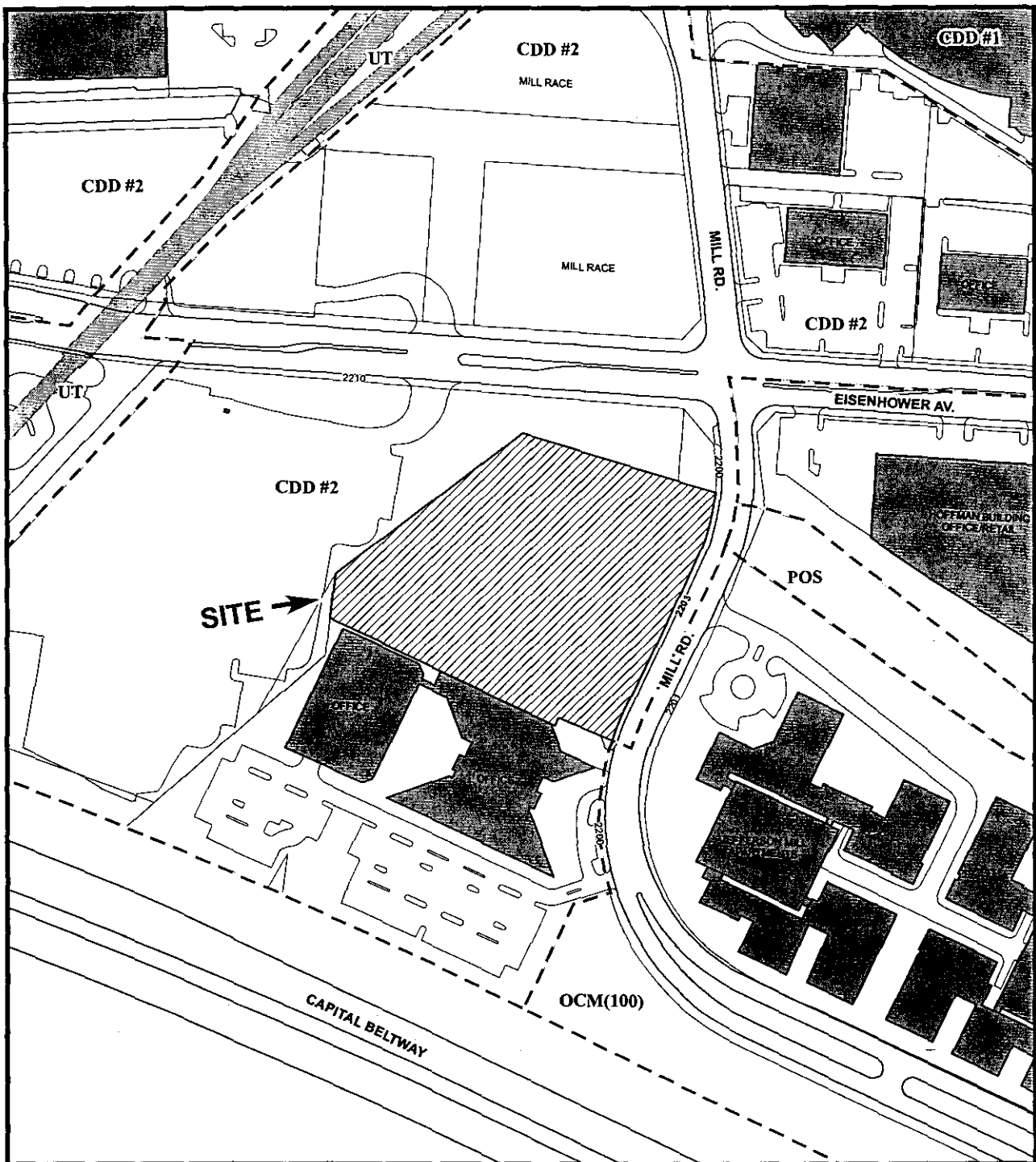
The Commission found that the proposal is consistent with the intent of *Eisenhower East Plan* to provide underground parking, a significant amount of open space-parkland, lower parking ratios, a mix of uses and higher density near the metro.

Speakers:

Jonathan Rak, attorney, representing the applicant, spoke in support of the application.

Michael Lane, owner, committed to providing 38%, or 30,020 square feet, of affordable housing on-site for the density bonus in lieu of the originally proposed 26,070 square feet.

1
1.a



DSUP #2004-0016
CDD #2005-0001
MPA #2005-0005
ENC #2006-0002

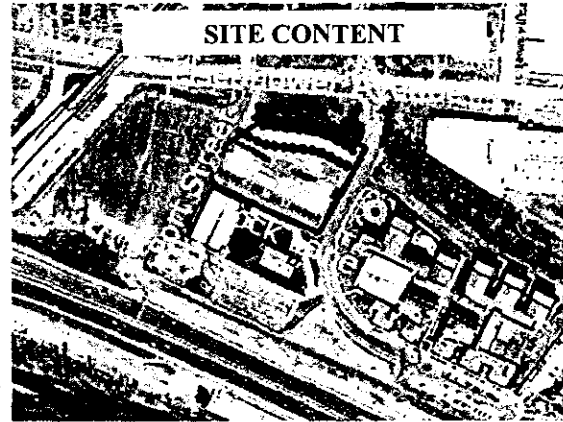
06/06/06



1.6

I. EXECUTIVE SUMMARY:

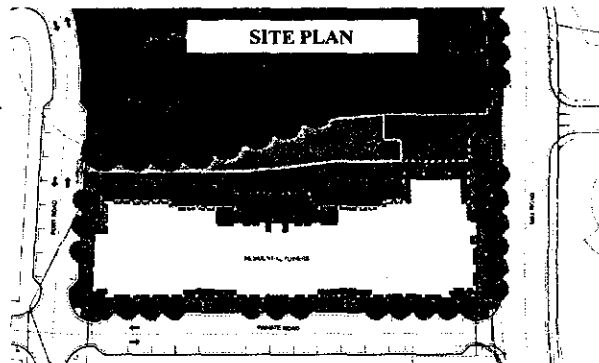
The applicant is requesting approval of a 485 unit residential development project located within the Eisenhower East planning area very close (approximately 600 ft) to the Eisenhower Avenue Metro Station. The case requires a Master Plan amendment to the Eisenhower East Plan to allow an increase in height as well as zoning bonuses for increased height and density for the provision of on-site affordable housing. Staff recommends approval as the proposal is consistent with the vision and goals of the Eisenhower East Plan, appropriately concentrating density and height adjacent to the Metro Station, and serving as a positive step in the Plan.



City's implementation of the Eisenhower East

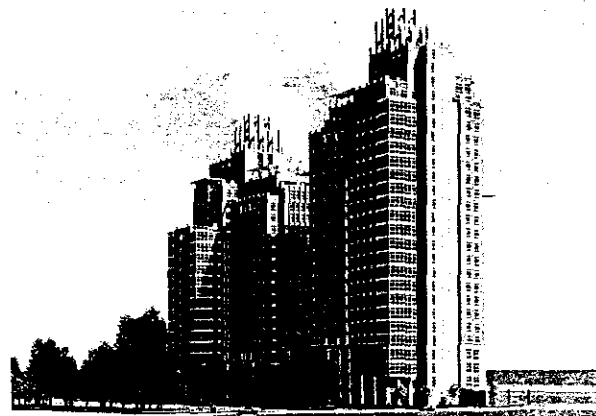
A. Proposed Development Summary:

The site is located south of the intersection of Eisenhower Avenue and Mill Road, east of the Metro Station and the Hoffman Town Center, and south of the Mill Race development, now under construction. The proposal will include:



- 485 residential units and ground floor retail;
- 28-34 on-site affordable units (depending on condo or apartment units)
- over \$1,000,000 in contribution to the City's Housig Trust Fund;
- four levels of underground parking;
- creation of a large, publically accessible open space;
- protection of the Hooff's Run stream and wooded buffers;
- plantings within the resource protection area (RPA) buffer;
- implementation of the street grid with two new streets bordering the project;
- TMP system to encourage transit ridership; and
- pedestrian improvements and connectivity.

PERSPECTIVE FROM EISENHOWER AVE



completely inconsistent with the character and intent of the Plan and Eisenhower East Design Guidelines. To address the concerns, the applicant then offered a welcome redesign incorporating a break in the building's massive facade. The redesign, however, would result in a height increase. In addition, the applicant wished to provide on-site affordable housing, requiring additional density, and accommodated with additional height.

The current proposal consists of two towers, one at 204 feet and the second at 244 feet, a design that is superior to the large, single monolithic mass as originally proposed by the applicant under the permitted 150 foot height limit. The currently proposed height is compatible with the Mill Race development to the north and with the heights envisioned by the Plan for the Hoffman properties immediately to the west. The height and design of the proposed development also reinforces the Plan's vision of heights "stepping up" adjacent to the Metro Station.

D. Affordable Housing Density Bonus:

The applicant is also requesting a 20% (79,000 sq. ft.) density bonus in exchange for providing on-site affordable units. The set aside space will accommodate either 34 rental or 28 condominium units, depending on the applicant's market plan. The bonus requested is the maximum permitted under Sec. 7-700 of the Zoning Ordinance. In addition to the on-site units, the applicant has also agreed to voluntarily contribute to the City's Housing Trust Fund an amount of \$1,174,330 (if the project becomes rental units) and \$1,249,864 (if condominium units), consistent with the expected contributions agreed to by the developer and property owner group that met with the City to arrive at a suitable policy for density bonuses for affordable housing. While there are numerous sites in the City where density and height increases are problematic because of lower scale neighborhoods, it is appropriate and in keeping with the Master Plan to consider density bonus proposals at this location, given the context of taller buildings and the immediate proximity to the Metro Station.

E. Recommendation:

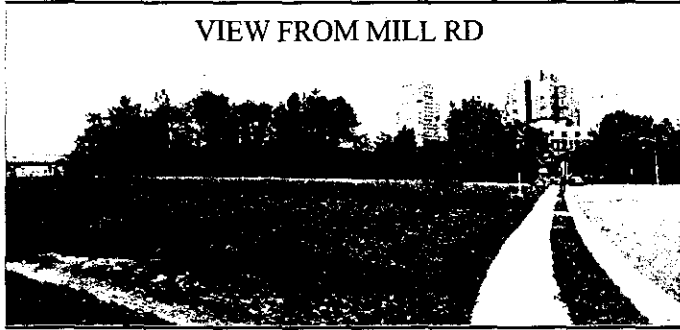
This proposal achieves several of the City's often competing priorities all in one location near a Metro Station: affordable housing, open space, environmental protection, pedestrian improvements and transit use. In addition, the proposal achieves many of the priorities outlined in the Eisenhower East Plan: transit-oriented development, underground parking, implementation of the street grid, ground floor retail, and building design with mass and scale appropriate to the new urban village that will become Eisenhower East. Because the project confers public benefits, and because those benefits are consistent with the principles and intent of the Eisenhower East Plan, the City's Master Plan, and City Council's 2004 *Strategic Plan*, staff recommends approval of the development plan, as well as both the request for bonus density and the request for a Master Plan amendment for increased height at this site.

II. BACKGROUND:

A. Project Description:

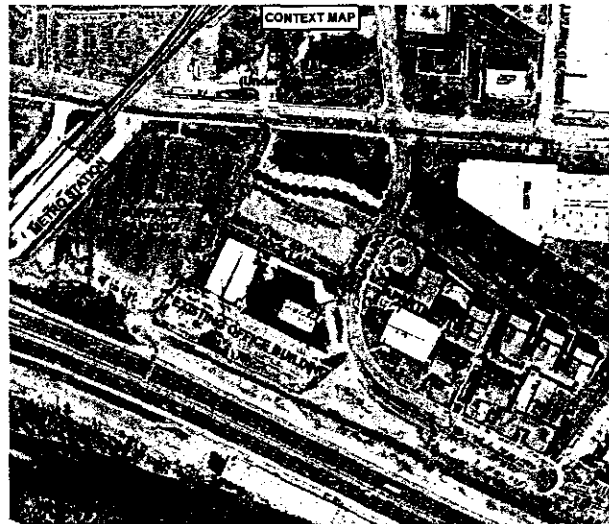
The 2.97 acre site is located near the intersection of Eisenhower Avenue and Mill Road. It borders Mill Road on the east and the former American Trucking Association (ATA) headquarters building to the south. Between the development site and Eisenhower Avenue to the north is a large land area planned as open space for the future Eisenhower Park. Because a significant portion of the site is designated

as a Resource Protection Area (RPA) and required open space (55,000 sq. ft. as part of the Eisenhower East Plan), the nearly three acre site contains only about one acre of buildable land at the southern portion of the site. The applicant proposes to develop a single residential building composed of two towers, 20 and 24 stories, reaching 204 feet and 244 feet, respectively. The two towers will be connected by potential ground floor retail at the southern portion of the building.



The proposal consists of 485 residential units. The applicant has not yet determined the percentage of apartments and condominium units; therefore, the number of bedrooms and unit types, including affordable units, is not yet fixed. One potential scenario would be to place apartments in one tower and condominiums in the other. There will be a mix of unit types and sizes, ranging from studios as small as 600 sq. ft. (if rental) or one bedroom units at 725 sq. ft., to two bedroom units (as large as 1,500 sq. ft. if condominiums). The applicant is proposing that 26,070 sq. ft. of floor area be devoted to on-site affordable dwelling units, which will equate to either 34 rental or 28 condominium units, in a mixture of studio, one bedroom and two bedroom units.

This project and adjoining developments under construction will further establish the context for Eisenhower East near the Metro. The large Hoffman surface parking lot currently to the west of the site has recently been approved for a future mixed-use residential and retail development. To the southwest of the site, the approved Hoffman proposal anticipates a residential project and a possible grocery store. In addition, the ATA office building to the south will likely redevelop in the near future.



III. ZONING - EISENHOWER EAST COMPLIANCE:

The CDD #2 zoning for the site establishes the development parameters in addition to the Eisenhower East Small Area Plan, and Eisenhower East Design Guidelines.

