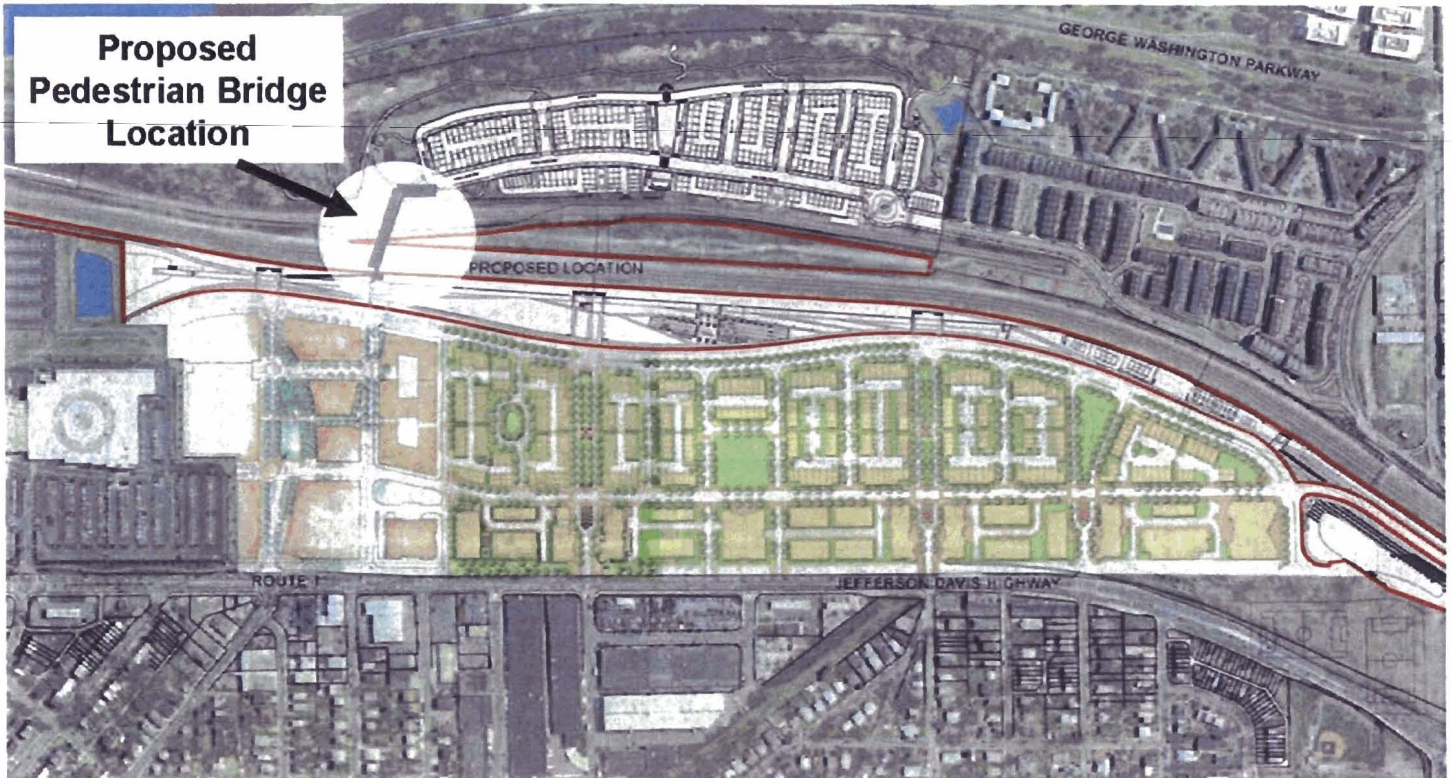


Docket Item #20 A-C

- SUP 2008-0027 Rail Park
- SUP 2008-0028 Pedestrian Bridge
- SUP 2008-0029 Dog Park



Planning Commission Meeting
June 3, 2008

Docket Item #20 A-C

SUP #2008-0027	Rail Park
SUP #2008-0028	Pedestrian Bridge
SUP #2008-0029	Dog Park

Planning Commission Meeting
June 3, 2008

REQUEST: Consideration of approval for a rail park, pedestrian bridge and dog park within Potomac Yard development per CDD#2007-0001.

APPLICANT: Potomac Yard Development, LLC
by M. Catherine Puskar and Duncan Blair, attorneys

LOCATION: Potomac Yard Development
The area bordered by the Arlington County line on the north, Jefferson Davis Hwy. to the east, George Washington Parkway on the west and Braddock Road on the south.

ZONE: CDD #10/Coordinated Development District #10

PLANNING COMMISSION ACTION, JUNE 3, 2008: On a motion by Mr. Jennings, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of SUP #2008-0027, SUP #2008-0028 and SUP #2008-0029 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a 6-0 vote. Mr. Komoroske was absent.

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

Speakers:

Catherine Puskar, attorney, representing the applicant

Poul Hertel, 1217 Michigan Ct., spoke in opposition to the new location of the pedestrian bridge as it doesn't benefit the community of NorthEast and believes that the original use for the Rail Park is still appropriate.

Roland Miesner, a resident of Old Town Greens noted that public access easement to the Rail Park was under dispute and believes that the park is landlocked. He did believe that the pedestrian bridge should move forward and be constructed.

Potomac Yard
Rail Park, Pedestrian Bridge and Dog Park

Amy Slack, Del Ray Land Use Committee, supports the entire proposal, hopes that Potomac Greens will come to accept the Rail Park and its future use, and expressed concern that the proposed dog park should have adequate set back to accommodate the streetscape along Monroe Avenue.

David Fromm, 2307 E Randolph Ave., expressed concern with the October deadline for the completion of the bridge and hoped it would be constructed by the applicant. He supported the dedication of the rail park to the City.

Potomac Yard
Rail Park, Pedestrian Bridge and Dog Park



SUP #2008-0027
SUP #2008-0028
SUP #2008-0029

06/03/08

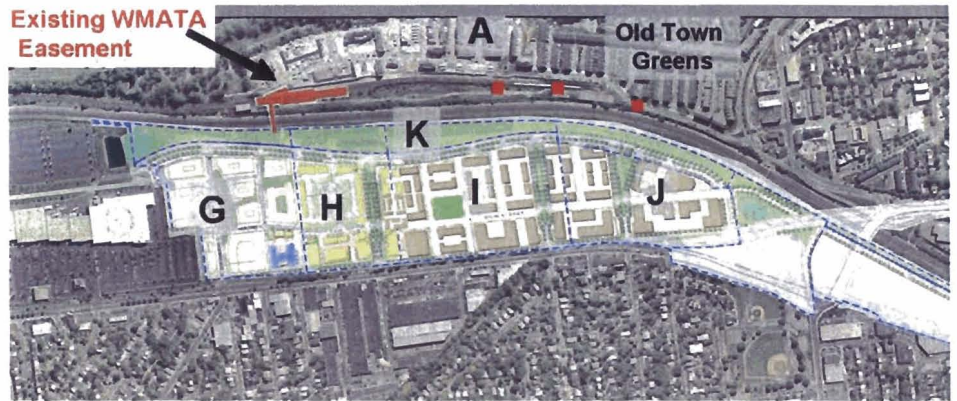


I. BACKGROUND:

Pedestrian Bridge

When the Coordinated Development District (CDD #10) was approved for Potomac Yard, a condition (*condition #15p*) of the CDD approval required the construction of a pedestrian bridge across the rail tracks within 30 days of the approval of 1,000,000 sq.ft. of new development within the CDD. The intent of the pedestrian bridge was to provide a connection between the east side (Potomac Greens and Old Town Greens) with the western portion of Potomac Yard which are separated by metro and railroad lines. The principle of connecting neighborhoods is a fundamental underlying principles of Potomac Yard through the street grid, open space and in this case a pedestrian bridge.