Table # 1
EISENHOWER EAST PLAN-DESIGN GUIDELINES

	REQUIRED	PROVIDED	COMPLY?
Land Use	residential	485 units (maximum) 5,700 retail space	yes
Density	395,000 sf	474,000 sf	no*
Height	150'	244'	no**
Open Space	55,000 sq ft RPA improvements	61,000 sq ft stream restoration RPA preserved and improved	yes
Parking location max. allowed	primarily underground 521 residential (max) 10 retail (max)	underground 507 residential 0 retail; 6 leasing	yes yes
Loading	1 space	2 spaces	yes
TMP	transit subsidies	transit subsidies	yes
Infrastructure	creation of street grid	2 new interconnected streets provided and block created	yes
Pedestrian	Pedestrian amenities and connection on the northern portion of the building.	<ul style="list-style-type: none"> • sidewalks • east west public walkway • street trees 	yes
Building Design Mass and scale	<ul style="list-style-type: none"> • Articulated base middle and top of buildings • Gateway elements on the west and east facades. • Appropriate to Metro location 	<ul style="list-style-type: none"> • two tower elements • stepped height toward Metro • building provides articulated base, middle and top features • building break 	yes
Green building	N/A	Proposes to provide 20 points on LEED checklist	n/a
Affordable Housing	<ul style="list-style-type: none"> • Contribution to Housing Trust Fund (\$2.00 per gross sq. ft. and \$ 4.0 per gross sq. ft with SUP) Or on site units in lieu 	<ul style="list-style-type: none"> • 26,070 sq. ft for on- site units (34 rental units, or 28 sale units)and • monetary contribution of \$3.59 per sq. ft (\$1.17m if the property is rental, and \$1.25 m if the property is sale units) 	yes

* Requires SUP for bonus density for affordable housing

** Requires Master Plan Amendment for increased height

IV. STAFF ANALYSIS:

The proposed development is located on a critical site in close proximity to the Metro Station. Staff has worked with the applicant to ensure that the proposal takes advantage of this location and complies with the vision set forth in the Eisenhower East Plan. From a land use perspective, the proposal complies with the Plan by placing residential use near the Metro and meeting the residential - office balance of uses set out in the Plan. The additional residents will help support existing and future retail in this high-density mixed-use neighborhood. The proposal does provide considerable public benefit to the City, consistent with the required elements of the Plan. These benefits include:

- Affordable housing
- Underground parking
- Ground level open space
- Environmental protection
- Height and density near the Metro
- Transit oriented development
- TMP support for transit
- Creation of new grid streets
- Streetscape improvements
- Pedestrian connections

Staff would not support a similar request for additional height and/or density in a project that did not provide comparable public benefits for the City or one that was inconsistent with the Eisenhower East Plan. The proposed increase in density for affordable housing is appropriate because of the site's proximity to the Metro Station. Further, the proposal's location in the heart of a new, mixed-use district, begins to create a critical mass of residents in Eisenhower East that is necessary to achieve the urban village envisioned by the City Council when it adopted the Eisenhower East Plan and its 2004 *Strategic Plan*. A critical mass of residents facilitates a balance of jobs and housing, which in turn creates a viable retail market and active transit use.

A. Master Plan Amendment to Increase Height:

This is the one of the first applications to seek development approval under the Eisenhower East Plan, and it is important to understand how it complies with the Plan's requirements and goals. In general, the applicant has worked with staff in good faith to comply with the Plan.

However, the application also presented a difficult challenge because of the applicant's request to increase height above that established in the Eisenhower East Plan. This case is the first request the City has received for an amendment to that Plan, and so the issue is of special concern. The request - to increase allowed height from 150 to 250 feet - is not insignificant. Because of the numbers involved, and the potential for precedent, staff has carefully evaluated whether the increased height will be appropriate with other existing and proposed development in the Eisenhower East neighborhood. On balance, and after close consideration, staff is recommending approval of the amendment for additional height, as outlined in detail below.

Why is the applicant requesting additional height?

The additional height has been requested for two primary reasons:

- to accommodate the RPA; and
- to provide on-site affordable housing.

Resource Protection Area:

The RPA and accompanying buffer (as discussed in more detail below) were incorporated into the development of this block as part of the Eisenhower East Plan. However, during detailed analysis early in this proposal's review process, it became clear that the RPA and associated buffer were larger than previously anticipated. Staff has worked with the applicant to ensure that any proposed building, including underground parking, be located outside the RPA and buffer, to preserve those environmental resources in perpetuity. In this case, adherence to that environmental principal resulted in a significantly reduced building footprint. A reduced footprint combined with the permitted 150 ft. height limit resulted in one single monolithic building, without building breaks.

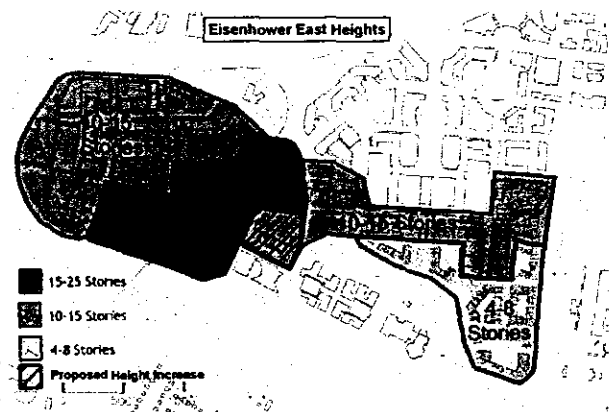
Affordable Housing:

In addition, the 20% density bonus to provide affordable housing adds 79,000 sq.ft., which adds additional height to each of the buildings.

Rationale for additional height

The Eisenhower East Plan envisions a large 395,000 sq. ft building at this location and requires preservation of a significant portion of the site as open space. The combination of the two has the unintended potential result of an extremely massive building, inappropriate to the Eisenhower East Plan's vision. The only two alternatives to the massive building are either to build a smaller building than called for in the Plan or to add height to the one building, allowing it to be broken into parts.

At staff's request, the applicant broke the building mass into two component parts. The revised massing creates an full building break, as opposed to the apparent breaks created by architectural variation. From a distance, the building appears to be two buildings, the preferred design solution in for larger and taller buildings. The new design creates two distinct towers, adds sunlight to the site and the adjacent open space and adds visual interest to the building and the skyline. To achieve the building break it takes approximately 25 feet of extra height to achieve the Plan allowed density of 395,000 sq.ft.; the remaining increase in height



reflects roughly the increased density of 79,000 sq.ft. achieved by the affordable housing bonus. Staff is highly supportive of the applicant's work to reduce the mass and scale of the building.

Compatibility with surrounding building heights

The Eisenhower Plan calls for taller buildings to be located around the Metro Station area and along Eisenhower Avenue. Building heights are to peak at the station area, with the tallest building(s) approaching 250 feet at the transit site. Heights will slope downward to the west in a range of 10-15 stories, and to the east in a range of 4-8 stories in the Carlyle South neighborhood.

When staff analyzed the existing and proposed buildings in the area, it became clear that the taller building proposed will actually be more compatible with proposed buildings such as Mill Race and Hoffmans. The proposal will visually reinforce the "stepping up" of building height at the Metro Station, and the additional height will be ameliorated by the extensive open space adjacent to the site, and the fact that the building is set back so far from Eisenhower Avenue.

B. Affordable Housing Density Bonus:

The applicant's proposal includes on-site affordable sales units or apartments, as part of the residential project. In exchange, the applicant is requesting increases in height and density. Specifically, as allowed under Sec. 7-700 of the Zoning Ordinance, the applicant requests that the Eisenhower East Plan-allowed floor area of 395,000 sq. ft. be increased by 20%, adding 79,000 sq. ft. of bonus density, for a total floor area of 474,000 sq. ft. A height bonus, up to 25 ft., is also requested, although if the Master Plan amendment allowing up to 250 ft. is approved, the affordable housing height bonus is not necessary.¹

The applicant proposes to set aside 26,070 sq. ft., the equivalent of one-third of the bonus density, as affordable units. The applicant will use this square footage either to provide 34 affordable set-aside rental units if the property is developed as apartments, or 28 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.

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 property is developed as rental apartments, and \$1,249,864 if the property is developed as a condominium.² At the discretion of the City, the voluntary cash contribution may be used to buy additional affordable units onsite.

¹ Staff notes that if the housing bonus is granted and the Master Plan amendment is approved, the applicant has not requested and would not be permitted to exceed the 250' height limit.

²The 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.

The applicant's proposal constitutes an important public benefit. The lack of adequate affordable housing in Alexandria continues to pose a serious problem to the realization of the City's vision for itself as a caring community that is diverse and affordable to all. This project demonstrates how compliance by a developer with the bonus density and height provisions of Sec 7-700 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 (including City workers, seniors, and individuals with disabilities) 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 has been approved by the Affordable Housing Advisory Committee (AHAC).

On the other hand, the Planning Commission has questioned whether a set aside of only one-third is significant enough to warrant the granting of density or height 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. While staff recognizes the merit of the debate, staff nevertheless supports the bonus density proposal in this case for several reasons.

First, the one-third figure was a policy decision negotiated with developers and landowners and city staff and accepted by City Council to guide cases like this one. In the wake of adverse litigation in Arlington and a contentious 2005 General Assembly session on the issue of developer housing contributions, it is imperative that the City and developers work together on this issue. In this development, based on the square footage of the units and the distribution of units planned, the approval of bonus density will yield an additional eighty-four (84) market rate units beyond what is allowed under the current zoning ordinance. The developer has agreed to comply with current policy by providing twenty-eight (28) units (one-third of the total number of bonus units) onsite.

Second, the cash equivalent of the twenty-eight set aside units (excluding the voluntary cash contribution of \$1,249,864) is significant. Based on the developer's projected sale prices, gross proceeds from the sale of the eighty-four bonus units, based on anticipated market prices, would be approximately \$52 million. The subsidy value of the twenty-eight set aside units, \$11.5 million, is 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. This represents approximately 22% of the gross proceeds from the sale of all bonus units if offered at market price. The difference between the anticipated gross proceeds and the value of the set aside units, amounting to approximately \$40.5 million, represents additional developer cash flow realized as a result of bonus density. The additional project revenue (\$40.5 million) doesn't 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 location near 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, it is imperative that the City act in a positive way when it can. In this case, in the center of an urban neighborhood of large buildings, additional density near the Metro constitutes "Smart Growth." The scale of buildings in Eisenhower East is appropriate for bonus density where sufficient public benefit is gained from the developer. In this case, staff believes the balance allows for granting the bonus and recommends approval.

Staff has included extensive conditions regarding the affordable housing, including the specific 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 which will rent the units to affordable households in perpetuity.

The Affordable Housing Advisory Committee (AHAC) voted to approve the Affordable Housing Plan proposed by Lane Development at its April 6, 2006 meeting. The motion to support the proposal passed without opposition, 7-0, with one abstention.

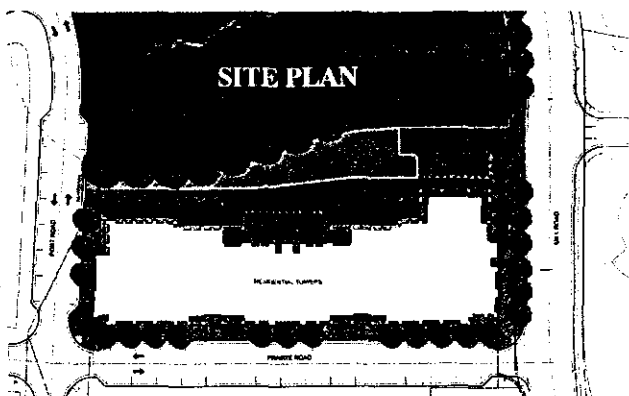
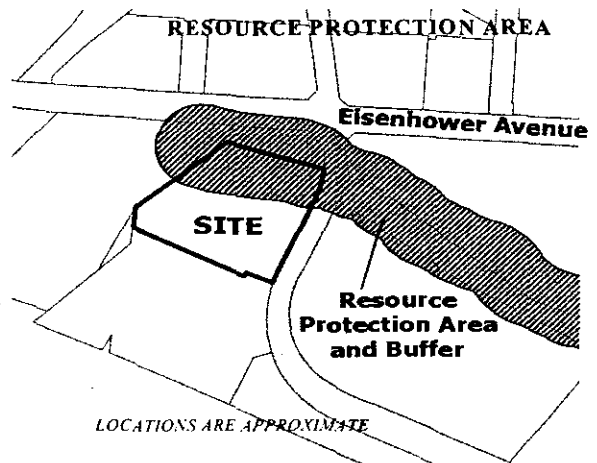
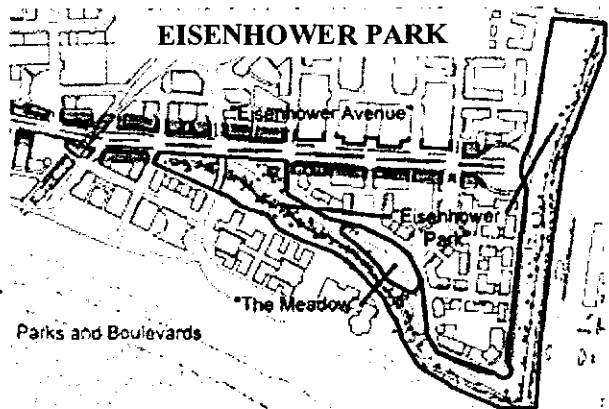
C. Open Space and the Resource Protection Area (RPA)

The northern portion of the site contains a stream and wooded buffer, considered an RPA and protected from encroachment by development or impervious surfaces in order to maintain water quality. The stream in this RPA daylight west of the site and flows through the site east to Hooffs Run. Staff has been adamant that none of the development encroach into the RPA, and the applicant has worked to achieve this result with three minor exceptions:

- a 597 sq. ft area of the EVE. This encroachment requires an administrative exception under Sec. 13-116(B) of the Zoning Ordinance. The exemption has been approved under Sec. 13-107 (E)(1) by the Director of T&ES.
- a 749 sq. ft. area for a required sidewalk along Mill Road, which is an acceptable use within an RPA as allowed by Sec. 13-107(B)(2) of the Zoning Ordinance.
- a 5,311 sq. ft. area for the new alignment of proposed Port Street, another exempted use under Sec. 13-119(A)(1) of the Zoning Ordinance.

The Plan requires that 55,000 sq. ft. of open space be provided on the site, the applicant's proposal retains more than 61,000 sq. ft. or 50% of the site, in ground level open space, including the portion of the stream at the northern edge of the property, the full 100 foot buffer to the south of the creek, and additional land adjacent to the building.

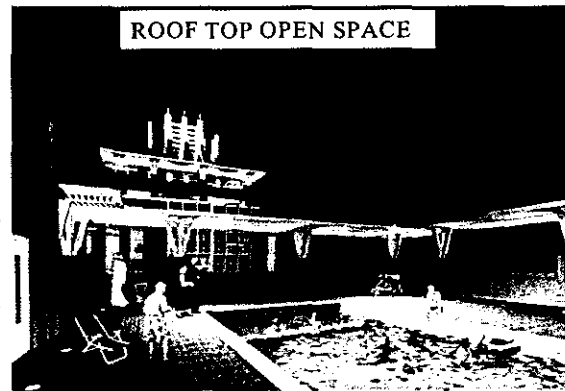
In order to enhance the potential use of the RPA open space, staff recommends that the applicant provide a "natural" and informal pedestrian trail along the southern edge of the RPA buffer area to be dedicated to the City for public use as an open space - pedestrian connection. Neighbors and local pedestrians will thus have an opportunity to experience the natural environment and stream, an experience that would not be possible without the dedicated public trail area and open space. The



applicant will also provide considerable enhancements within the RPA such as additional trees and retention of this area in its natural state, all of which will improve the environmental and visual quality of the area.

While staff has worked with the applicant on the open space and trail connections, the future trail connection to the Eisenhower Park as envisioned by the Eisenhower East Plan is not addressed by the current proposal. The applicant’s proposal depicts the general location of a path on the northern edge of the stream, near Eisenhower Avenue, and states “suggested location of path to be installed by others.” Staff is not requiring the applicant to construct the path and improvements as part of this proposal because those improvements will be part of the widening of Eisenhower Avenue and construction of the median, discussed extensively in the recent Hoffman plan approvals. A condition of the Hoffman approval states that at the formal request of the City, the necessary right-of-way on Eisenhower Avenue (including this area) will be dedicated to the City. Therefore, as part of the dedication, design and widening of Eisenhower Avenue, projected to occur in the next four years, this future trail open space connection will be designed and constructed by the City.