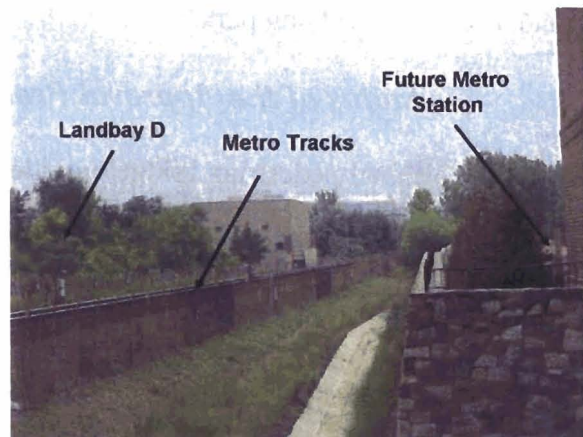
Figure 1:
Ped. Bridge Easements & Metro
(Easements shown as red)



There are four potential bridge locations all of which have easements to accommodate a possible pedestrian bridge, including the WMATA easement. (See *Figure 1.*)

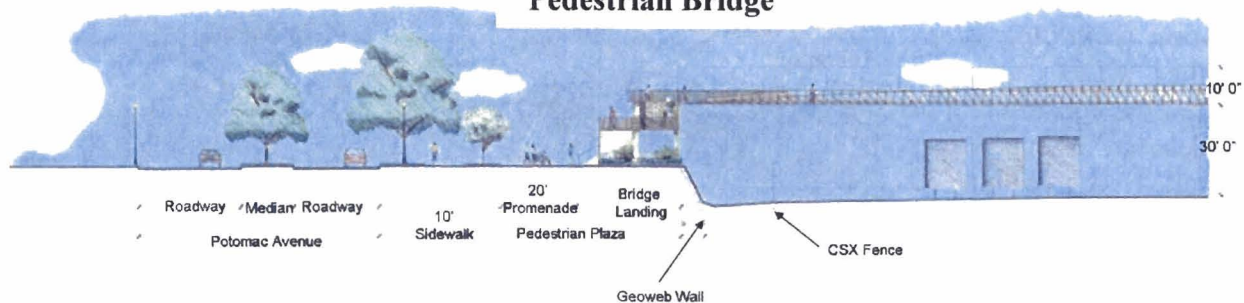
Two of the easements are adjacent to Old Town Greens. As part of the approval of the Potomac Greens development, a third pedestrian bridge easement location. The fourth and final alternative would be within the area reserved for a possible future metro station.

**Figure 2: Existing
Conditions**



The pedestrian bridge was last discussed by the Planning Commission at their December 4, 2003 hearing, which was discussed in conjunction with Rail Park and a possible dog park within Rail Park. The proposed bridge would have connected the eastern and western portion of Potomac Yard by crossing rail lines and accessing Potomac Greens via a surface easement. The proposed bridge would have been approximately 35-40 ft. in height as required by CSX's height clearance standards.

**Figure 3:
Pedestrian Bridge**



Rail Park – Landbay D

The CDD and the Potomac Yard Design Guidelines require the improvement of Rail Park as a dog run with the remainder of the approximately 4.2 acre site remaining as open space. In 2003, pursuant to the CDD requirements and the Potomac Yard design guidelines, the applicant prepared a conceptual plan for Rail Park that consisted of a 3 acre dog park and 1.2 acres of passive open space. The plan was discussed at various community meetings where there was a significant amount of concern from many of the adjoining residents regarding Rail Park and in particular the proposed dog park.

Status of the Approval Process

Because the original pedestrian bridge provided access to Rail Park (across the CSX rail lines), the pedestrian bridge and Rail Park, while technically separate CDD requirements, were coupled together and scheduled for hearings in 2003. Ultimately, the pedestrian bridge and the Rail Park (DSUP#2002-0027) cases were tabled by Planning Commission in March 2003, due to a significant amount of concern raised by many of the adjoining residents of Old Town Greens relating to the proposed dog park use, parking, traffic, pedestrian access to the bridge and the proposed scale and visual impact of the proposed bridge. After the 2003 deferral, the applicant and staff worked with the adjoining community groups to discuss potential options for the location and configuration of the pedestrian bridge and Rail Park without much agreement on whether the bridge should be constructed or where the bridge should be constructed. In additional discussions with the community, there has not been any consensus on the potential use of Rail Park as a public park-open space or the appropriate location for a pedestrian bridge.

CDD Amendment

In late 2007, the applicant and staff realized that the trigger for the pedestrian bridge would be reached some time in early 2008 due to the construction of Potomac Plaza, Potomac Greens, and the pending final site plan approvals for Landbays H and I. Reaching the 1,000,000 sq.ft. trigger without the construction of the pedestrian bridge would result in a violation of the CDD conditions. Although the applicant and staff had been diligently working to address the numerous comments from the various stakeholders, a consensus could not be reached regarding the bridge location.

As a way to allow additional time to work with the community and address the CDD requirement, staff recommended that the trigger be amended to require submission of a bridge proposal to the City by March 2008. The amended condition also provided that if a location of the bridge has not been selected by the City by October 2008, the applicant could make a monetary contribution to the City equivalent to the design and construction of the pedestrian bridge. Planning Commission and City Council approved this amendment unanimously in December 2007 (CDD Concept Plan Amendment # 2007-0001).

II. PROPOSAL:

Rather than constructing a pedestrian bridge and improving Rail Park as initially proposed in 2003, the applicant, Potomac Yard Development, LLC (PYD) now proposes to fulfill their obligations for construction of a pedestrian bridge and construction and dedication of Rail Park by providing the following:

- Construction a pedestrian bridge to the north of Potomac Greens at the area reserved for a future metro station;
- Dedicate Rail Park to the City; and
- Design and construct a 0.91 acre dog park on Monroe Avenue combining PYD and existing right-of-way.

Figure 4: Illustrative Plan



Pedestrian Bridge at Metro Station Reservation

The applicant is proposing to locate the pedestrian bridge at the WMATA metro station reservation with a touchdown in Landbay K – Potomac Yard Linear Park, and a touchdown near Potomac Greens Park. The proposed bridge will span approximately 250 feet providing pedestrian and bicycle connectivity between the east and west sides of Potomac Yard. The bridge, because it would be required to span both rail lines, would be approximately 100 feet longer than the bridge previously proposed in 2003 which was farther south and landed within Rail Park.



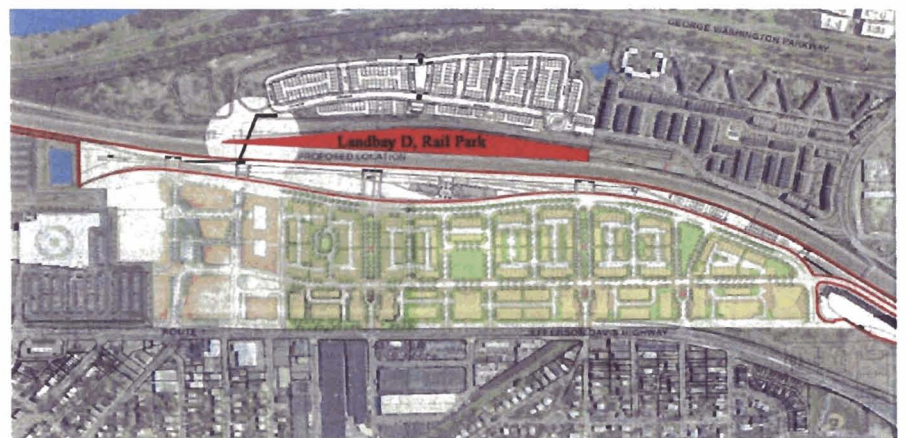
Figure 5: Bridge at Capital Crescent Trail

The proposed bridge would be an unobstructed 10-foot wide metal truss bridge with a concrete deck, similar in style to the pedestrian bridge for the Capital Crescent Trail near Georgia Avenue. For comparison purposes this pedestrian bridge that spans the beltway is approximately 160 feet clear span and 200 feet total span.

Acknowledging the City’s desire to provide possible public access to the Rail Park (Landbay D) at a later date from the bridge, the bridge will be designed to accommodate a future access to the Rail Park.

Dedicate Rail Park to the City

The applicant proposes to dedicate approximately 3 acres within Landbay D to the City as required by the CDD, with the understanding that the use of the landbay would be determined by a future community process. The public access easement¹ over Old Town Greens common area from Potomac Greens Drive to Rail Park will be included in the transfer. The applicant is also proposing to include the 1.2 acres in the northern portion of Landbay D that is not required per the conditions of the CDD approval.