In addition to ground level open space, the applicant is proposing private open space such as roof decks for each of the residential towers, and will include recreational amenities such as a swimming pool and gathering areas.

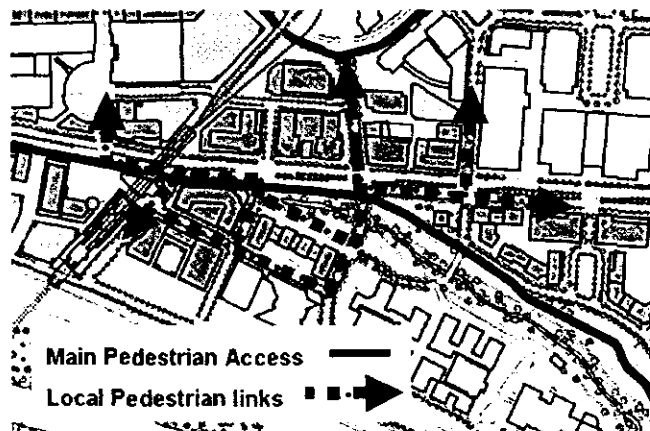


D. Infrastructure and Pedestrian-Streetscape Amenities:

As is done in all development cases, staff has focused on how to make the pedestrian environment and connections pleasant, safe, attractive, and functional. Particularly because of the density of this site (474,000 sq.ft.) and the anticipated density of the adjoining blocks and the desire for convenient connectivity to the adjoining Metro, it is critical that the pedestrian environment be well designed.

The Plan identifies a hierarchy of streets for buildings and pedestrians (“A, B or C”) depending on use and function. In relation to this proposal, and because of their importance, Mill Road, Port Street and the pedestrian connection street north of the building are all defined as “A” streets.

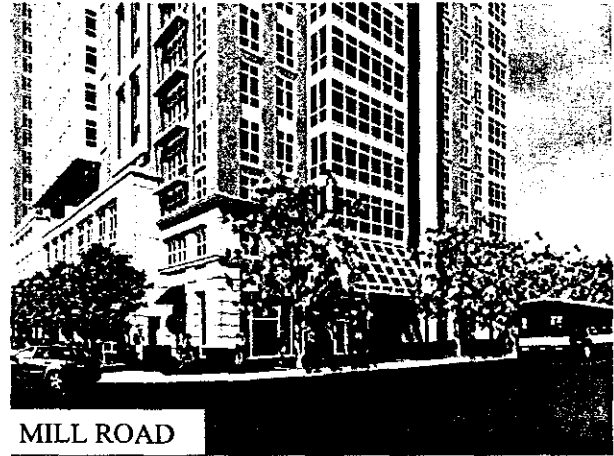
The streetscape will consist of minimum 14ft. wide brick sidewalks with street trees,



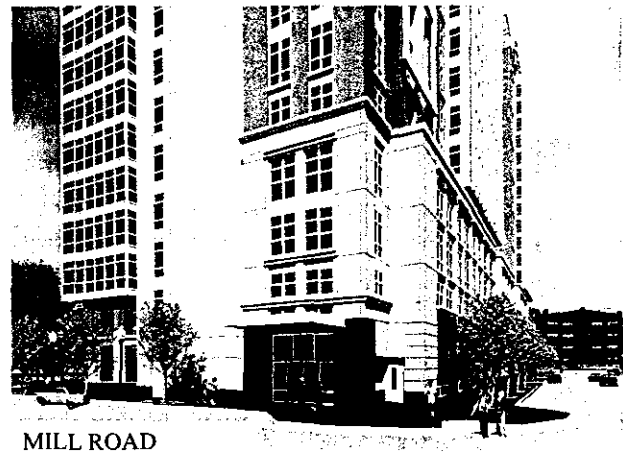
pedestrian scale lighting, and flush sidewalks at all driveway openings as envisioned by the Plan. Staff has recommended conditions addressing landscape maintenance, tree planters and tree grates, and irrigation systems.

Port Street and Mill Road:

A new street on the western portion of the site, Port Street, is required to be completed prior to the completion of the project and will serve as a primary pedestrian connection from this site to Eisenhower Avenue and the adjoining Metro Station. The primary entrance for the western tower is located on Port Street, and the primary entrance for the eastern tower is located on Mill Road. The entrances on each of these streets will add a significant amount of activity to the surrounding sidewalks.



The sidewalk adjacent to the western pedestrian entrances will be 14 ft wide, and the sidewalk entrance for the eastern pedestrian entrance will be approximately 25 ft. wide. Staff has also recommended that special paving be provided to signify each entrance and that the raised planters be a pedestrian scaled height designed as “seat walls” for pedestrians. While the applicant has proposed that the sidewalks on each of these streets stop at the northern property line, staff is recommending that the sidewalks be extended to Eisenhower Avenue.



Although Port Street will be constructed as part of this proposal, it is unclear when the development of the adjoining Hoffman blocks (Block 11 or Block 12) will occur. Therefore, staff is recommending that the applicant construct a “temporary” asphalt sidewalk and street trees on the western portion of the street until the adjoining block(s) redevelop at which time those temporary sidewalks will be replaced with permanent ones.

Dock Lane - Retail Use:

This new east-west street just south of the proposed building, will connect Port Street to Mill Road. Because of the existing office building and parking structure on its southern edge, the southern sidewalk cannot be fully constructed as part of this application. The redevelopment of the existing office building



(Block 20) is not part of this application and will require subsequent approval by the Planning Commission and City Council. Therefore staff has recommended “temporary” sidewalks on the south side of the street and landscaping to screen the existing parking structure.

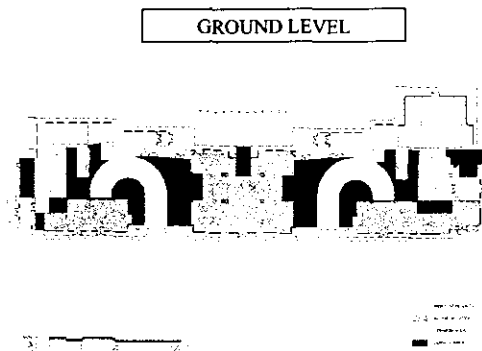
Staff recommends significant changes to the northern edge of the street and the southern face of the building – to both the sidewalk and the building and use configuration – to better accommodate pedestrians. While technically Dock Lane is a “C” street (service street) as defined by the Plan, staff has worked with the applicant to make this environment more appealing for pedestrians.

Although retail is not required by the Plan for this block, the applicant has designed the ground floor to accommodate future retail uses, which could serve the existing building and any future office buildings to the south. Staff has included a recommendation that will require that the loading/unloading areas be consolidated with the proposed garage ramps in order to eliminate the central curb cut and provide more glass and active spaces for retail use along Dock Lane. Staff is also recommending that the garage doors be recessed and that the brick sidewalk material be continued over the curb cut areas. Finally, staff is recommending that additional trees, landscaping and benches be located along the south wall of the building and sidewalk to make the area as attractive as possible.

An additional benefit of relocating the loading/unloading area is the provision of a ground floor space that connects visually from Dock Lane to the open space north of the building. This change will enable more continuous retail-active uses on the street, a stronger retail/pedestrian edge, better lobby space, and a stronger connection to the park open space. With all of these changes, Dock Lane will also be an attractive pedestrian street, helping to create four attractive and varied frontages around the perimeter of the new building.

East-West Pedestrian Connection:

The Eisenhower East Plan and Design Guidelines envision a street or pedestrian connection on the north side of the proposed building. This pedestrian connection is in addition to the RPA trail the applicant is proposing. The applicant’s plans include the proposed walkway and staff is recommending that the applicant provide a public access easement so that the pathway will be publically accessible. Staff recommends that the walkway be 14 feet wide and constructed with brick pavers with pedestrian scale lighting and signage to reinforce the pathway as a public space.



* Note: additional pedestrian connection also provided within the open space

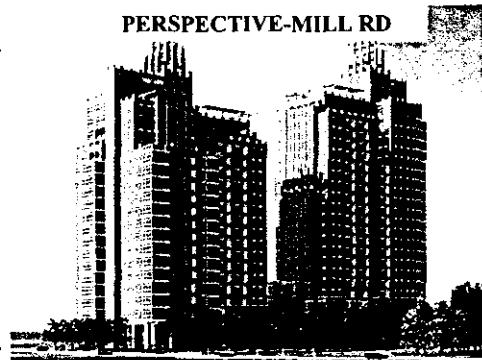
Finally, staff recommends that a public art sculpture or similar feature be planned and constructed within the plaza area relating to the central entrance on the north side of the building in order to enhance the pedestrian experience and provide interest to what staff hopes will be a well-used, pedestrian pathway.

E. Building Design -Mass and Scale:

The proposal has been refined in working with staff and the Eisenhower East Design Review Board to create a signature building with a prominent top in a more contemporary vocabulary, while still complying with the Eisenhower East Design Guidelines.

Building Organization:

The building is composed of two asymmetrical towers connected by a four level base, with four levels of underground parking. Because of the configuration of the site, with open space to the north and the "C" street to the south, the building entrances for each tower are located on the ends of each building, facing Port Street and Mill Road. This created both challenges and opportunities during the design process. These east and west facades have been designed to create two of the strongest, simplest and most contemporary elevations on the building, which staff believes are strong in both concept and application.



Overall, staff has worked with the applicant to create clear vertical expressions for each of the buildings to express the "tower" quality of the proposal. The other element where staff, the Eisenhower East Design Review Board and the applicant focused significant design attention to the top of the building, which will be visible not only within the Eisenhower Valley, but also from the Capitol Beltway.

The applicant has successfully solved the overall problem of mass and scale by separating the original single building into two distinct towers. In addition, the towers are not uniform; they vary in height, stepping up toward the Metro, the west tower rising to 24 stories or 244 feet and the east tower to 20 stories or 204 feet. The form of the two towers creates a total building break and the look of two distinct buildings instead of one. It is similar in scale to the Mill Race buildings to the north and others planned for the area.

The Building Top:

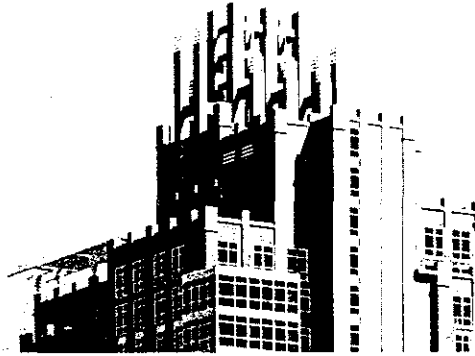
This will be one of the most visually important portions of the building. It is critical that the top of the building be strong and well defined for a building of this scale, and also that the top be a logical outgrowth of the building and not read as a decoration applied to the penthouse.

Staff has worked with the applicant to create a distinctive top for each of the towers through the use of materials (brick and metal) which appear as extensions of the buildings. In the daytime, because of their size and shape, the tops will be prominent and present a refined and contemporary extension of the forms and shapes used elsewhere in the building. The top will give the building an interesting skyline, as appropriate for buildings of this height and prominence. In addition, staff has worked with the applicant to provide integrated lighting for the top of the building, which will add visual interest and serve at nighttime as a visual reference mark from Eisenhower East and the adjoining Beltway.

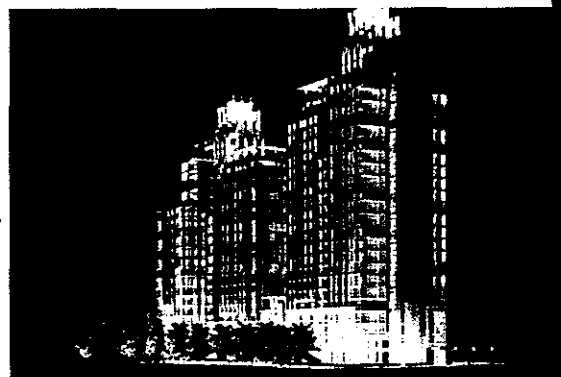
East-West Facades- Primary Entrances:

These facades are highlighted by a core element, visible on the end elevations, and made of a contrasting buff brick, that reads like a fin rising straight up to the penthouse level to define the building core. Other facade elements are attached to this central fin, and form a contemporary expression of vertical tower elements. These facades, with their use of high quality materials - stone, brick, metal and glass - and their clarity of form, are appropriate for a building of this scale, and will be prominent visual cues for the building and the adjoining streets. The proposal is a good example of the innovative application of materials typical of Alexandria to create a distinctive and contemporary facade that is still compatible with the vocabulary of Alexandria and the requirements of the Eisenhower East Design Guidelines.

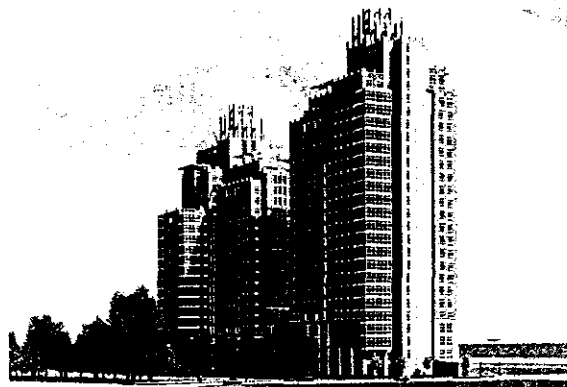
BUILDING TOP



NIGHT VIEW FROM EISENHOWER AVE



PERSPECTIVE FROM EISENHOWER AVE



North and South Facades:

These facades are defined by masonry walls with predominately vertical openings, reflecting the spirit of classic urban apartment buildings. Overlaid on balconies are expressed in vertical groupings and provide a counterpoint to the background rhythm of the brick wall. Sunrooms are expressed either by a vertical curtainwall element, or a cantilevered box element that features strong vertical fins. This piece is used on the east and west elevations where the two towers face each other, and also on the south facade, where thin horizontal sunshades are added for energy efficiency.

Base:

Strong precast and stone piers define the building base, which contrasts with the masonry superstructure of the building, and creates the active pedestrian experience. This base is expressed in two- three- and four-story sections, depending on its context. It is brought down to human scale at the building entries, and is also stepped down from the higher to the lower tower. The use of quality materials, including granite, awnings and increased glass area for lobbies, retail and other active uses, is in conformance with the Eisenhower East Design Guidelines.



Design Review Board

The Eisenhower East Design Review Board, at their April 27th 2006 meeting, unanimously approved the “general design, layout and building massing, of the building”. There were several areas of the building design that the Board felt needed additional design resolution, and the applicant has worked diligently with staff since then to resolve these issues. The scheme presented here embodies those changes, and staff supports the proposal as presented.

F. Increased Height for Mechanical Penthouses

The applicant is requesting permission, in addition to its other height increases, to build its mechanical penthouses taller than permitted in the Zoning Ordinance. Sec. 6-403(B)(2)(b) of the Zoning Ordinance requires SUP approval to increase the penthouse height beyond the 15 feet allowed for all buildings. Staff supports this request for 23 feet because the additional height is necessary both to accommodate increased overruns for the high speed elevators required in this height of residential project, and to meet the current code. The applicant has committed to keep this height as low as technically feasible as they progress through detailed design of the building.