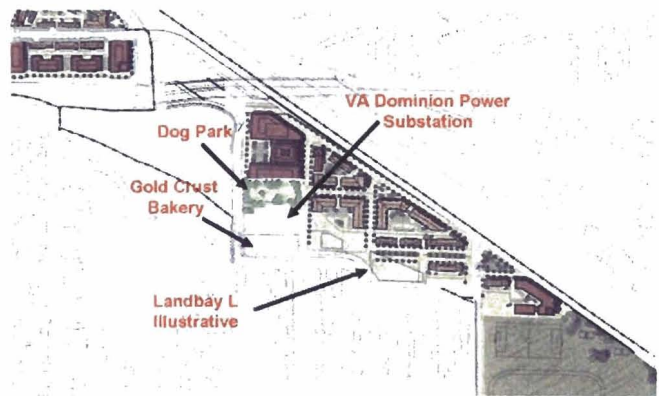
**Figure 6:
Rail Park**

¹ Public Access Easement, Ingress Easement for Maintenance and Temporary Access Easement for Construction granted by Slater’s Village, LLC to Crescent Potomac Yard Development, LLC in 1999

Therefore, the applicant is proposing to dedicate 4.2 acres to the City as part of this proposal. According to the proposal, the southern 3 acres of the Rail Park will be capped with 2 feet of clean material and seeded and mulched, while the northern 1.2 acres, which is a delineated wetland, will be left undisturbed. The open space in Rail Park will not be programmed in the interim period pending additional community input and subsequent Planning Commission and City Council review and approval.

Dedicate and construct a 0.91 acre dog park on Monroe Avenue.

Rather than constructing a dog park within Rail Park as initially envisioned by the Potomac Yard CDD and Design Guidelines, the applicant is proposing a 0.91 acre dog park within Landbay L, which would be coordinated with the adjoining Dominion Power substation. The area, proposed to be set aside at Monroe Avenue, across from Simpson Fields, would have a cumulative size of approximately 0.91 acre. The area is a combination of 0.66 acre of land in Landbay L and 0.25 acre of the Monroe Bridge right-of-way that will be vacated when the new Route 1 Bridge opens. The 0.66 acre in Landbay L would be part of the developer's dedicated open space requirements for Landbay L.



**Figure 7:
Dog Park**

III. STAFF ANALYSIS:

Staff has worked with the community and the applicant to address issues raised by the community. In the case of the pedestrian bridge and Rail Park, despite attempts by staff and the applicant throughout the process, these issues have not reached general agreement within the community. There have been strong sentiments supporting and opposing various options and locations for the pedestrian bridge and Rail Park. There are many valid concerns raised by various community groups and the Potomac Yard Urban Design Advisory Committee (PYDAC), and staff has worked to address these issues through the current proposal and staff recommendations. Staff supports the location of the pedestrian bridge at the northern portion of Rail Park (within the WMATA easement area) and the proposed Monroe Avenue dog park because it accomplishes several goals including:

- Locating the proposed bridge farther away from existing or proposed townhouses;
- Maintaining an east-west pedestrian connection between the sixteen (16) acre Potomac Greens Park and the Potomac Yard Town retail center;
- Continuing to maintain possible future access from the bridge to Rail Park;

Potomac Yard
Rail Park, Pedestrian Bridge and Dog Park

- Creation of the proposed dog park on Monroe Avenue that will serve residents of Potomac Yard, Del Ray and Northeast, albeit at a smaller size than originally proposed within Rail Park;
- Dedication of the 4.2 acre Landbay D to the City. Future improvements to Rail Park will be the responsibility of the City, and reviewed through the community process.

The proposed east landing location is approximately 60 feet from the nearest townhouse. This location incorporates open space between the proposed bridge and the adjoining street and townhomes to enable a physical or landscaped buffer between the bridge and the street. Additionally, staff has recommended reconfiguring the eastern landing of the pedestrian bridge to increase the setback from the adjoining townhomes from 60 to 140 feet. The proposed staff revision would enable the ramp to be oriented towards in a north-south direction so that the narrow end of the ramp is oriented towards the street and townhouses and the longer length of the ramp is oriented towards the open space-park required as part of the Potomac Greens development. Staff believes the location, setback, orientation and opportunity for landscape screening will minimize the visual impacts on the adjoining street at the eastern landing.

Figure 8 Proposed Ped. Bridge Landing

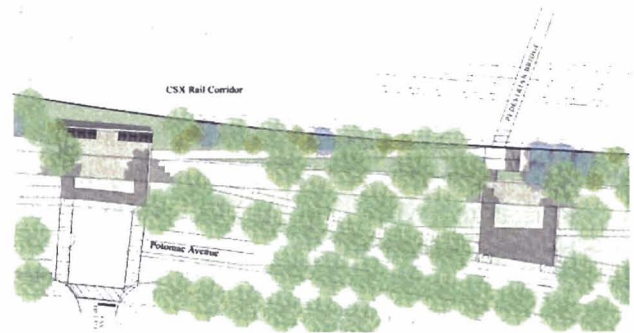


Figure 9: Staff Recommended Ped. Bridge Landing

The western landing location of the bridge is coordinated with the proposal for Landbay K, as well as the Town Center, Landbay G. The western landing will be integrated with Landbay K as generally depicted here. The bridge span will connect to Landbay K at one of the belvederes and provide pedestrian and bicycle connections to the park and the Town Center.

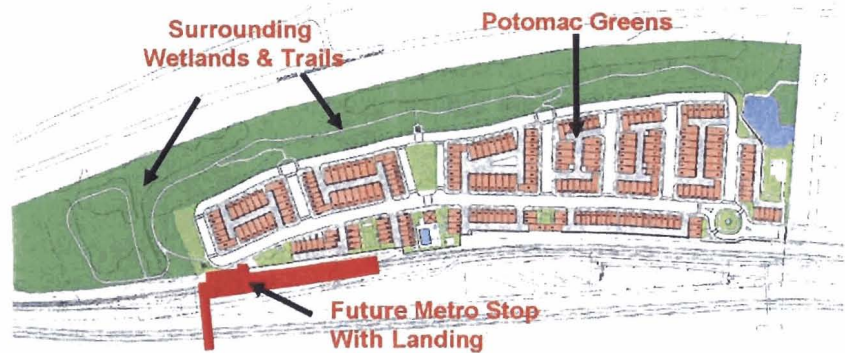
Figure 10: Ped. Bridge Landing in Landbay K

Providing a pedestrian bridge will not only connect the eastern and western portions of Potomac Yard, the proposed bridge will enable the residents of Potomac Yard to utilize the recently completed trail, wetland and open space within Potomac Greens Park. This park, notwithstanding the park proposed for Landbay K, will be the largest park within the development and the only entirely passive park within Potomac Yard. Based on the expected increase in population of 2,000 to 2,900 residents within Potomac Yard at full build-out this park will be a needed amenity which will be inaccessible without the provision of a pedestrian Bridge. In



addition, the bridge will enable residents within Old Town Greens, Potomac Greens and Northeast on the eastern portion of the site to access the Town Center, Landbay G, on the western side of the railroad corridor.

Figure 11: Potomac Greens & Surrounding Context



While staff supports the proposed pedestrian bridge landing, there are tradeoffs with the proposed northern location. The pedestrian bridge will be located farther away from neighborhoods such as Northeast that could potentially use the bridge. In addition, the proposed bridge would be located in the area that has been reserved for a possible future metro station.

Integrating the pedestrian bridge with a future metro station

One of the concerns raised by locating the proposed pedestrian bridge farther to the north is that the bridge would be located within the metro station reservation. Ideally, the pedestrian connection would occur as part of a metro station rather than a separate bridge similar to the Vienna metro station. However, the feasibility, construction and funding of a potential metro station is something that will be need to be discussed as part of the upcoming Potomac Yard planning process which is currently scheduled to begin in Winter 2009. Because of the extensive size of the existing retail center (approximately 69 acres) and the associated increase in density, affordable housing, appropriate mix of uses, transit and the metro discussion, staff anticipates that it would take 18-24 months to complete the Potomac Yard study. Therefore any redevelopment of the retail center as part of the planning and rezoning process is quite some time away. Any future metro station assuming it would take numerous years beyond the current consideration of the pedestrian bridge. While less than ideal, staff is recommending approval and construction of the pedestrian bridge within the WMATA easement. While the ramping of pedestrian may interfere with a future metro station, staff believes that the bridge can be design in a manner to be compatible with a future metro and provide pedestrian access for current residents and future residents until or if a future metro station is constructed.