G. Canopy Encroachment into Port Street

The applicant requests approval of the encroachment of an entrance canopy on the western facade of approximately 8 ft. 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 will extend across a portion of the sidewalk. The purpose of the proposed canopy is to provide shelter from the weather for residents and guests.

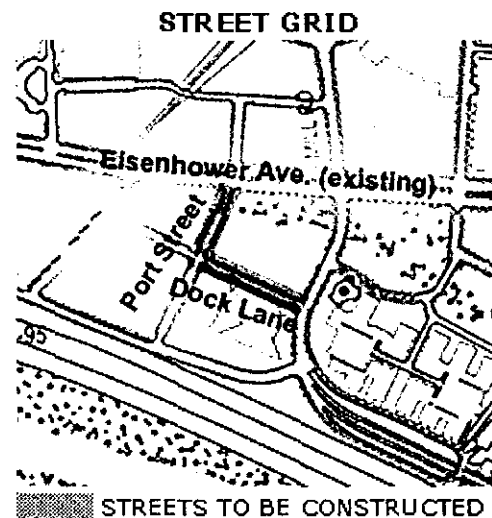
Staff supports the proposed encroachment to provide an entrance canopy for the proposed buildings. Canopies of this size and type are typical of buildings of this scale to provide residents and guests with protection from the elements and will be an important amenity for the building. The canopy will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

H. New Streets - Grid System

The applicant has proposed new public roads to be located on the western and southern portion of the site, as called for in the Eisenhower East Plan. Specifically, the applicant will construct two additional streets as part of the project to create an urban block and the envisioned grid around the site.

Port Road:

This street on the western portion of the site will be a two lane, 66 foot wide public street, and will serve as the north-south connection between Eisenhower Avenue and the proposed east-west Dock Lane, running along the western boundary of the site. The challenge with providing this street is that part of the street is also located on the adjoining Hoffman property (Block 12). Through numerous meetings between the City, the applicant and Hoffman representatives, it was agreed that the dedication would be shared between the two property owners as generally depicted on the current site plan. Staff has recommended that the street be constructed prior to occupancy of the building.



Dock Lane:

Because staff directed the applicant not to locate the parking garage within the RPA, the applicant had to shift the underground parking to the south, under the proposed street. The applicant is proposing the minimum amount of parking and is still providing four levels of underground parking. Because the parking is located below the street, the applicant will retain the ownership of the land; under these circumstances, staff is recommending a public access easement for the street, rather than dedication, so it will function as a public street.

Both new roads will include sidewalks, bike racks, street signs, stop signs, parking meters, mast arms and pedestrian count down signals and will be constructed prior to occupancy of the buildings.

These new roads are significant public improvements for the future of the Eisenhower East area, and will function exactly as was envisioned in the Eisenhower East Plan, providing pedestrian circulation in the form of sidewalks along all frontages, and allowing choices for vehicles through the area and to the development.

I. Street Names:

During the archeological excavation for the Hoffman area, the remains of a pier were found on the site. The pier is believed to have been be part of an historic dock on Hunting Creek (which at the time was much wider) and functioned as a export point for Cameron Mill. Cameron Mill was located just north of present Eisenhower Avenue at the approximate location of today's Hoffman Theaters.

In addition, the Village of Cameron, which predated Alexandria, is believed to have been a port for tobacco export in this general location on Hunting Creek. Therefore the names Port and Dock are historically appropriate for the new roads proposed and recall the history of this area.

J. Parking:

The Eisenhower East Small Area Plan encourages parking below grade. Additionally, the Plan identifies a maximum parking allowance, 1 space per 1,100 sq.ft. of development, if located within 1,500 feet of the Eisenhower Metro Station to encourage mass transit use. The proposed site falls within this category and in response, the applicant is providing a total of 513 residential spaces on the site. The majority (507) of these spaces will be provided in a four level below grade parking garage within the building footprint, accessible from Dock Lane on the southern side of the building at two garage entrances. The garage will accommodate all of the residential parking for the building and will also provide 40 visitor spaces. Another six spaces are proposed at the north east corner of the building in a small surface parking lot to be used for leasing center customers.

As discussed above, the underground parking garage is located below the proposed southern street, Dock Lane, as a result of the RPA constraints.

Because the applicant also controls the property to the south, which it has indicated will be redeveloped with a high density office building, and because the underground parking garage is under the street; staff has added a recommendation that the underground garage be designed in a way to enable a possible underground connection between the current residential proposal and the future office use on the block to the south.

K. Traffic and Transportation

The development of a residential use on this parcel conforms to the land use anticipated in the adopted Eisenhower East Small Area Plan (EESAP) and is generally consistent with the Plan's underlying traffic analysis. Compared to the adopted EESAP, this proposed plan increases the allowable gross floor area (AGFA) approximately 80,000 square feet (20 percent), allowing for additional residential units and a modest amount of ground-level retail to be included in this project. Based on this increased use, a traffic analysis update was required.

As with similar properties included in the EESAP, a traffic evaluation was conducted to determine what, if any, additional impacts would result from the proposed development plan compared to those anticipated under the EESAP. Based on the applicant's traffic study, the proposed development plan would increase the number of trips to and from this particular parcel compared to the adopted EESAP. During the AM and PM peak periods, the proposed project would generate an additional 40 and 58 trips, respectively. Within the context of the overall EESAP, this is not a significant increase in traffic demand.

The applicant's traffic analysis results, summarized in the table below for key area intersections, indicate that the proposed increase in AGFA and additional retail use on this parcel will not materially change traffic conditions from those anticipated in the adopted EESAP.

Table # 2
Comparison of Peak Hour Traffic Conditions

Scenario and Location	AM Peak Period		PM Peak Period	
	Level of Service	Delay (sec/veh)	Level of Service	Delay (sec/veh)
Background Traffic Conditions (EESAP)				
Mill Road at Eisenhower Avenue	D	49	D	52
Mill Race Lane at Eisenhower Ave	B	20	B	20
Mill Race Lane at Dock Lane	B/B ²	N/A ¹	D/C ²	N/A ¹
Mill Road at Dock Lane	A/A/F ³	N/A ¹	A/C/F ³	N/A ¹
Traffic Conditions With Full Project Build Out				
Mill Road at Eisenhower Avenue	D	50	D	53
Mill Race Lane at Eisenhower Ave	B	20	C	21
Mill Race Lane at Dock Lane	C/B ²	N/A ¹	D/B ²	N/A ¹
Mill Road at Dock Lane	A/A/F ³	N/A ¹	A/C/F ³	N/A ¹

1. Unsignalized intersection, overall delay not applicable.
2. Levels of service for eastbound/westbound minor movements only.
3. Levels of service for northbound/eastbound right/eastbound left movements only.

Transportation Management Plan

Based on the scope of the proposed project, a transportation management plan (TMP) special use permit is required.

The TMP for this project is intended to encourage high levels of transit use, specifically achieving a minimum 25 percent overall level of travel by other than single-occupant vehicle and a 35 percent level during peak travel periods. The TMP account for this project is to be funded at annual rates of \$0.15 per occupied square foot of commercial use (approximately 5,400 square feet) and \$60 per residential unit (approximately 485 units), which are generally consistent with previously approved TMP/SUPs in Eisenhower East.

In addition to promoting and funding transit use incentive programs for residents and employees, the project TMP is required to:

- Participate with other area TMPs in mutually agreed upon projects and programs designed to reduce travel by single-occupant vehicles, including provision of expanded transit service in the local area.
- Coordinate a car sharing and ride sharing programs supportive of residents who primarily commute by transit.
- Promote and provide discounted transit fare media to residents.
- Provide amenities for residents and employees who travel by bicycle and/or walk as alternatives to travel by auto.

V. CONCLUSION AND STAFF RECOMMENDATION

Staff is supportive of the proposed residential project, including the requests for height and density increases for all of the reasons stated above. The proposed development:

- provides public benefits (affordable housing, open space, environmental protection, pedestrian improvements and transit use)
- adds height and density near the Metro Station, where height and density are appropriate and consistent with the future context
- complies with and exceeds the requirements of the Eisenhower East Plan and Design Guidelines in every way other than the additional height and density requests, and most importantly,
- helps the City achieve its overall goals for a new Eisenhower East Urban Village as outlined in the Eisenhower East Plan and City Council's 2004 *Strategic Plan*.

Staff therefore specifically recommends approval of the following, subject to the recommended conditions below:

- A Master Plan amendment to increase the height of the building from 150 to 250 feet.
- SUP approval for a density increase from 395,000 to 474,000 sq. ft. for on-site affordable housing under sec. 7-700 of the Zoning Ordinance;
- DSUP approval for the development, including CDD approval;
- SUP approval for increased penthouse height to 23 feet;
- An encroachment to permit the West tower entrance canopy on the west side of the building to encroach into the Port Street right -of- way;and
- A TMP SUP for the development, projecting traffic generated from the project, with the increased density.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Jeffrey Farner, Division Chief, Development;
Tom Canfield, City Architect;
Carrie Beach, Urban Planner; and
Tom Culpepper, Deputy Director, T&ES.

VI. STAFF RECOMMENDATIONS - CONDITIONS:

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

A. PEDESTRIAN IMPROVEMENTS:

1. The applicant shall provide pedestrian improvements that at a minimum shall provide the level of improvements depicted on the preliminary plan and shall also provide the following to the satisfaction of the Director of P&Z and T&ES.

General:

- a. All sidewalks shall be City standard red brick and shall be a herringbone pattern. The brick sidewalks shall comply with City standards.
- b. The brick sidewalk on Mill Road, Port Street, and Dock Lane shall continue over the proposed curb cut(s) on each street to provide a continuous uninterrupted brick sidewalk for each street.
- c. Street lighting for all streets (including the northern street-pedestrian connection) shall be single acorn luminaires as specified in the *Eisenhower East Design Guidelines* (W.J. Whatley Washington series fiberglass pole, General Electric Edison III luminaire, and Hadco Victorian III series refractive globe).
- d. All trash cans shall be Iron Site Bethesda Series, Model S-42 decorative black metal trash cans as specified in the *Eisenhower East Design Guidelines*.
- e. All pedestrian improvements shall be completed prior to the issuance of a certificate of occupancy permit.
- f. All pedestrian improvements and trail connections (not within the public and outside the public right-of-way shall contain public access easements and) shall be privately maintained by the developer and by the Condominium-Homeowners Association or Building Owner upon acceptance from the developer.

Port Street:

- g. The sidewalk on Port Street shall be increased to 14 ft. wide (10 ft. unobstructed) on each side of the street pursuant to the *Eisenhower East Design Guidelines*.
- h. Prior to the issuance of the first certificate of occupancy, the sidewalk on the eastern portion of Port Street shall be constructed. The sidewalk on the east side shall be a 14 ft. wide brick sidewalk with street trees 25 ft. on center. The sidewalk shall extend from Dock Lane to Eisenhower Avenue to provide a continuous 14 ft. wide sidewalk from Dock Lane to Eisenhower Avenue.
- i. Prior to the issuance of the first certificate of occupancy, and consistent with the alignment approved as part of DSUP #2005-0034, a temporary 14 ft. wide

- asphalt sidewalk and street trees from Dock Lane to Eisenhower Avenue shall be installed on the west of Port Street.
- j. The applicant shall maximize on-street parking along Port Street from Dock Lane to Eisenhower Avenue.
 - k. Provide special paving patterns to designate the entrance as outlined in the *Eisenhower East Design Guidelines*.
 - l. The raised planter adjacent to the entrance shall be designed to function as a “seat wall ” for pedestrians. The materials for the planter wall shall be brick and precast stone similar to the materials of the building.
 - m. The proposed exhaust vent shall be relocated to the northern portion of the building within the raised planter.

Dock Lane:

- n. Three on-street parking spaces (due to the existing transformers) shall be eliminated to provide a continual temporary asphalt sidewalk on the southern portion of the street. In addition, the applicant shall be required to install a decorative wall, fencing, and/or landscaping to screen the existing transformers to the satisfaction of the Director of P&Z.
- o. Where possible due to existing conditions, the applicant shall be required to install landscaping on the southern portion of the street adjacent to the existing parking structure and office building.
- p. The applicant shall consolidate the loading/refuse and the retail areas within the existing garage curb cuts to eliminate the central curb cut to provide additional on-street parking and a less interrupted sidewalk for pedestrians and the retail uses.
- q. Two TimberForm Restoration Series, Model #2118 public benches shall be required for the Port Road frontage.
- r. The portion of garage entrance visible from the street shall be decorative pavers to reduce expanse of asphalt.

Mill Road:

- s. The sidewalk shall be a 14 ft. wide brick sidewalk with street trees 25 ft. on center. The sidewalk shall extend from Dock Lane to Eisenhower Avenue to provide a continuous 10 ft. wide unobstructed sidewalk from Dock Lane to Eisenhower Avenue.
- t. The raised planter adjacent to the entrance shall be designed in a manner to function as a “seat wall ” for pedestrians. The materials for the planter wall shall be brick, stone or precast stone similar to the materials of the building.
- u. The proposed retaining wall for the sidewalk adjacent to the park-open space shall be a stone veneer and decorative metal railings, comparable to other retaining walls within Eisenhower East. Any other retaining walls if required within the open space area shall be comparable.
- v. Provide special paving patterns to designate the entrance as outlined in the *Eisenhower East Design Guidelines*.

North "Street" - Pedestrian Connection:

- w. A continual pedestrian public access easement shall be provided for the east - west pedestrian connection and the open space. The easement shall be recorded as part of the subdivision plat, prior to the release of the final site plan.
 - x. The "street" and pedestrian connection abutting the north portion of the building shall be in the same brick and pattern as the public sidewalks. The proposed bollards shall be decorative, black and pedestrian scale. The "street" shall also include the decorative pedestrian scale street lights on the northern and southern portion of the emergency vehicle easement.
 - y. The connection shall also contain amenities as defined herein.
 - z. The brick sidewalk shall be increased from 11 ft to 14 ft, consistent with the remainder of the perimeter sidewalks. (P&Z)
2. Prior to the issuance of the last certificate of occupancy for the west or east tower, the applicant shall dedicate to the City the open space north of the emergency vehicle easement (EVE) for use as public open space- park to be owned and maintained by the City. The applicant shall provide a public pedestrian path-trail, on the northern portion of the emergency vehicle easement (EVE) located outside the resource protection area and buffer to the extent possible and designed to the satisfaction of the Directors of P&Z, T&ES and RP&CA. Where the path-trail encroaches into the resource protection area, the applicant shall mitigate the path-trail encroachment by relocating the trees proposed along the edge of the EVE trees into the resource protection area. The trees within the resource protection area shall be native species trees. The park shall be fully open to the public following the hours and guidelines established by the Department of Parks, Recreation and Cultural Activities. The trail and improvements shall be completed prior to the last certificate of occupancy permit for the west tower or east tower. The design of the path-trail and accompanying landscaping shall be prepared and sealed by a Landscape Architect certified to practice in the Commonwealth of Virginia.(P&Z) (RPCA) (T&ES)
3. For the pedestrian connection on the northern portion of the building, the applicant shall provide the level of improvements depicted on the preliminary plan and shall also provide the following to the satisfaction of the Director of P&Z.
- a. Where walls or planters are necessary they shall be brick or stone. The planting depth of the planters shall be a minimum of 5 feet.
 - b. The raised planters shall be designed to incorporate benches.
 - c. The applicant shall provide black pedestrian scale single acorn luminaire street lights on the southern portion of the connection to reinforce the public nature of the sidewalk.
 - d. A portion of the emergency vehicle easement as generally depicted shall be grass pavers or comparable. All grass paver areas and other lawn areas shall also be seeded and irrigated.