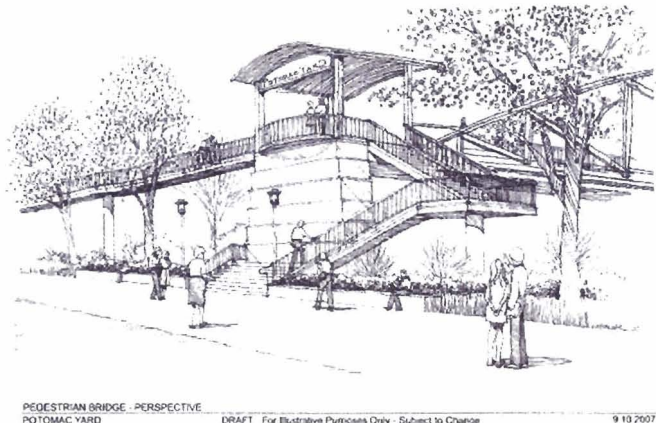
Design of the Pedestrian Bridge

Regardless of where the pedestrian bridge is located it will be a long (approximately 250 ft.) and tall (approximately 40 ft.) structure and it is critical that the pedestrian bridge be integrated into the Potomac Greens Park on the east side and the proposed Landbay K park on the west side. In reviewing possible design approaches, staff encouraged the applicant to explore design approaches that would reinforce the industrial and railroad heritage of Potomac Yard. This discussion led to the design approach of a railroad trestle and using a similar industrial approach through the use of a truss bridge. This bridge will be similar in design to the Capital Crescent Trail Bridge. The design of the bridge will be coordinated with CSX and WMATA to ensure the safety of all people and trains. In addition, the security requirements can be achieved while maintaining a transparency to ensure surveillance from afar and improve safety for bridge users and the rail lines. Lighting is another important aspect of the pedestrian bridge. It will complement the final design, contribute significantly to the visual quality and enhance the pedestrian experience, while making the bridge safe for bike and pedestrian traffic after nightfall.

Figure 12: Example of Bridge Ramping



Figure 13: Conceptual Design of Proposed Ramping for Landbay K



CSX requires a minimum of 25' of vertical clearance between the railway tracks and the bottom of the pedestrian bridge. In keeping with the City's policy of making every public facility ADA compliant, this substantial height necessitates a lengthy system of ramps on both sides of the tracks. On the western side at the Potomac Yard Linear Park (Landbay K), stairs are provided at its landing site at a plaza between East Glebe Road and Swann Avenue. A single span ramp with periodic landings will be provided, which terminates at the plaza at East Glebe Road. On the eastern side, at Potomac Greens, the bridge lands at the City's metro reservation site. Due to the shape and size of the reservation, a switchback system of ramps has been proposed at this location.

One of the primary concerns regarding the ramps is their integration into the landscaping at their landing points. On the western side, the ramps shall be compatible with the proposed design for Landbay K. On the Potomac Greens side, the area is part of a 17-acre park that includes passive green space and interpretive trails through wetlands to the north and east.

Integration of the Pedestrian Bridge with Landbay K

Throughout the initial design process for the pedestrian bridge, the applicant has worked closely with staff to coordinate with Landbay K (DSUP2006-0013). Connectivity is a major component in both initiatives and integration of the bridge, and bridge landing, in Landbay K has been carefully considered. The bridge connections in Landbay K will be coordinated with the subject preliminary plan. The applicant has addressed circulation patterns and connections, location and vertical integration of the bridge and landings, and treatment of both hardscape and planting materials, each of which have been conditioned in this application.

Design and operation of the Monroe Avenue dog park

To address the CDD requirements for Rail Park, the applicant is proposing to dedicate land and construct a dog park on Monroe Avenue in addition to dedicating 4.2 acres in Landbay D. Specific elements such as the design and phasing of the proposed park will need to be addressed in Final Design, and staff supports the proposal. Staff will continue to work with the applicant to design the dog park according to the standards set forth in the Dog Park Master Plan.

Since the proposed Dominion Virginia Substation will be set back 50' from Monroe Avenue, staff recommends a similar setback for the fencing for the dog run. The use of berms, shrubbery and other landscape features are encouraged along the Monroe Avenue frontage to screen the fence and the utilitarian function of the park. The sidewalk and street trees on the south side of Monroe Avenue will be constructed per the Route 1 Bridge approval.

**Figure 14:
Dog Park**



a. *Hours of Operation*

The park shall be open to the public according with Section 6-1-1 of the City Ordinance governing the hours of operation in public parks and playgrounds.

b. *Parking*

On-street parking is available along Monroe Avenue for dog park users from the northeast and other parts the City that currently drive to the Simpson Fields dog park. Staff will require the applicant to complete a parking study to ensure that all future parking needs will be met by the Monroe Avenue on-street parking, and

recommend parking alternatives should on-street resources be found to be inadequate.

c. Existing dog run in Simpson Fields

A number of community members have expressed concerns that the proposed dog park will replace the existing dog park in Simpson Fields. The City currently has no intentions of eliminating the Simpson Fields dog park, and the proposed dog park will serve the community in addition to the existing dog park.

Conveyance of the Rail Park and Dog Park – Phasing

Upon completion of construction within Rail Park and acceptance of the pedestrian bridge, Rail Park (including the northern 1.2 acres) shall be dedicated to the City. Once the land is dedicated, the City will be responsible for programming and improving the site, subject to a full community process. Construction of the dog park in Landbay L will be completed prior to the acceptance of the applicable phase of Landbay K. It will be dedicated and opened to the public upon acceptance by the City.

IV. COMMUNITY

Since the approval of the revised conditions 15 (p) and 15 (r), the staff and the applicant have discussed this proposal with the community at length at the following public meetings.

Potomac Yard Design Advisory Committee (PYDAC): On December 12, 2007, PYDAC unanimously passed a motion that they “support(s) the bridge location and conceptual design and integration into Landbay K and Potomac Greens.” Additionally, on a motion that passed on a 6-2 abstain vote, “PYDAC supports the City’s requirement that the bridge will accommodate the capability to access Landbay D”. Minutes from the PYDAC Meeting are attached as Attachment 4.

Del Ray Land Use Committee (DRLUC): At the Del Ray Land Use Committee’s meeting on January 10, 2008, members said they were supportive of the location and design for the bridge. They would also like to ensure that the bridge would accommodate the capability to add a touchdown at Landbay D (Rail Park), if so desired in the future. In addition, members stressed that they would prefer these improvements to be provided by the Applicant rather than a monetary contribution.

Northeast Community: At the January 30, 2008, the community expressed concerns that steps were being allowed for the western landing of the pedestrian bridge at Landbay K, when stairs had not been allowed to connect Monroe Avenue to Route 1. The community was supportive of the enhanced connection to the Town Center and suggested that bike lanes and “sharrows” be considered for Potomac Greens Drive. Regarding the new dog park, community members voiced concerns about screening and the frontage along Monroe Avenue. They were also concerned about the adequacy of parking for dog owners who would drive over from Northeast to the new dog park.

V. CONCLUSION

Staff recommends **approval** of the northern location of the pedestrian bridge adjacent to the future Metro station, the dedication of Landbay D to the City and the dedication and construction of the dog park within a portion of Landbay L with recommended conditions.

Staff: Faroll Hamer, Director, Planning and Zoning;
Jeffrey Farner, Deputy Director, P&Z
Patricia Haefeli, Principal Planner, P&Z;
Mathew North, Urban Planner I, P&Z; and
Beth Carton, Park Planner, RP&CA.

LIST OF ATTACHMENTS

- Attachment 1:** Pedestrian Bridge Location
- Attachment 2:** Steel Truss Bridge Photos
- Attachment 3:** Proposed New Dog Park
- Attachment 4:** PYDAC Minutes from December 12, 2007
- Attachment 5:** City Alternative for ramp layout
- Attachment 6:** Schematic Design of the Proposed New Dog Park

IV. STAFF RECOMMENDATION

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions from the previous approval (DSP 2005-0008):

PEDESTRIAN BRIDGE

1. The design and materials of the bridge and approaches shall:
 - a. Be designed to recall the historical influence of the railroad through self-weathering steel or non-painted aluminum in a color to be determined with staff and be a full box truss, loaded for Cushman/gater vehicle traffic, subject to the requirements of CSX and WMATA, and approved by the City.
 - b. Pedestrian Bridge shall be constructed of a premanufactured modular system, such as manufactured by ConTech, Steadfast, Continental or a City approved equal.
 - c. Include a full frame constructed of self weathering steel or non-painted aluminum in a color to be determined with Staff.
 - d. Include ADA compliant ramps constructed of reinforced concrete deck that possess continuous live/dead load capability to match the bridge deck.
 - e. Provide stairs on the west side of the pedestrian bridge in addition to the ADA compliant ramps.
 - f. If concrete, support piers, bulkheads and vertical approach structures shall have a masonry formliner finish with additive color similar to the retaining walls in Landbay K.
 - g. Limit the visibility of the required CSX and WMATA mesh by using galvanized chain link. It shall be designed to be as transparent as possible, while still conforming to the rail line's requirements.
 - h. Have steel or non-painted aluminum, in a color to be determined with Staff, trusses that extend up to the entire height of the bridge with no portion of the required mesh projecting higher than the trusses.
 - i. Provide decorative lighting for illumination and pedestrian safety throughout the evening hours. Lighting shall be City approved vandal resistant security lighting for the bridge span and approaches. Lighting details shall be submitted to the City for review and approval subject to the requirements of CSX and WMATA.
 - j. Be designed to provide required clearances over the CSX rail and Metro corridor.
 - k. Have ten (10) feet unobstructed continuous travelway with 15 foot turn radii at directional changes, exclusive of handrails, metal fabrications, fences, joints and other appurtenances as approved by the City.
 - l. Provide removable decorative entrance bollards at ramp/approach entrances.
 - m. Be designed to accommodate a possible future connection by others to Landbay D.
 - n. Shall be designed to be in general conformance with "Staff's Recommended Pedestrian Bridge Landing" as it appears within the staff report. The applicant will work with staff to ensure that this design does not encroach into the RPA.
2. Construction of the bridge shall be coordinated with the construction of the adjacent portion of Landbay K.(P&Z)

3. The bridge shall be dedicated to the City via an aerial easement, subject to WMATA and CSX approval, upon completion of the bridge and the first phase of Landbay K. Upon acceptance by the City, the performance bond will be returned and replaced with a maintenance bond which shall run for one year for defects in materials and workmanship. The applicant shall be responsible for maintenance of the bridge until accepted by the City. No public use of the bridge shall be permitted until accepted by the City. (P&Z)
4. All work as outlined in the project conditions shall be in general compliance with the Proposal for Rail Park and the Pedestrian Bridge submitted by the applicant and dated January 22, 2008. (RP&CA)
5. The applicant is required to provide as built drawings of the bridge and associated construction, indicating its location in Landbays K, D and A. (P&Z) (RP&CA)
6. The applicant shall be solely responsible for submitting, obtaining and/or maintaining all easements, construction access permits, dedication plats, documentation and permissions to work in areas associated with the rail corridor.
7. The applicant shall provide \$1,000 per trash receptacle to the Director of T&ES for purchase and installation of two trash cans at the entrance and exit points to the bridge as approved by the Directors of RP&CA and T&ES. (T&ES)
8. To ensure that significant information is not lost as a result of the current development project, the applicant shall hire an archaeological consultant to complete an Archaeological Evaluation of the portions of Landbay K and Landbay L where construction disturbance will penetrate the historical land surfaces, as delineated in the draft Resource Management Plan for the entire project area that was prepared by Thunderbird Archaeology in November 2007. In Landbay D, an archaeological evaluation shall also be required if ground disturbance will penetrate the layers of fill that extend to depths of from 5 to 15 feet below ground surface. The applicant shall hire a consultant to prepare a scope of work for this investigation. The scope shall be subject to approval by Alexandria Archaeology. If significant resources are discovered, the consultant shall complete a Resource Management Plan specific to each landbay, as outlined in the City of Alexandria Archaeological Standards. Preservation measures presented in the Resource Management Plans specific to each landbay, as approved by the City Archaeologist, shall be implemented.
9. All required archaeological preservation measures shall be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance) or a specific Resource Management Plan for each affected portion of the landbays must be in place to recover significant resources in concert with construction activities. To confirm, call Alexandria Archaeology at (703) 838-4399.

10. All archaeological preservation measures shall be completed by the developer prior to the transfer of these properties to the City to the satisfaction of the City Archeologist.
11. Per the requirements of the City of Alexandria Zoning Ordinance Article XI the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the project. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development storm water flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
12. The storm water collection system is located within the Potomac River watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)
13. "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."
14. The applicant shall provide documentation regarding the source of onsite wetland delineation and a description of any actions to be taken to minimize and/or mitigate the impact of the development on existing wetlands as required by Article XIII of the City of Alexandria Zoning Ordinance. (T&ES)
15. Applicant shall comply with Article XIII, Environmental Management Ordinance; Erosion and Sediment Control regulations; and all plot plan requirements. Applicant shall be advised that there are Bond, installation and certification requirements, as well as Maintenance Agreement and signage requirements associated with Best Management Practices and the systems they tie into.

LANDBAY D - RAIL PARK

16. An American and Land Title Association survey of Landbay D will be provided to the City. The property will be conveyed to the City upon dedication of the pedestrian bridge.
17. In compliance with the Soils Management Plan for Potomac Yard, developed by the City in conjunction with the Virginia Department of Environmental Quality and based on the Summary of Environmental Documents prepared by ECS, PYD shall place an additional two foot cap of clean material on the existing grade on the southern portion of Rail Park. Upon capping, PYD will seed and mulch the capped area with a mixture approved by the

City. The northernmost 1.2 acres of Rail Park will not be capped and shall remain undisturbed except for construction of the bridge pier.

NEW DOG PARK IN LANDBAY L

18. The design and grading of the dog park shall be coordinated with adjacent projects including the Route 1 Infrastructure Plan, Landbay L and the Potomac Yard Virginia Dominion Substation. There will be no public use of the park until it is accepted by the City. The applicant's obligation to construct the dog park is contingent upon the City providing evidence of its ownership and/or applicable easements of the land adjacent to Landbay L to be included in dog park.
19. Construction of the dog park shall be completed prior to the City's acceptance of Landbay K. The dog park shall be dedicated to the City upon acceptance by the City. Upon acceptance by the City the performance bond will be returned and replaced with a maintenance bond which shall run for one year to cover defects in materials and workmanship.
20. The proposed New Dog Park will count towards but does not fulfill all of the open space/neighborhood park requirements for Landbay L. Additional open space shall be required to meet applicable Potomac Yard Urban Design Guideline open space requirements
21. The applicant shall provide a potable water source, meter, backflow prevention device, and service connections for irrigation, maintenance and water drinking fountain to the site.
22. Coordinate location of site utilities with other site conditions on the applicant's property to the satisfaction of the Directors of RP&CA, P&Z and T&ES. These items include:
 - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
 - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.
23. Develop, provide, install and maintain until dedicated an integrated Landscape Plan that is coordinated with other associated site conditions to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services. At a minimum the Landscape Plan shall:
 - a. Be prepared and sealed by a Landscape Architect certified to practice in the Commonwealth of Virginia.
 - b. Provide plantings throughout the site. Plantings shall include a simple mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees, groundcovers and perennials that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.

- c. Ensure positive drainage in all planted and turf areas.
 - d. Provide the following notes on drawings:
 - i. "Specifications for plantings shall be in accordance with the current and most up to date edition of ANSI-Z60.1 at time of plot plan approval, The American Standard for Nursery Stock as produced by the American Association of Nurserymen; Washington, DC."
 - ii. "In lieu of more strenuous specifications, all landscape related work shall be installed and maintained in accordance with the current and most up-to-date edition (at time of plot plan approval) of Landscape Specification Guidelines as produced by the Landscape Contractors Association of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland."
 - iii. "Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled and held with the City's Arborist and Landscape Architects to review plant installation procedures and processes."
 - iv. "As-built drawings for this landscape and irrigation/water management system will be provided in compliance with City of Alexandria Landscape Guidelines. As-built drawings shall include clear identification of all variation(s) and changes from approved drawings including location, quantity, and specification of project elements."
24. Site furnishings shall include City standard benches, bicycle racks, trash receptacles, and a drinking fountain.
25. Provide an exhibit that demonstrates open space requirements.
- a. Provide pre-development and post-development calculations.
 - b. Provide a narrative that demonstrates compliance with Potomac Yard Urban Design Guidelines.