- e. The applicant shall provide a focal feature such as sculpture or comparable feature that is an appropriate scale for the space. The feature shall be permanently mounted within the paved area on the north side of the building outside of the EVE.
 - f. All landscaping and structure improvements shall be located outside the designated emergency vehicle easement.
 - g. The plan shall be prepared and sealed by a Landscape Architect certified to practice in the Commonwealth of Virginia. (P&Z)
4. Provide all pedestrian and traffic signage in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD), latest edition to the satisfaction of the Director of T&ES. Pedestrian and traffic signage shall be depicted on the final site plan and installed by the developer and consistent with the *Eisenhower East Design Guidelines* to the satisfaction of the Director of T&ES. (T&ES)
5. All materials for ADA ramps shall be brick. All ramps shall include detectable warnings in accordance with Americans with Disabilities Act (ADA) requirements in the current Americans with Disabilities Act Accessibility Guidelines (ADAAG). Truncated domes are the only detectable warnings allowed by ADAAG. Grooves, exposed aggregate, and other designs intended for use as detectable warning are too similar to pavement textures, cracks and joints and are not considered equivalent facilitation.(T&ES)
6. The applicant shall provide (49) residential bicycle parking space(s) within the underground garage and (12) visitor/retail bicycle parking space(s) on the surface to the satisfaction of the Director of T&ES. If retail uses are provided more spaces shall be provided to the satisfaction of the Director of T&ES. (T&ES)

B. OPEN SPACE AND LANDSCAPING:

7. A final landscape plan shall be provided with the final plan submission to the satisfaction of the Director of P&Z and RP&CA. The plan shall use industry standard nomenclature, shall include the level of landscaping depicted on the preliminary landscape plan, and shall at a minimum also provide:
- a. All street trees shall be planted in a 5 ft. wide continuous tree trench trough with aeration, drainage and irrigation systems, except that where on-street parking is not provided adjacent to the resource protection area-open space, the trees shall be planted within a continual 5ft. wide landscape planting strip on Mill Road and Port Street.
 - b. The tree troughs shall be large enough to provide sufficient arable soil volume to support adequate moisture for the tree. A detail shall be provided on the final landscape plan and shall be consistent with the *Eisenhower Design Guidelines*. An automatic irrigation system shall be provided for the tree troughs to the satisfaction of the City Arborist.
 - c. Evergreen groundcover shall be provided within each tree well.

Lane Development - ATA Site

- d. With the extension of the sidewalk on Port Street to Eisenhower Avenue as required herein-provide additional street trees on the eastern portion of Port Street.
- e. Landscaping or a decorative brick screen wall shall be provided on Mill Road between the sidewalk and adjoining parking to screen the parking.
- f. With the extension of the Mill Road sidewalk to Eisenhower Avenue as required herein, provide additional street trees.
- g. Prior to the dedication to the City of the open space north of the EVE for use as a public park, the applicant shall provide landscaping for restoration of the RPA-resource protection area consistent with the preliminary remediation plans and shall also include the following:
 - i. 15-20 additional trees in the western portion of the site between the future extension of Port Street and the proposed plantings.
 - ii. 10-15 trees in the northeastern portion of the resource protection area.
 - iii. All plantings shall be native plantings and consistent with species within the Resource Protection Area (RPA).
 - iv. The plantings and grasses shall be retained in their natural state and maintenance shall not include tree removal, pruning or mowing unless determined necessary by the City Arborist and Director of T&ES.
 - v. All resource protection improvements shall be depicted on the final landscape plan in addition to the Mitigation Plan.
- h. Fences shall not be permitted within the open space or RPA.
- i. The open space, (outside the RPA and buffer area), shall be irrigated, and in addition, provisions for manual watering of the plants on the north side of the building shall be made.
- j. All lawn areas outside the RPA shall be sodded.
- k. Decorative signs shall be added to identify the trail as a publicly accessible path and sidewalk.
- l. All landscaping and improvements shall be maintained in good condition and replaced as needed
- m. A minimum of 5 ft. of soil depth shall be provided for the street trees on top of the underground parking structure and for all raised planters.
- n. The street trees shall consist of the following:
 - i. Dock Lane - *Sophora japonica* (Japanese Pagoda Tree).
 - ii. Port Street - *Koelreuteria Paniculata* (Golden Raintree)
 - iii. Mill Road - *Quercus phellos* (Willow Oak)
- o. The street trees shall be a minimum of 3.5" to 4" caliper at the time of planting.
- p. The final landscape plan shall be prepared by a licensed landscape architect.
- q. Provide note on drawings that indicates: "Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled with the City's Arborist and Landscape Architects to review plant installation procedures and processes."
- r. Provide specification for turf areas as grass or sod. Indicate limits of grassing operations and limits of work.

- s. Coordinate above and below grade site utilities, site furnishings, fences, architecture, lights, signs and site grading to avoid conflicts. Ensure positive drainage in all planted areas.
 - t. The applicant shall provide for manual watering of the planters on the north side of the building.
 - u. Provide location of conduit routing between site lighting fixtures. Locate to avoid conflicts with trees.
 - v. All private utilities are to be located outside of public right-of-way and public utility easements.
 - w. All trees outside of the RPA Buffer shall be to be limbed up to six feet as they mature.
 - x. Ensure coordinated locations of site utilities with other site conditions. Provide location and direction of service openings on above grade utilities such as transformers, telephone, and cable boxes.
 - y. The proposed tree line shall be moved a minimum of 10 feet from the line of the underground parking garage.
 - z. All work shall be performed in accordance with the latest and most current edition of the Landscape Specifications Guidelines, as produced by the Landscape Contractors Association (LCA) of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland.
 - aa. All plant specifications shall be in accordance with the current and most up to date edition of the American Standard For Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C. (P&Z) (RPCA)
8. All of the rooftop plaza decks shall be designed to function as high-quality usable open space for the residents. At a minimum, the decks shall include the following, to the satisfaction of the Directors of P&Z and RP&CA:
- a. The location and orientation of the swimming pools shall be configured to maximize solar exposure and, therefore, usability.
 - b. Features and elements such as seating, trash receptacles, pedestrian scale lighting, alcoves and trellis.
 - c. Varied and high quality paving materials.
 - d. Landscaping plan including deciduous, evergreen and flowering plant materials, with irrigation systems.
 - e. Special measures to insure adequate drainage and structural support as necessary to accomplish the proposed plan. (P&Z)

C. AFFORDABLE HOUSING:

9. **CONDITION REVISED BY PLANNING COMMISSION:** 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 Work Group (DHCWG).

- b. The developer shall provide ~~34~~ affordable set-aside rental units, with a total of ~~26,070~~ 30,020 gross square feet, with the ~~following mix of units to be to the satisfaction of the Director of Housing: nine (9) studio/Jr. 1-bedroom units, 15 one-bedroom with den units, and 10 two-bedroom units.~~
- 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) (PC)

10. **CONDITION REVISED BY PLANNING COMMISSION:** Alternatively, if the property is developed as a condominium:

Lane Development - ATA Site

- 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 Work Group (DHCWG). The City shall also have the option of using this voluntary cash contribution to buy down additional affordable units.
 - b. The developer shall provide ~~a total of twenty-eight (28)~~ affordable condominium units to be used as rental units, with a total area of ~~26,070~~ 30,020 gross square feet, with the following mix of units to be to the satisfaction of the Director of Housing ~~twelve (12) one-bedroom units, six (6) one-bedroom w/den units, and ten (10) two-bedroom units.~~
 - 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) (PC)
11. In the event of a reduction in the approved gross floor area of the proposed development, the contribution will be scaled down in proportion to the reduction in gross floor area, subject to review by the Affordable Housing Advisory Committee and final approval by the City Manager. (Housing)
12. 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)

D. TRANSIT INCENTIVES:

13. The applicant shall create a program and implement a reporting system to encourage the use of mass transit, carpooling, teleworking, and ride-sharing and to discourage the use of single occupancy vehicles to the satisfaction of the Directors of P&Z and T&ES, which at a minimum shall consist of the following:

Lane Development - ATA Site

- a. The applicant shall fund at an annual rate of \$.15 per occupied square foot of commercial retail space and \$60 per residential unit, a transportation management account to be used exclusively for the transportation activities included in this document.
- b. The project shall have an overall goal of a 25% non single-occupant-vehicle travel. The project shall have a goal of a minimum of 35% of the employees using transportation other than single occupancy vehicles during the peak periods.
- c. The applicant shall participate with other developments in Eisenhower East in a mutually agreed upon cooperative planning and implementation of projects and/or programs to reduce the use of single-occupant vehicles for travel to, from and within the Eisenhower East area. If requested by the Director of P&Z and T&ES, the applicant shall participate in the provision of a separate shuttle(s) for the proposed development and/or an Eisenhower East bus-shuttle service as required by the City.
- d. Transit, ridesharing and the other program elements shall be promoted to prospective tenants, residents and to employers. A share car program shall be established and marketed as part of the ridesharing and transit marketing efforts. Spaces for these vehicles shall be in a convenient location for tenants and residents and the TMP Coordinator shall arrange with any of the carshare companies for placement of vehicles in this project. (Currently, Zipcar and Flexcar both have vehicles in the Alexandria area.). For those individuals that 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.
- e. Information about all transit, ridesharing, and other TMP elements shall be distributed and displayed to residents, employers, and employees—including transit schedules, rideshare applications and information, incentive information, parking information, etc. This information shall be kept current. Displays of these brochures and applications shall be provided in a prominent location within each building and a web site with this information and appropriate links to transit providers will be provided and maintained.
- f. 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.
- g. Discounted bus and rail fare media shall be sold on-site to employees and residents of the project including during hours that are convenient for residents who work. The fare media to be sold will include, at a minimum, fare media for Metrorail, Metrobus, DASH and any other public transportation fare media requested by employees and/or the Office of Transit Services and Programs. The availability of this fare media will be prominently advertised.
- h. The applicant shall participate in Ozone Action Days and other regionally sponsored clean air, transit, and traffic mitigation promotions by advertising such promotions in a manner and at such locations within the building acceptable to the applicant.
- i. That the applicant shall prepare, as part of its leasing agreements, appropriate language to inform tenants of the transportation management plan special use permit and conditions therein, prior to any lease agreements.
- j. A TMP coordinator with experience in this occupation shall be designated for the project upon application for the initial building permit. The TMP coordinator shall

have an on-site office, and the name, location and telephone number of the coordinator will be provided to the City's Office of Transit Services & Programs (OTS&P) at that time, and OTS&P will be notified at the time of any changes. The TMP coordinator shall be provided for the individual project until the overall TMP for Eisenhower East is implemented. This person will be responsible for implementing and managing all aspects of the TMP and the parking management program for the project, and for providing the following required reports to the Office of Transit and Programs in the Department of T&ES:

- i. Biannual fund reports due on January 15 and July 15. These reports will provide a summary of the contributions to the fund and all expenses. The first report will be due six months following the issuance of the first certificate of occupancy.
 - ii. An annual survey of residents and employees for each block shall be conducted to determine the number of employees, their place of residence/employment, modes of transportation, arrival and departure times, willingness and ability to use carpooling and public transit, and such additional information as the City may require. The initial survey shall be submitted one year from the issuance of the first Certificate of Occupancy for any new building. Subsequent surveys are due July 15;
 - iii. Annual reports, including an assessment of the effects of TMP activities on carpooling, vanpooling, transit ridership and peak hour traffic, the results of the annual survey, and a work program for the following year. The initial report shall be submitted one year from the issuance of the first Certificate of Occupancy for any new building. Subsequent annual reports are due July 15.
- k. 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 may be paid to the City for use in TMP support activities which benefit the site. The Director of T&ES may require that the funds be paid to the City upon determination that the applicant has not made reasonable effort to use the funds for TMP activities.
- l. Modifications to approved TMP activities shall be permitted upon approval by the Director of T&ES, if any changes are consistent with the goals of the TMP.
(T&ES)(P&Z)

E. STREETS:

14. Port Street shall be dedicated to the City as a public street. The Port Street cross-section from Dock 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. The street shall not be accepted for dedication until the completion of the project and determination by the City 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)

15. The following street names shall apply for the new public streets within the project: Port Street and Dock Lane. The approved street names shall be depicted on the final site plan and subsequent documentation and plans. (P&Z)
16. The applicant shall provide bicycle racks, street signs, stop signs, mast arms and pedestrian count down signals which shall consist of the following to the satisfaction of the Directors of T&ES and P&Z.
 - a. The mast arm for the signalized intersection at Port Street and Eisenhower Avenue shall be City Standard black mast arms. The signal locations shall be determined by the Director of T&ES.
 - c. Pedestrian count down signals shall be provided at each signalized intersection. Install PRISMA DAPS accessible buttons on all pedestrian crossings.
 - d. Sign posts shall be 2" diameter galvanized poles painted black; signs shall be Highway C aluminum, 0.080 gauge blank, 3M VIP sheeting.
 - e. The applicant shall provide two (2) City standard black decorative street cans per block face.
 - f. 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. (P&Z)(T&ES)
17. All private street signs that intersect a public street shall be marked with a florescent green strip to notify the plowing crews, both City and contractor, that they are not to plow those streets. (T&ES)
18. All driveway entrances, sidewalks, curbing, etc. in public ROW or abutting public ROW shall meet City design standards. (T&ES)
19. A minimum of 30 feet separation between beginning of street corner radius and any driveway apron radius shall be maintained. Additional curb cuts at this location are not recommended as they impede traffic flow. (T&ES)
20. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
21. 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)
22. In keeping with City Council requirements for installation of parking meters in the East Eisenhower area, the plans shall identify the locations of parking meters on Port Street and

Dock Lane. The location and detail of the meter shall be provided on the final site plan. (T&ES)

F. PARKING

23. The applicant shall provide a parking management plan which outlines mechanisms to maximize the use of the parking garage by residents and visitors and discourage single occupancy vehicles to the satisfaction of the Directors of P&Z and T&ES, which shall provide the following:
- a. A *maximum* of 507 parking spaces shall be provided within the underground garage. A minimum of 40 spaces shall be reserved for visitor use and shall include all applicable signage. Six (6) at grade parking spaces shall be reserved for the leasing center.
 - b. The visitor spaces shall be conveniently located adjacent to the elevator on the first level.
 - c. A minimum of six (6) spaces shall be provided in the underground parking garage for the retail employees. All spaces defined as “retail” spaces shall be reserved for retail uses and provided in convenient locations. The retail parking shall include all applicable signage.
 - d. The applicant shall provide controlled access into the underground garages. The controlled access to the garage shall be designed to allow convenient access to the underground parking for retail patrons, residents and visitors. The garage access shall be recessed from the building to allow additional queuing and to reduce visibility of the garage door.
 - e. Residents of the building shall be ineligible to apply for or receive any residential on-street parking permits.
 - f. A minimum of one parking space for each unit shall be provided within the underground garage as part of the initial and subsequent purchase price for the market rate and affordable units.
 - g. The applicant shall provide off-street parking for all construction workers without charge. The location of the parking shall be designated on the final site plan. 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 based on a plan, which shall be submitted to the Department of P&Z and T&ES prior to the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall set forth the location of the parking to be provided at various stages of construction, 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. The plan shall also provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes. If the plan is violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within ten (10)

- days, a "stop work order" will be issued, with construction halted until the violation has been corrected.
- h. The retail businesses shall stipulate that their employees use off-street parking.
 - i. Handicap parking spaces for apartment and condominium developments shall remain in the same location(s) as on the approved site plan. Handicap parking spaces shall be properly signed and identified as to their purpose in accordance with the USBC and the Code of Virginia. Ownership and / or control of any handicap parking spaces required under the USBC or the Code of Virginia shall remain under common ownership of the apartment management or condominium association and shall not be sold or leased to any single individual. Parking within any space identified as a handicap parking space shall be limited to only those vehicles which are properly registered to a handicap individual and the vehicle displays the appropriate license plates or window tag as defined by the Code of Virginia for handicap vehicles. The relocation, reduction or increase of any handicap parking space shall only be approved through an amendment to the approved site plan. (P&Z) (Code)
24. The southern portion of the underground parking garage shall be designed with "knock-out" panels or comparable construction methods and techniques to not preclude the connection of the underground parking with future office building to the south and shall also include the following to the satisfaction of the Director of P&Z, T&ES and Code Enforcement.
- a. The drive aisle shall be extended to the southern portion of the building for a possible extension of the parking.
 - b. An easement(s) shall be provided to enable shared access for the parking between a future office use and the residential use.
 - c. The connection between the underground parking shall be provided if required by the Planning Commission and City Council as part of the development special use permit for the adjoining office building for Block 11 as designated by the *Eisenhower East Small Area Plan*. (P&Z)
25. The lighting for the underground parking garage is to be 5.0 foot-candles minimum maintained. The walls and ceilings in the garage are to be painted white. (Police)

G. BUILDING:

26. The massing, articulation and general design of the building(s) shall be generally consistent with the drawings and renderings dated May 25, 2006. The final design of the building shall be revised to incorporate the following to the satisfaction of the Director of P&Z.
- a. The materials of the facade shall be masonry (brick, precast, stone) or metal.

Lane Development - ATA Site

- b. Further refinement and variation of the retail facades to eliminate the projecting arcades and also add textures and patterns to create visual interest for pedestrians through the use of high quality materials.
 - c. Provision of building mounted lighting appropriate to the size and character of the building, with smaller scale fixtures encouraged at the pedestrian level.
 - d. Refinement of the materials and details of the entrance canopies.
 - e. The following refinements for the loading area - garage entrance:
 - the garage door - loading area shall be substantially recessed into the surrounding facade to minimize its presence;
 - use of decorative pavers or stamped asphalt for the large expanse of asphalt associated with the loading dock and for the entry into the parking garage.
 - f. The applicant shall provide larger scale drawings to evaluate the retail base, entrance canopies and sign bands and the final detailing, finish and color of these elements. These detail elements shall be submitted prior to review and approved prior to the release of the final site plan.
 - g. Color architectural elevations (front, side and rear) shall be submitted with the final site plan.
 - h. Through-the-wall HVAC vent grills shall be prohibited.
 - i. The applicant shall provide details including colors and materials for all balconies, decks, and rooftop spaces with the final site plans. (P&Z)
27. The applicant shall hire a LEED certified consultant as a member of the design and construction team. The consultant shall work with the team to incorporate sustainable design elements and innovative technologies outlined below into the project with the goal of achieving 20 points towards LEED certification under the U.S. Green Building Council's System. The architect shall provide a checklist and specific examples prior to the release of a building permit, to the satisfaction of the Director of P&Z and T&ES.

Sustainable Sites

- a. Utilize an Energy Star rated membrane roofing that exhibits a high reflectivity. This roof can reduce cooling load, and thus HVAC size, by as much as 10%.
- b. Minimize exterior lighting fixtures. Provide shielding to exterior lights to ensure that there is no direct beam light trespass onto adjacent property lines.
- c. Provide bicycle storage facilities and showers as well as other methods to encourage alternative transportation to the site.

Water Efficiency

- d. Utilize native or adaptive plant species for the exterior planting beds and boxes.
- e. Provide water efficient fixtures.

Energy and Atmosphere

- f. Perform fundamental building commissioning prior to occupancy to ensure optimal performance of the building's systems.
- g. Minimize the need for artificial lighting for the interior spaces by maximizing day-lighting opportunities.

Materials and Resources

- h. Work to reuse salvageable materials from the existing building on site and for leftover building materials upon completion of construction.
- i. Provide centralized recycling collection point(s) within the building.
- j. Provide a waste management plan to target a reduction of waste being transported to local landfills.
- k. Where practical utilize materials that have high recycled content, such as steel and concrete with flyash. Purchase locally harvested and manufactured materials where practical.
- l. Provide tenant fit-out guidelines to encourage that materials chosen are environmentally sensitive.

Indoor Environmental Quality

- m. Encourage open office spaces with low partitions along the perimeter of the building to maximize day-lighting into the space. Encourage the placement of enclosed spaces toward the core of the building and glass partitions or vision panels to take advantage of day-lighting.
- n. Provide interior finishes such as paint and carpet with low VOC off-gassing.(T&ES)(P&Z)

28. The colors and materials of the retail tenant and/or residential signage shall be designed of high quality materials and shall be designed as an integral part of the building that shall relate in materials, color and scale to the remainder of the building and shall comply with the following:
- a. Sign messages shall be limited to logos, names and street address information.
 - b. Illuminated or non-illuminated parapet signs or wall signs above the first level for retail and/or residential uses are prohibited.
 - c. Signs applied to retail storefront windows shall cover no more than twenty percent of the glass.
 - d. Box signs shall be prohibited.
 - e. Any exterior decorative banners/flags shall be deducted from the overall permitted sign area. Permanent or temporary advertising banners shall be prohibited.
 - f. Display cases, storage, carts or other obstructions shall not be designed to be temporarily or permanently located adjacent to the retail windows. Tables and other active uses adjacent to the window are encouraged.
 - g. No freestanding signs, with the exception of traffic signage shall be permitted.
 - h. All signage shall comply with the above provisions and shall require subsequent approval by the Eisenhower East Design Review Board. (P&Z)

Lane Development - ATA Site

29. Any use located within one of the buildings which is a special use permit within the underlying zone shall obtain a separate special use permit, pursuant to Sec 11-500 of the Zoning Ordinance. (P&Z)
30. The applicant shall 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). The applicant shall identify available options to minimize noise exposure to future residents at the site including: triple-glazing for windows, additional wall/roofing insulation, installation of resilient channels between interior gypsum board and wall studs 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 Code Enforcement and T&ES. The noise study shall be submitted and approved prior to final site plan approval. (T&ES)
31. All exterior building mounted loudspeakers are prohibited. If fireplaces are utilized in the development, gas fireplaces shall be installed to reduce air pollution and odors. Animal screens must be installed on chimneys. No material may be disposed of by venting into the atmosphere. (T&ES)
32. Based on a history of sound transmission complaints all dwelling units shall have a STC rating of at least 60. Alternatives that demonstrate equivalency to this requirement will be considered on a case by case basis and are subject to the approval of the Director of Code Enforcement. (Code)
33. For firefighting reasons it is recommended that all stairs extend thru the roof so that door access to the roof is provided. (Code)
34. In addition to USBC high rise requirements, the following conditions shall be incorporated into the building design due to the height of the structure:
 - a. Stair tower minimum width shall be a minimum clear width of 48 inches (ie. accessible stair)
 - b. Stair towers shall be masonry construction to maintain stair integrity
 - c. Stair vestibules shall be incorporated into stairwell design for handicap and firefighter staging.
 - d. Elevator lobbies shall be designed for smoke tight construction.
 - e. Fire phones shall be provided in all stairs on all levels and in all elevator lobbies.
 - f. Radio operability for both interior and exterior operations shall be incorporated into the building design as defined herein.
 - g. All fire stand pipes shall retain a residual pressure of 100 psi at the top of the riser. (Code)
35. 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. (Code)

H. SITE PLAN

36. The applicant shall submit a wall check to the Department of Planning & Zoning prior to the commencement of framing for the building(s). The building footprint depicted on the wall check shall comply with the approved final site plan. The wall check shall also provide the top-of-slab and first floor elevation as part of the wall check. The wall check shall be prepared and sealed by a registered engineer or surveyor. The wall check shall be approved by the City prior to commencement of framing. (P&Z)
37. As part of the request for a certificate of occupancy permit, the applicant shall submit a building and site location survey to the Department of P&Z for all site improvements, including the below grade garage. The applicant shall also submit a certification of height for the building as part of the certificate of occupancy for each building(s). The certification shall be prepared and sealed by a registered architect and shall state that the height of the building complies with the height permitted pursuant to the approved development special use permit and that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z)

Lane Development - ATA Site

38. All existing and proposed utility poles and overhead electrical/telephone lines for the site shall be located underground and the cost of such undergrounding shall be the sole responsibility of the developer. (P&Z)
39. Depict and label all utilities and the direction of service openings on above grade utilities such as transformers, telephone, HVAC units and cable boxes. Specifically indicate perimeter clearance/safety zones on plan drawings for utilities requiring perimeter safety zones, such as transformers., all utilities including but not limited to transformers, telephone and cable boxes shall be screened and shall not be visible from the adjoining streets and shall not conflict with the northern pedestrian connection. As part of the final site plan, the applicant shall coordinate with all applicable utility companies the amount, type and location of all utilities on the final site plan. If the utilities cannot be located as outlined above, the utilities shall be located underground in vaults which meet Virginia Power standards. (P&Z) (RP&CA)
40. A freestanding subdivision or development sign shall be prohibited. (P&Z)
41. In locations where underground garages are proposed, indicate location and design of ventilation shafts, egress stairs and dumpster/service areas. (RP&CA)
42. Provide a lighting plan with the first final site plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Director of T&ES 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 lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - c. Manufacturer's specifications and details for all proposed fixtures; and
 - 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. Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in lumens or watts. Provide manufacturer's specifications for and installation schedule indicating the number of each fixture to be installed. Provide lighting calculations and photometric plan to verify that lighting meets City Standards. Lighting plan should cover site, adjacent right-of-way and properties.
 - e. Lighting fixtures shall be setback two feet from back of curb. Provide detailed information indicating proposed light pole and foundation in relationship to adjacent grade or pavement. Street light foundations shall be concealed from view. (P&Z) (T&ES) (RP&CA)

43. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with all adjoining property owners and civic association to review the hauling routes, location of construction worker parking, 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. Copies of plans showing the hauling route, construction worker parking and temporary pedestrian and vehicular circulation shall be posted in the construction trailer and given to each subcontractor before they commence work on the landbays. (P&Z)(T&ES)
44. The applicant shall identify a person who will serve as a liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, and to the Directors of P&Z and T&ES. (P&Z)(T&ES)
45. A temporary informational sign shall be installed 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 marketing 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)
46. The subdivision plats, easements and/or dedication shall be submitted as part of the submission for first final site plan and shall be approved and recorded prior to the release of the final site plan.(P&Z)
47. Prior to the release of the first certificate of occupancy for the project, the City shall review and approve the language of the Homeowner's Agreement to ensure that it conveys to future homeowners the requirements of this development special use permit, including the restrictions listed below and other restrictions deemed necessary by the City Attorney. The applicant shall present a disclosure statement to potential buyers disclosing the following conditions to the satisfaction of the Directors of P&Z, T&ES and the City Attorney. 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. Neighboring uses surrounding the site include the Metro operations, the Beltway, Mill Road and that these uses, streets and traffic volumes including truck traffic are permitted to continue indefinitely.
 - b. The open space and pedestrian connections, sidewalks and the southern street shall be subject to perpetual public access easements and dedicated to the City. The Homeowners Association documents shall disclose to all prospective buyer(s) through the sales literature and documents, sales contracts etc. that the areas subject to public access easements will be owned and maintained by the HOA, and the open space dedicated to the City is accessible to the residents of the community and general public. The southern Street , Dock Lane shall be maintained by the property owner/ Association.

Lane Development - ATA Site

- c. Prior history of the Eisenhower East area indicates environmental conditions, related studies and past or on-going remediation efforts
- d. 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.
- e. Exterior changes or additions to the building shall not be permitted without approval of City Council or the Director of Planning and Zoning, as determined by the Director.
- f. All landscaping, irrigation and screening shown on the final landscape plan shall be maintained in good condition and the amount and location, type of plantings and topography on the landscape plan shall not be altered, reduced or revised without approval of City Council or the Director of Planning and Zoning, as determined by the Director.
- g. 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, all owners of property within this development, shall be required to participate in the district.
- h. On-site affordable dwelling units are located within the building and will be maintained as affordable housing.
- i. That retail uses including but not limited to restaurants, bakeries, banks bookstores, clothing, clothing accessories, drugstores, dry cleaners, florists, groceries, jewelry, restaurants and any similar use deemed by the Director of Planning & Zoning shall occur within the first floor retail spaces and that outdoor dining will likely be associated with any restaurants and 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. 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. (P&Z)

48. **CONDITION REVISED BY PLANNING COMMISSION:** ~~The plan states no contaminated soils. Therefore, t~~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. If no soil contaminants are found, the applicant shall provide in the Study that the following measures described below are not required.
- b. If applicable, submit a Risk Assessment indicating any risks associated with the contamination.