CONTAMINATED LAND

26. The plot plan shall not be released, and no construction activity shall take place until the following has been submitted for the subject property and approved by the Director of T&ES:
- a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
 - b. Submit a Risk Assessment indicating any risks associated with the contamination.
 - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. "Clean" backfill shall be used to fill utility corridors.

- d. 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. Special care shall be taken to include depths as required by archeological work. Applicant shall submit 5 copies of the above. The remediation plan must be included in the Final plot Plan. (T&ES)
27. The applicant shall perform all environmental testing and complete all remediation work on the subject property in compliance with all Virginia Department of Environmental Quality and Alexandria Department of Environmental Quality requirements prior to dedication and acceptance by the City.
28. Plan does not indicate whether or not there is any known soil and groundwater contamination present as required with all preliminary submissions. Should any unanticipated contamination, underground storage tanks, drums or containers be encountered on the applicant's property, the applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)

AIR POLLUTION

29. "Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked." (DEQ)

STREETS/TRAFFIC

30. A Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging shall be submitted to the Director of T&ES along with the Building Permit application. (T&ES)
31. 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)
32. Provide all pedestrian and path finding signage in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)

UTILITIES

33. All private utilities shall be located outside of the public right-of-way and public utility easements. (T&ES)
34. Show all existing and proposed public and private utilities and easements and provide descriptive narration of the various utilities. (T&ES)

35. Applicant shall underground all the utilities serving the applicant's property which are subject to this application. (T&ES)

CONSTRUCTION

36. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the plot plan. (DEQ)
37. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owners 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. (DEQ)
38. 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, RP&CA, and Code Enforcement prior to the issuance of a grading/building permit. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with the liaison committee to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. (T&ES)
39. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, RP&CA, and T&ES. (T&ES)

MISCELLANEOUS

40. Provide a lighting plan with the plot plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES & P&Z, and RP & CA in consultation with the Chief of Police and subject to CSX and WMATA approval and shall include the following: (RP&CA) (P&Z) (T&ES) (Police)
- i. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information;
 - ii. A lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - iii. Manufacturer's specifications and details for all proposed fixtures

Potomac Yard
Rail Park, Pedestrian Bridge and Dog Park

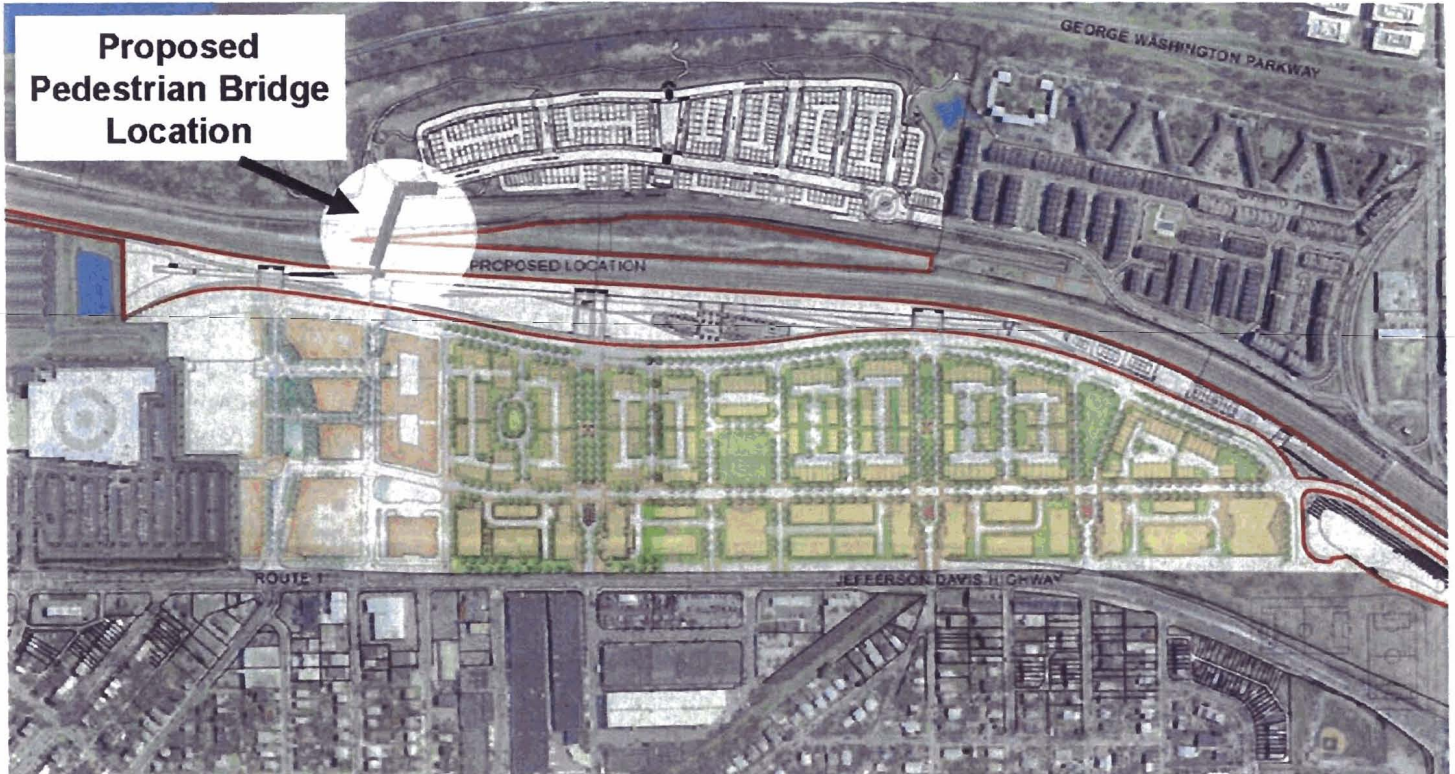
- including site, landscape, pedestrian, sign(s), and security lighting.
- iv. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all the adjacent streets and/or 20 feet beyond the property line on all adjacent properties, and right-of-way. Show existing and proposed street lights and site lights.
 - v. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights and minimize light spill into adjacent residential areas.
 - vi. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - vii. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - viii. The lighting for the areas not covered by the City of Alexandria's standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - ix. Provide numeric summary for various areas (i.e., roadway, walkway/sidewalk, alley, and parking lot, etc.) in the proposed development.
 - x. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties.
 - xi. The lighting for the bridge shall remain on throughout the night.

CITY DEPARTMENT COMMENTS

Transportation & Environmental Services

- C- 1 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C- 2 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- 3 The applicant must comply with the approved Master Stormwater Quantity Plan and Article XIII of the City of Alexandria Zoning Ordinance.
- C- 4 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- 5 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 plot plan. This includes the state requirement for a VSMP permit for land disturbing activities greater than 2500 SF.
- C-6 All downspouts must be connected to a storm sewer by continuous underground pipe or discharge to an adequate outfall.
- C-7 Plan shall comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control.
- C-8 Provide a phased erosion and sediment control plan consistent with grading and construction plan.
- C-9 Per the Memorandum To Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with Potomac Yard Development, LLC, it has been determined that site survey work and plans will need to be prepared using the current Potomac Yard coordinate system and as-builts will be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (Site Plans)

Attachment 1

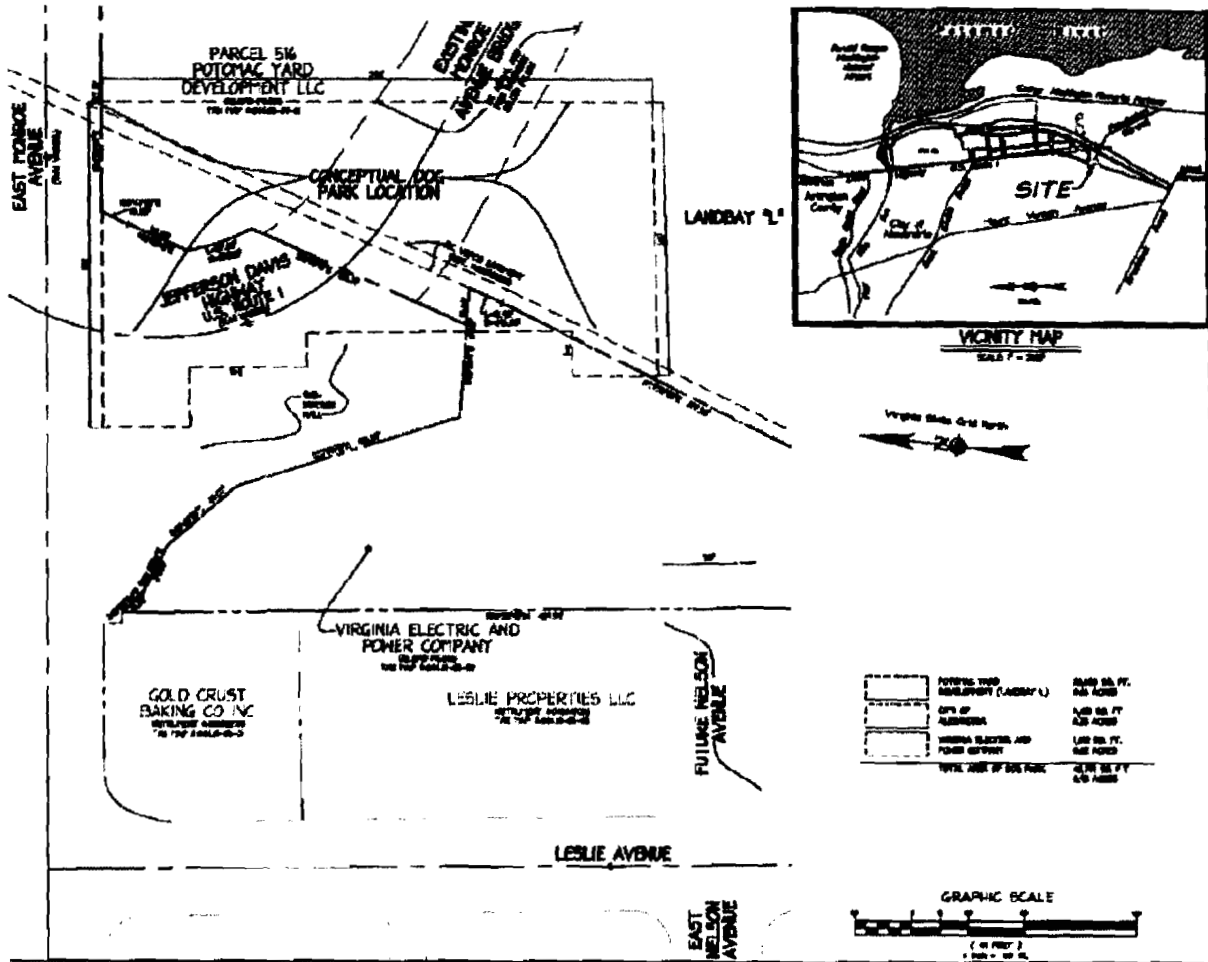


Attachment #2



- C-10 Bond for the public improvements must be posted prior to release of the plan.
- C-11 Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan.
- C-12 All easements and/or dedications must be recorded prior to the acceptance of the City.
- C-13 All utilities serving this site shall be place underground on the subject properties of this application.
- F-1 Since the record drawings, maps, and other documents of the City of Alexandria, State, and Federal agencies show the true north pointing upwards, therefore, the plot Plan shall show the true north arrow pointing upward as is customary; however, for the sake of putting the plan together and/or ease of understanding, the project north arrow pointing upward, preferably east, or west may be shown provided it is consistently shown in the same direction on all the sheets with no exception at all. The north arrow shall show the source of meridian. The project north arrow pointing downward will not be acceptable even if, it is shown consistently on all the sheets. (T&ES)
- F-2 The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F-3 Include all symbols, abbreviations, and line types in the legend. (T&ES)

Attachment # 3



Attachment 4

MEETING SUMMARY

The Potomac Yard Design Advisory Committee (PYDAC)
December 12, 2007
7:30 – 9:30 pm
Room 1101, Sister Cities Conference Room, City Hall

Committee Members in Attendance:

Bill Hendrickson, Chair
Susanne Carnell
Joe Hart
Stephen Koenig
Sandy Modell
Catherine Moore
Maria Wasowski
Teri Webster

Excused Absences:

Sylvia Sibrover

Other:

Lauren Huneke, Potomac Greens HOA
Duane Hale, Potomac Greens HOA

City Staff:

Jeff Farner, P&Z
Raka Choudhury, P&Z
Matthew North, P&Z
Aimee Vosper, RP&CA
Monk Askew, Consultant, MONK LLC

Applicant Representatives:

Nathan Imm, EDAW
Raffael Scasserra, Gensler
Stephen Collins, PYD
Kevin Hall, PYD
Jon Lindgren, PYD
Cathy Puskar, WCLEW
Megan Shilling, WCLEW

AGENDA ITEMS

- Landbay G Concept Presentation
 - a. Update
 - b. Architectural Language
- Pedestrian Bridge across Rail Tracks
- Approval of PYDAC Meeting Minutes from November 14, 2007

CALL TO ORDER

Bill Hendrickson opened the meeting discussed the meeting agenda.

PRESENTATION AND DISCUSSION

Raffael Scassera from Gensler presented an update to the Landbay G plan, which was followed by a brief discussion. Following that, Nathan Imm from EDAW presented the Pedestrian Bridge across the Rail Tracks.

DISCUSSION

Landbay G:

1. Members emphasized again the importance and opportunity for LEED Certification or comparable recognition for green buildings and neighborhood development in Landbay G.

Pedestrian Bridge over Rail Tracks:

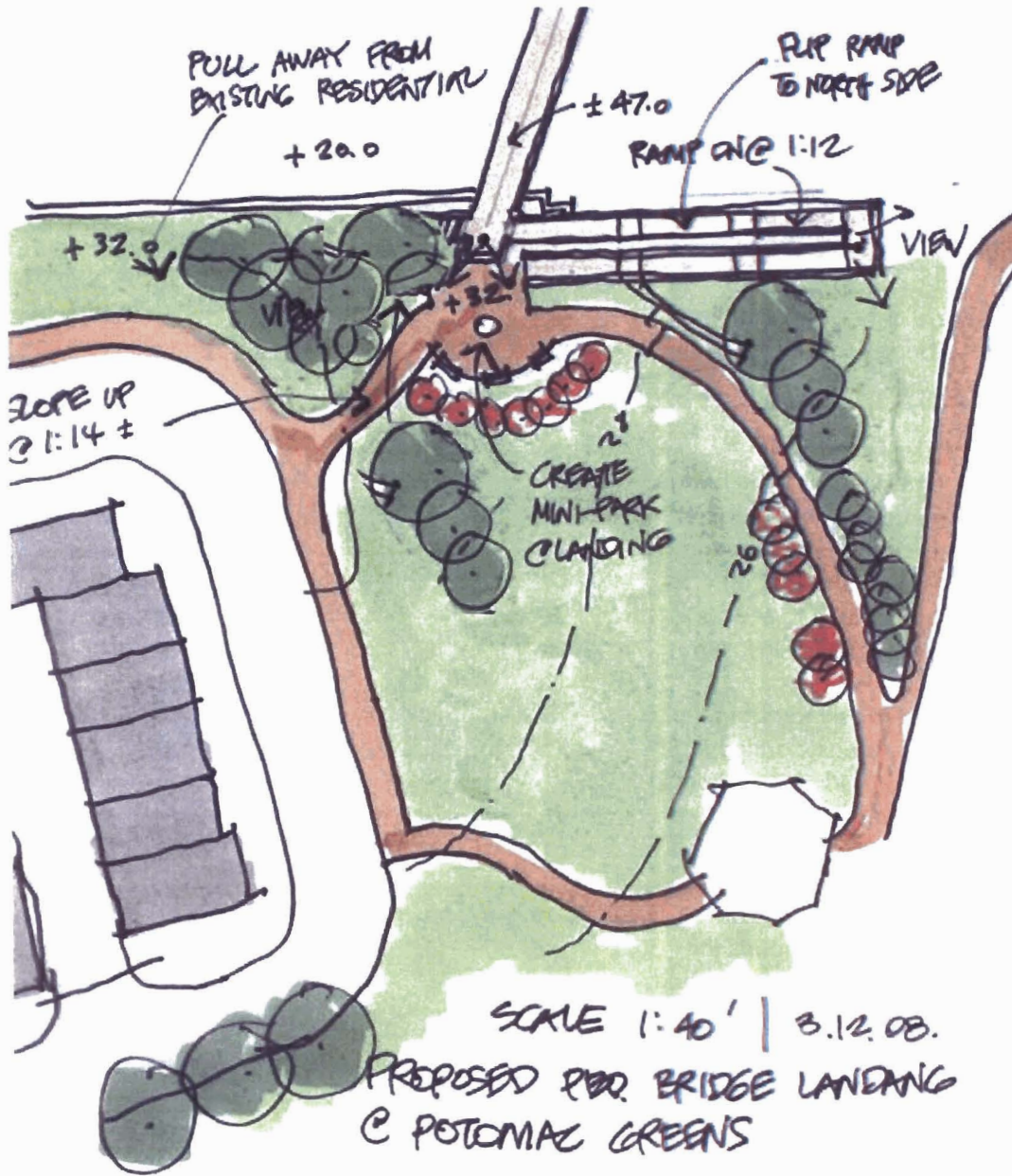
The applicant presented some basic information about the location, dimensions, height from the railway tracks and character of the pedestrian bridge. Staff and the applicant reiterated to the Committee that the mesh covering the entire length and span of the bridge was an absolute and non-negotiable requirement by CSX for security purposes.