Lane Development - ATA Site

- c. If applicable, submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. "Clean" backfill shall be used to fill utility corridors.
 - d. If applicable, 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. If applicable, the remediation plan must be included in the Final Site Plan. (T&ES) (PC)
- 49. Due to the proximity of historic landfill and the potential for contamination, the following condition shall be included:
 - a. The Applicant shall 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 Enforcement. (T&ES)
- 50. Except for what is required to vent buildings and parking areas to prevent the accumulation of methane or other gases, no material may be disposed of by venting into the atmosphere. (T&ES)
- 51. 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 Transportation and Environmental Services. (T&ES)
- 52. A "Certified Land Disturber" shall be named on all Erosion & Sedimentation Control sheets prior to the pre-construction meeting or commencement of demolition or construction activity in accordance with the Virginia Department of Conservation and Recreation guidelines. (T&ES)
- 53. 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 Transportation and Environmental Services and Code Enforcement. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)
- 54. The applicant is advised that a minimum width of 22 feet shall be maintained on all "private roads". Where the "private road" intersects with other streets, provide two ADA ramps on each corner.(T&ES)

Lane Development - ATA Site

55. On the final site plan, identify the AASHTO turning paths for vehicles entering and exiting the helix ramps and other tight movements in the garage. Provide for an alternative pedestrian access that does not have a stairwell located in the middle of the helix ramp. Increase the radius on the helix ramps to accommodate larger vehicles. (T&ES)
56. On the final site plan, verify that the proposed dumpster location will allow a conventional dumpster truck to unload the dumpster contents into the truck with the limited overhead clearance. (T&ES)
57. Staff does not support the proposed stairwell in the middle of the parking helix ramps. Pedestrians will not be able to see vehicles using the ramp when they cross. The radius on the helix ramps may be too small to reasonably accommodate larger vehicles. (T&ES)
58. Sheeting and shoring shall not extend beyond the property line; except when the developer has obtained a written release from adjacent property owners which has been recorded in the land records; or through an approved encroachment process. (Code)
59. Provide slopes for all ramps within the garage. Note that ramps shall not exceed 10%.(T&ES)
60. Show all existing and proposed easements, both public and private.(T&ES)
61. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns.(T&ES)
62. The minimum diameter for public storm sewers is 18-inches. (T&ES)
63. The minimum diameter for public sanitary sewer is 10-inches. (T&ES)
64. The City Attorney has determined that the City lacks the authority to approve the gravity fed sanitary sewer systems which serve over 400 persons. Accordingly, the overall sanitary sewer system for the proposed development must be submitted for approval by the Virginia Department of Health (VDH). Both City and VDH approval are required, though City approval may be given conditioned upon the subsequent issuance of VDH approval. Should state agencies require changes in the sewer design, these must be accomplished by the developer prior to the release of a certificate of occupancy for the units served by this system. Prior to the acceptance of dedications of the sewers by the City or release of any construction bonds, the developer must demonstrate that all necessary state agency permits have been obtained and as-built drawings submitted to the City that reflect all changes required by the state. (T&ES)
65. Provide the width and depth of loading dock area on the plan.(T&ES)

66. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
67. The applicant shall prepare and submit a plan that delineates a detailed construction management plan for the entire project for review and approval by the Directors of P&Z, T&ES and Code Enforcement prior to the release the final site plan. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. (T&ES)
68. Submit a construction phasing plan that will allow for the review, approval and partial release of final site plans to the satisfaction of the Director of T&ES. In addition, building and construction permits required for site preconstruction shall be permitted prior to release of the final site plan to the satisfaction of the Direction of T&ES.(T&ES)
69. Both ends of the "private road" need to be a minimum of 22 feet wide. In its present configuration, large trucks will have trouble negotiating the turn onto this road and will not be able to safely access the loading dock and dumpster. (T&ES)

I. STORMWATER:

70. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or the developer is to design and build on-site or off-site improvements to discharge to an adequate outfall.(T&ES)
71. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of Article XIII of AZO shall be met.(T&ES)
72. Plan must demonstrate compliance with flood plain ordinance. No final plan shall be released until full compliance with flood plain ordinance has been demonstrated.(T&ES)
73. Plan must demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present.(T&ES)
74. eveloper to comply with the peak flow requirements of Article XIII of the Alexandria Zoning Ordinance.(T&ES)
75. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
76. The storm water collection system is located within the Cameron Run 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.

77. This project is located within a Resource Protection Area (RPA). The applicant is encroaching upon the RPA in three areas:
- a. 597 square feet for an Emergency Vehicle Easement (EVE) - requires an exception
 - b. 749 square feet for a required walkway along Mill Road - acceptable use within an RPA as allowed by Section 13-107(B)(2) of the City of Alexandria's Environmental Management Ordinance. (T&ES)
 - c. 5,311 square feet for the new alignment of Port Street - an exempted use under Section 13-119(A)(1) of the City of Alexandria's Environmental Management Ordinance
78. Applicant requests the exception under Section 13-116(A) Exception, of the aforementioned ordinance. This lot was subdivided in May of 1983 and, with further justification as submitted, can be reviewed under Article 13-107 Section (E)(1) with the final disposition of this request at the prerogative of the Director of Transportation and Environmental Services. Applicant has diligently worked with staff to reduce the encroachment into the RPA. The EVE as proposed is grasscrete and intended to be a design compatible with the character of a RPA. The EVE is as close to the building as is allowed. All underground parking has been moved southward such that it is now under the building and a private road (Dock Lane). They are providing mitigation following the Chesapeake Bay Riparian Buffer Restoration Manual recommendations for amount and types of plantings and have complied with the City of Alexandria's Buffer Equivalency loading removal requirements. The area of buffer mitigation is greater than is required. They have submitted an acceptable minor water quality impact assessment and have minimized their limits of clearing and grading. For these reasons staff concurs that this exception can and should be granted at the discretion of the Director of Transportation and Environmental Services. (T&ES)
79. Mitigation planting shall be more naturally disbursed throughout the RPA, to the satisfaction of T&ES and RP&CA. Associated limits of clearing and grading shall be consistent with planting areas.(T&ES)
80. Applicant states that the "An existing BMP sand filter vault owned by the adjacent property owner will require relocation [due to the relocation of Port Street] with the development of Block 12 by others." There is an assumption that the sand filter is in the process of cleansing water quality volume at this time. Applicant shall provide information on what impervious area generates the flow into the sand filter, what BMP will replace this filter, and the timing of that activity. (T&ES)
81. Sheet C-2A references West Street in the BMP Notes. No West Street is apparent on this plan. (T&ES)

82. Applicant states that the “An existing BMP sand filter vault owned by the adjacent property owner will require relocation [due to the relocation of Port Street] with the development of Block 12 by others.” There is an assumption that the sand filter is in the process of cleansing water quality volume at this time. Applicant shall provide information on what impervious area generates the flow into the sand filter, what BMP will replace this filter, and the timing of that activity. (DEQ)Applicant states that the “An existing BMP sand filter vault owned by the adjacent property owner will require relocation [due to the relocation of Port Street] with the development of Block 12 by others.” There is an assumption that the sand filter is in the process of cleansing water quality volume at this time. Applicant shall provide information on what impervious area generates the flow into the sand filter, what BMP will replace this filter, and the timing of that activity. (T&ES)
83. The Applicant shall submit a storm water quality BMP Maintenance Agreement 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)
84. 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)
85. If units will be sold as individual units and a homeowner’s association (HOA) established the following two conditions shall apply:
- a. The Applicant shall furnish the Homeowner’s Association with an Owner’s Operation and Maintenance Manual for all Best Management Practices (BMP’s) 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.
 - b. 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 Homeowner’s 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. (T&ES)

86. 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)
87. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on digital media. (T&ES)
88. 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)
89. Prior to release of the performance bond, the Applicant is required to 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)
90. Plan does not indicate whether or not there is any known groundwater contamination present as required with all preliminary submissions. Should any unanticipated contamination, underground storage tanks, drums or containers be encountered at the site, the Applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)

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.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

- C-1 Section 5-8-161 of the City Code requires a minimum travel way of 24 feet where there is curbside parking--the proposed plan provides for only 22 feet.
- C-2 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-3 The applicant shall 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.
- C-4 The applicant must comply with the 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.
- C-5 The applicant must 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.
- C-6 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, 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 VSMP permit for land disturbing activities greater than 2500 SF.

Code Enforcement

- F-1 The proposed project has insufficient ladder truck access on the North Side of the structure and on the side and south building faces. The building articulation and proposed bollards exceed the requirements for ladder truck accessibility. See C-1 below. **Revised design provides improved access, combined with design criteria listed in F-12 below.**
- F-2 An automatic sprinkler system is required. Finding resolved.
- F-3 The submitted plans propose an EVE connection to an existing parking lot on the west side of the property. The applicant shall clarify and produce documentation to support answers to the following questions:

- a. Are the EVEs shown in the existing parking lot established already or are they proposed?
- b. Does the applicant have permission from the adjacent property owner to access their property for use of EVEs.

Applicant indicates EVEs exit onto new public street (Port Street). Port Street shall be verified as a public street prior to submission of Final #1. The construction of Port Street must be concurrent with the construction of this project in order to maintain adequate fire access to the site.

- F-4 Label turning radii for parking lot EVEs and north side EVE for proposed building. **Provided, but several areas fall below the minimum R-25 requirements on Mill Road. Also indicate mountable curbing where installed along EVE off Mill Road.**
- F-5 Label domestic and Fire service taps. Finding resolved.
- F-6 The dead end main is inadequate for the proposed fire hydrant, domestic and fire line taps. A separate fire line shall be run to service the proposed fire hydrant. **Finding unresolved. The proposed hydrant at Port Street and Dock Lane is feed by a fire line through the underground parking facility. The fire line shall not pass through or above the underground parking facility. Reroute line.**
- F-7 The proposed hydrant on the east side of the structure is located too close to the building. Hydrants shall be located no closer than 40 feet from each building served. Resolved.
- F-8 Relocate the west side Fire Department Connection to the South Road side, south west quadrant of the structure. Resolved.
- F-9 The location of a fire control room has not been provided. Provide location of the Fire Control Room. The room shall be accessed from an exterior doorway leading directly into the fire control room. Resolved.
- F-10 All stairs shall access the roof. Currently no stairs access the roof based upon the submitted plans. Resolved. Stairs provided to both roof areas.
- F-11 The height of the proposed structure requires the building to comply with high rise requirements of the USBC. Acknowledged by applicant.
- F-12 In addition to USBC high rise requirements, the following conditions shall be incorporated into the building design due to the height of the structure:
- a. Stair tower minimum width shall be 48 inches (ie. accessible stair)
 - b. Stair towers shall be masonry construction to maintain stair integrity
 - c. Stair vestibules shall be incorporated into stairwell design for handicap and firefighter staging.
 - d. Elevator lobbies shall be designed for smoke tight construction.
 - e. Fire phones shall be provided in all stairs on all levels and in all elevator lobbies.

- f. Radio operability for both interior and exterior operations shall be incorporated into the building design (See C-21 below)
 - g. All standpipes shall maintain a residual pressure of 65 psi at the top of the pipe. Acknowledged by applicant.
- F-13 The proposed circular garage ramps obstruct access to the interior stairwells. Pedestrians are forced to cross blind corners to access these stairs. Relocate stairs out of circular ramps.**
- C-1 Fire Department ladder truck access is required for two sides/ ends of all buildings over 50 feet in height. This requires a truck to be able to position itself between 15 and 30 feet from the face of the building. All elevated structures used for this purpose shall be designed to AASHTO HS-20 loadings. **Revised design provides improved access, combined with design criteria listed in F-12 above.**
 - C-2 Provide two Siamese connections located to the satisfaction of the Director of Code Enforcement. Condition met.
 - C-3 A separate tap is required for the building fire service connection. **Condition met.**
 - C-4 Applicant must provide Emergency Vehicle Easement on front and back side of building. EVE provided.
 - C-5 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. Provided. Condition met.
 - C-6 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Condition met, shown as note 8.
 - C-7 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor ; e) fire protection plan. Condition met.
 - C-8 The final site plans shall show placement of fire easement signs. Acknowledged.
 - C-9 A soils report must be submitted with the building permit application. Acknowledged.
 - C-10 Prior to submission of the Final Site Plan #1, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply

for the structure being considered. Acknowledged but not submitted. Submit on 8 ½ x 11 paper prior to Final #1.

- C-11 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.1. Acknowledged.
- C-12 This structure contains mixed use groups [R, 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.
- C-13 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Relocate all handicap parking adjacent to elevator lobbies. **Condition met.**
- C-14 The public parking garage (Use Group S-2) is required to be equipped with a sprinkler system (USBC). Acknowledged.
- C-15 The public parking garage floor must comply with USBC 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. Acknowledged.
- C-16 Enclosed parking garages must be ventilated in accordance with USBC . Vent locations provided, condition met.
- C-17 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. **Condition met.**
- C-18 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. Acknowledged.

Transportation and Environmental Services:

- F-1 If a restaurant use is proposed, the use of loudspeakers or musicians outside is prohibited.
- F-2 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)
- F-3 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. Water quality volume is generated by the impervious surface on the site. Applicant’s BMP is treating 1.50 acres of the water quality volume being generated. There remains 0.09 acres of impervious surface, from

Lane Development - ATA Site

which the water quality volume is not being treated. Applicant is encouraged to carefully explore mechanisms to treat this volume. Should this be impossible applicant is referred to City of Alexandria, Article XIII, Environmental Management Ordinance, Section 13-110(A), *Alternate stormwater management equivalency options and establishment of the Alexandria Water Quality Improvement Fund*. To employ either option, applicant shall follow the guidance provided in Section 13-110(D) and submit a letter to Bill Skrabak, Director of Department of Environmental Quality, 301 King Street, Room 3900, Alexandria, VA 22314 outlining his intent. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)

**APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2004-0016**

PROJECT NAME: Lane Development, LLC - 2203 Mill Road

PROPERTY LOCATION: 2203 Mill Road

TAX MAP REFERENCE: 78.02-01-06 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: DSUP Application proposes 2-tower, multi-story residential building with ground floor retail and underground parking with 1.43 acres of open space.

MODIFICATIONS REQUESTED: _____

SUP's REQUESTED: Per Eisenhower East Small Area Plan, increase in AGFA from 395,000 to 474,000 AGFA; increase mechanical penthouse height from 15 feet to 18 feet.; to allow multiple penthouses.

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

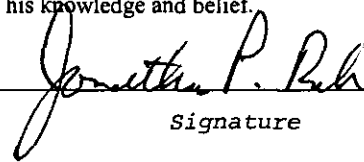
1750 Tysons Boulevard, Suite 1800

Mailing/Street Address

McLean, Virginia 22102

City and State

Zip Code


Signature

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

Telephone #

Fax #

October 4, 2005

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) # 2004-0016

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.

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)*

DSUP Application proposes 2-tower multi-story residential building with ground floor retail and underground parking with 1.43 acres of open space. In addition, the proposal requires:

- Per Section 7-703 of the Zoning Ordinance, a request for increases in height and density to allow for the provision of affordable housing;
- Changes to CDD Development Concept Plan;
- Master Plan Amendment to Eisenhower East Small Area Plan to increase maximum building height from 150 feet to 250 feet;
- SUP to increase AGFA from 395,000 AGFA to 474,000 AGFA;
- SUP to increase penthouse height from 15 feet to 18 feet; to allow multiple penthouses
- TMP; and
- Subdivision Plat for boundary line adjustment and dedication of right of way.

Development Special Use Permit with Site Plan (DSUP) # 2004-0016

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

As normally associated with maximum 485 residential dwelling units and 7,000 s.f. of retail.

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

As required to operate 7,000 s.f. of retail.

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

Day	Hours	Day	Hours
Residential	24/7	Retail	Hours normally associated
			with retail use

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

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

Noise levels will be those normally associated with residential multi-story structure and ground level retail as allowed by code.

- 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:

Odors will be those normally associated with residential multi-story structure and ground level retail as allowed by code.

Development Special Use Permit with Site Plan (DSUP) # 2004-0016

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

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

Trash and garbage will be generated as normally associated with residential and retail uses.

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

As much as is normally associated with residential and retail uses.

C. How often will trash be collected?

As much as is normally associated with residential and retail uses.

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) # 2004-0016

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

N/A

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.

Information to be provided with DSUP #2

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?

Parking requirements are pursuant to Eisenhower East Small Area Plan "Parking Strategy"
- maximum

1.1 space/1,00 GSF of residential 2.0/1,000 GSF of retail/entertainment

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

249 Standard spaces

269 Compact spaces

16 Handicapped accessible spaces.

40 Other. (Visitor)

Development Special Use Permit with Site Plan (DSUP) # 2004-0016

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

N/A

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.

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?

Parking requirements are pursuant to Eisenhower East Small Area Plan "Parking Strategy"
- maximum

1.1 space/1,00 GSF of residential 2.0/1,000 GSF of retail/entertainment

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

249 Standard spaces

269 Compact spaces

16 Handicapped accessible spaces.

40 Other. (Visitor)

APPLICATION FOR:

MASTER PLAN AMENDMENT

MPA # 2005-0005

ZONING MAP AMENDMENT

REZ # _____

PROJECT NAME: Lane Development, LLC – 2203 Mill Road

PROPERTY LOCATION: 2203 Mill Road

APPLICANT Name: Lane Development, LLC

Address: 34 Riverside Drive, Binghamton, NY 13905

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

Address: 34 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., Agent

Print Name of Applicant or Agent

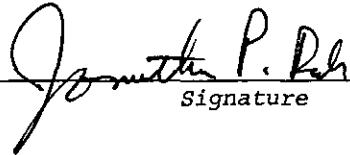
McGuireWoods LLP

1750 Tysons Blvd, Suite 1800

Mailing/Street Address

McLean, VA 22102

City and State Zip Code


Signature

703-712-5411 703-712-5231

Telephone # Fax #

October 4, 2005
Date

FOR CITY STAFF USE ONLY:

Date application received: _____ Fee Paid: \$ _____

Date application complete: _____ Staff Reviewer: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

MPA # 2005-0005
 REZ # _____

SUBJECT PROPERTY:

Provide the following information for each property for which an amendment is being requested.
 (attach separate sheets if needed)

Address Tax Map-Blk-Lot	Land Use Existing / Proposed	Master Plan Designation Existing / Proposed	Zoning Designation Existing / Proposed	Front age (feet)	Land Area (acres)
1 <u>78.02-01-06</u>	<u>Vacant/Multi-Family Residential/ Retail</u>	<u>150 ft./ Max 250 ft.</u>	<u>CDD-2/CDD-2</u>	<u>--</u>	<u>2.903 acres</u>
2 _____	_____	_____	_____	_____	_____
3 _____	_____	_____	_____	_____	_____
4 _____	_____	_____	_____	_____	_____

PROPERTY OWNERSHIP:

Individual Owner

Corporation or Partnership Owner

Identify each person or individual with ownership interest. If corporation or partnership owner, identify each person with more than 10% interest in such corporation or partnership.

1 Name: Michael W. Lane Extent of Interest: 100%

Address: 3348 Laurie Brook Drive, Binghamton, NY 13903

2 Name: _____ Extent of Interest _____

Address: _____

3 Name: _____ Extent of Interest: _____

Address: _____

4 Name: _____ Extent of Interest: _____

Address: _____

MPA # 2005-0005

REZ # _____

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:

Section 7-703 of the Zoning Ordinance allows for increases in height and density as incentives for provisions of affordable housing. Figure 4-9 of Eisenhower East Small Area Plan establishes maximum height for Block 19 as 150 feet. The applicant is requesting an increase in maximum height from 150 feet to a maximum of 250 feet to allow for the provisions of on site affordable housing units.

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:

Request does not require amendment to zoning map. The request is for an amendment to the Eisenhower East Small Area Plan.

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 a conditional zoning approval and proffered conditions.

APPLICATION for CDD DEVELOPMENT CONCEPT PLAN

CDD # 2005-0001

[must use black ink or type]

PROPERTY LOCATION: 2203 Mill Road

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

APPLICANT'S 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

REQUEST: To file concept plan for a development proposal to include 25-story multi-family structure with ground floor retail and underground parking.

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, Esq., Agent

Print Name of Applicant or Agent

McGuireWoods LLP

1750 Tysons Blvd., Suite 1800

Mailing/Street Address

McLean, VA 22102

City and State Zip Code


Signature

703-712-5411

Telephone #

703-712-5231

Fax #

October 4, 2005
Date

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

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

65

APPLICATION for ENCROACHMENT # 2006-0002

[must use black ink or type]

PROPERTY LOCATION: 2203 Mill Road

TAX MAP REFERENCE: 78.02-01-06 ZONE: OCM (100) in CDD #2

APPLICANT'S 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

ENCROACHMENT DESCRIPTION: Entrance Canopy along Port Road, approximately 100 Sq. Ft.

INSURANCE CARRIER (copy attached) See Certificate POLICY # See Certificate
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
Print Name of Applicant or Agent
1750 Tysons Blvd. Suite 1800
McLean, VA

Mailing/Street Address

City and State Zip Code

Jonathan P. Rak
Signature

(703) 712-5411
Telephone # Fax #

April 24, 2006
Date

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

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

ENC 2006-0002

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 4/24/2006
PRODUCER JMB INSURANCE AGENCY, INC. 900 NORTH MICHIGAN AVENUE, SUITE 1500 CHICAGO IL 60611	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED COMMONFUND REALTY, INC. 15 OLD DANBURY ROAD WILTON, CT 06897	INSURERS AFFORDING COVERAGE INSURER A: ZURICH AMERICAN INSURANCE CO. INSURER B: INSURER C: INSURER D: INSURER E:	NAIC #

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	GLO9305302-03	5/1/2005	5/1/2006	EACH OCCURRENCE \$ 1,000,000
		GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

NAMED INSURED: EISENHOWER-LANE CFRI VENTURE LLC
 2203 MILL ROAD (2.97 ACRES VACANT LAND)
 ALEXANDRIA, VIRGINIA

CERTIFICATE HOLDER ADDITIONAL INSURED SOLELY AS RESPECTS TERMS OF THE ENCROACHMENT AGREEMENT BETWEEN NAMED INSURED AND THE CITY OF ALEXANDRIA

CERTIFICATE HOLDER CITY OF ALEXANDRIA 314 KING STREET ALEXANDRIA, VA 22314	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Jane T. Joyce</i>
--	---

17



copy

May 23, 2006

Chairman and Members of the Planning Commission
c/o Department of Planning & Zoning, 2nd floor
301 King Street
Alexandria, Virginia 22314

Dear Mr. Chairman and Members of the Planning Commission:

I am writing on behalf of the Board of Directors of the Eisenhower Partnership to indicate our support for the project by Lane Development LLC for the ATA/Mill Road site. The Partnership has a long history of reviewing site plans for the Valley and providing guidance to developers during the site approval process. In our view, the ATA/Mill Road residential project would be a beneficial addition to the residential community, to the appearance of Eisenhower Avenue and to the Valley overall.

Michael Lane, President and CEO of Lane Development made an in-depth presentation to our Planning and Transportation Committee about the proposed project. The Committee recommended that our Board fully support approval for the project. In particular, the unique design of the residential development which combines both traditional and contemporary elements would be a positive enhancement to Eisenhower Avenue.

The residential population on Eisenhower Avenue is estimated to top 5,000 people. This proposal includes 485 units – condo, rental and affordable housing – and will offer an attractive added choice for consumers looking to reside in the Valley. In addition, the development is adjacent to the Eisenhower metro which is consistent with the desire for increased density near metro stops.

The building will be visible from the beltway and thus its striking design would be a worthwhile addition to the streetscape of Eisenhower Avenue. Further, with construction of the new Mill Road ramp off of the beltway, the ATA/Mill Road development will be a distinctive part of this new gateway to the city.

We urge your favorable consideration of this proposal. In the meantime, if you have questions or need additional information, please contact me. Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Janet R. Gregor".

Janet R. Gregor
Executive Director

Cc: Mark Jinks, Deputy City Manager
Eileen P. Fogarty, Director, Department of Planning and Zoning ✓

68

RESOLUTION NO. MPA 2005-0005

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 for revisions to the text and the figures of the Plan; 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 6, 2006, with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. 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
2. The proposed amendment reflects the Planning Commission's long-range recommendations for the general development of the Eisenhower East Small Area Plan; and
3. 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;

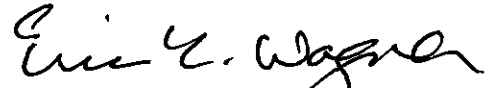
NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

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 the height of the building from 150 to 250 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 6th day of June, 2006.



Eric R. Wagner, Chairman
Alexandria Planning Commission

ATTEST:

Eileen P. Fogarty, Secretary



Docket Item #14A-E

May 23, 2006

Chairman and Members of the Planning Commission
c/o Department of Planning & Zoning, 2nd floor
301 King Street
Alexandria, Virginia 22314

Dear Mr. Chairman and Members of the Planning Commission:

I am writing on behalf of the Board of Directors of the Eisenhower Partnership to indicate our support for the project by Lane Development LLC for the ATA/Mill Road site. The Partnership has a long history of reviewing site plans for the Valley and providing guidance to developers during the site approval process. In our view, the ATA/Mill Road residential project would be a beneficial addition to the residential community, to the appearance of Eisenhower Avenue and to the Valley overall.

Michael Lane, President and CEO of Lane Development made an in-depth presentation to our Planning and Transportation Committee about the proposed project. The Committee recommended that our Board fully support approval for the project. In particular, the unique design of the residential development which combines both traditional and contemporary elements would be a positive enhancement to Eisenhower Avenue.

The residential population on Eisenhower Avenue is estimated to top 5,000 people. This proposal includes 485 units – condo, rental and affordable housing – and will offer an attractive added choice for consumers looking to reside in the Valley. In addition, the development is adjacent to the Eisenhower metro which is consistent with the desire for increased density near metro stops.

The building will be visible from the beltway and thus its striking design would be a worthwhile addition to the streetscape of Eisenhower Avenue. Further, with construction of the new Mill Road ramp off of the beltway, the ATA/Mill Road development will be a distinctive part of this new gateway to the city.

We urge your favorable consideration of this proposal. In the meantime, if you have questions or need additional information, please contact me. Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Janet R. Gregor".

Janet R. Gregor
Executive Director

Cc: Mark Jinks, Deputy City Manager
Eileen P. Fogarty, Director, Department of Planning and Zoning

PC Docket Item(s) # 15 A+B

Case # CDD-2006-0002 + DSUP-2005-0011



"McAllister"
<jandpmcallister@comcast.net>

06/05/2006 12:18 PM

To <pnzfeedback@alexandriava.gov>, "Jacobs, Kendra"
<Kendra.Jacobs@alexandriava.gov>
cc "Smedberg, Paul" <Smedbergpc@aol.com>, "Pepper, Del"
<delpepper@aol.com>, "MacDonald, Andrew"
<Ahmacdonald@his.com>, "Krupicka, Rob"
bcc

Subject Marriott Residence Inn 2345 & 2347 Mill Road Docket
item # 15 A-B Coordinated Development District #2006-0002
(A) Development SUP #2005-0011(B)

To members of the Planning Commission:

I am writing in regard to the proposed changes to the Eisenhower East Small Area Plan, that are being presented to you on Tuesday, June 6, 2006, and to the City Council on June 17, 2006, to accommodate the building of a Residence Inn at 2345 & 2347 Mill Road. When Carlyle Towers was completed there was no indication that anything was to be built on this site. In fact, at a meeting with city representatives, in early 2000, regarding plans for this area, my husband specifically asked about the use of that lot and was told that it would never be built on and would most likely revert back to the city to be used as parkland. It wasn't until EESAP of 2003 that the site was marked to be used for a hotel.

There are significant problems with the Marriott proposal for this site.

First is the sheer size of the project. The property is 35% undevelopable. The proposed building is 27,000 sq. feet larger than stated in the EESAP. This is made possible by trading square footage from lot 17. However, this transfer doesn't make the property any larger, so it makes the size of the building even more inappropriate for the usable space.

Next, set backs (p.11) are significantly less than stipulated in the EESAP, to accommodate floor plate requirements. In addition, the width of the sidewalk (p.12) on Andrews Lane has been reduced. Both of these accommodations would make this oversized building even more looming.

Then there is the problem of parking. There are two numbers listed for parking spaces in the proposal, 127 on p.6 or 112 in Table #1 on p.8. Neither is adequate. There will be 200 guests and 48 employees. I have personally observed parking problems at the Residence Inn on Duke Street. The overflow parking is along the length of Jamieson Avenue between Holland Lane and West Street. This past Saturday, at 8:00 a.m., there were exactly five vacant spaces along the entire length of the street. If Marriott can not provide adequate parking at an existing facility, how is this area supposed to absorb the overflow parking from the proposed hotel?

The request to reduce loading spaces from six to one is not realistic. The report states (p.13) that loading will be possible in front of the building, on Andrew's Lane. This is an active roadway, leading to public use areas, that does not allow parking on either side and backs up to residences. It should not even be considered as an alternate loading area. The entrance and a layby for this proposed hotel would be on Andrews Lane. There is an existing entrance for Carlyle Towers on Andrews Lane, so traffic conflict would be a never ending problem in this area due to the width of the road. The congestion on Andrews Lane could also lead to safety problems, if fire equipment were needed.

Finally, Marriott is bringing nothing to the area, except more people and traffic. There are no public facilities available at the proposed facility.

Staff concludes that there are few appropriate uses for this property and I don't think a hotel is one of them. There have been so many exceptions made to the EESAP in this proposal to accommodate Marriott, that it renders the plan useless.

I think a more appropriate use for this area would be a small park that would provide some much needed green space to this area, where there is none. While I realize this would not produce a rateable for the city it would certainly add to the quality of life not just for the area residents, but also for employees and visitors to the courthouse and other businesses in the area.

Thank you for your time and attention.


Joan McAllister

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 6, 2006

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KENDRA M. JACOBS, SENIOR PLANNING TECHNICIAN 

SUBJECT: STAFF REPORT FOR LANE DEVELOPMENT - ATA SITE
DOCKET ITEM #14 A-B

It has come to our attention that due to a copier malfunction several of the pages in your copy of the staff report for Lane Development(ATA Site) may have contained black and white graphics instead of the intended color graphics. Attached are pages 7-19 containing color graphics. Please note that the text and images on pages 7-19 have not changed.

Thank you.

Attachment

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. McLean, VA 22102

TELEPHONE NO. 7037125411 E-MAIL ADDRESS: jrak@mcleanva.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 for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2004-0016

PROJECT NAME: Lane Development, LLC - 2203 Mill Road

PROPERTY LOCATION: 2203 Mill Road

TAX MAP REFERENCE: 78.02-01-06 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: DSUP Application proposes 2-tower, multi-story residential building with ground floor retail and underground parking with 1.43 acres of open space.

MODIFICATIONS REQUESTED: _____

SUP's REQUESTED: Per Eisenhower East Small Area Plan, increase in AGFA from 395,000 to 474,000 AGFA; increase mechanical penthouse height from 15 feet to 18 feet.; to allow multiple penthouses.

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

Jonathan P. Rak
Signature
(703) 712-5411 (703) 712-5231
Telephone # Fax #
October 4, 2005
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: Recommended approval as amended 6-0 6/6/06
ACTION - CITY COUNCIL: 6/17/06 - CC approved the PC recommendation 6-0