2. Members wanted additional information about the height off the ground and location in relation to the townhouses on the Potomac Greens side of the bridge.
3. In response to members asking staff to explore the idea of an elevator, it was clarified that the idea had been looked into, but safety and maintenance issues were the main reasons that an elevator was not possible.
4. Some members were concerned that the mesh covering the bridge would impact the aesthetics of the bridge.
5. While some members voiced their concerns about the aesthetics of the bridge and the integration into Landbay K, other members were amenable to the idea of an industrial bridge that tied into the rail yard history of the site, but wanted to see additional design resolution for the ramps.
6. In response to members asking about the construction schedule, it was clarified that the pedestrian bridge would be constructed before the Town Center.
7. On a motion made by Sandy Modell and seconded by Maria Wasowski, it was approved 8-0 that *"PYDAC supports the bridge location and conceptual design and integration into Landbay K and Potomac Greens"*.
8. On a motion made by Sandy Modell and seconded by Stephen Koenig, it was approved 6-2 abstain, that *"PYDAC supports the City's requirement that the bridge will accommodate the capability to access Landbay D"*.

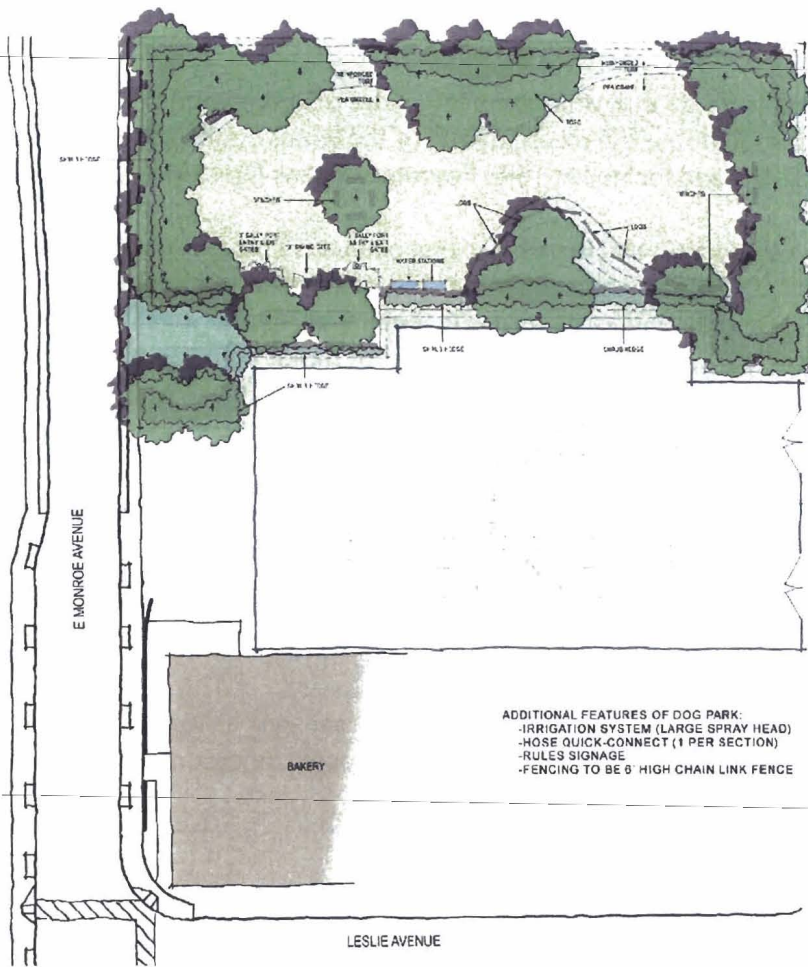
APPROVAL OF MEETING MINUTES

On a motion by Sandy Modell and seconded by Catherine Moore, the Committee reviewed and approved meeting minutes with amendments from the November 14, 2007 meeting. Approved 8-0.

Attachment #5



Attachment #6



- ADDITIONAL FEATURES OF DOG PARK:
- IRRIGATION SYSTEM (LARGE SPRAY HEAD)
 - HOSE QUICK-CONNECT (1 PER SECTION)
 - RULES SIGNAGE
 - FENCING TO BE 8' HIGH CHAIN LINK FENCE

DOG PARK - PLAN
POTOMAC YARD

Old Town Greens Townhome Owners Association, Inc.

1644 Hunting Creek Drive, Alexandria, VA 22314-6224 (703) 591-2414 (FAX) 591-2417

March 6, 2006

Potomac Yard Development LLC
c/o CENTEX Homes
3684 Centerview Drive, Suite 100
Chantilly, VA 20151-3218

RE: Map-Block-Lot Number: 025.04-01-03, Alexandria City, Virginia

Dear Sir or Madam:

Alexandria City records indicate that your company is the record owner of the parcel (rail park) described above. Our Association is the record owner of the tennis courts and tot lot directly south of your parcel, 035.02-01-01, and located at 1690 Potomac Greens Drive in Alexandria City.

On that parcel there is a sidewalk/vehicle pathway that connects Potomac Greens Drive with rail park. That pathway is private property owned by the Association and no one other than Old Town Greens owners, residents, and their guests may use that pathway, except for employees of the Washington Metropolitan Area Transit Authority (WMATA). No motor vehicles are permitted on that pathway except vehicles used by authorized Association vendors and the WMATA. All other users of that pathway are trespassers.

The enclosed easement deed by Slaters Village, LLC is not valid because the grantor did not have the authority to convey those easements in accordance with the recorded Declaration of Covenants and Restrictions Old Town Greens Townhomes made by Slaters Village, LLC. The public dedication cited in the deed was revoked by the Association on September 30, 2003, and a copy of that instrument is enclosed.

If you have any questions, please contact our property manager at Koger Management, Nichole Willrich, at 703-591-2414, or you may e-mail me at otgtoa@comcast.net.

Sincerely,



Roland D. Meisner
President

Enclosures

cc: Koger Management Group, Inc.
OTG Townhome Board of Directors
OTG Condominium Board of Directors
10600 Arrowhead Drive, Fairfax, VA 22030-7306

(C) Event-specific, occasional, temporary signs that are in place for up to six hours that are designed to signal the location of an event, including but not limited to signs for birthday parties, congratulatory events, and political and/or civic meetings.

16.4 One seasonal flag, such as those sold at garden shops and home stores and display a myriad of subjects (seasons, pets, holidays, flowers) is permitted without need for application approval, but are required to be maintained in good condition so as not to be torn, frayed, or significantly faded, otherwise, the ARB can require they to be refurbished, repaired, replaced or removed. No free-standing in-ground flagpoles are permitted.

16.5 Antennas, including satellite dishes must be approved in writing by the Association Board of Directors in accordance with the Declaration, Article VI, Section 1(j). Applications regarding antennas and satellite dishes should use the form provided below. Antennas and satellite dishes on the front of buildings are prohibited. The Association Board will generally approve the use of satellite dishes and antennas on the rear rooftops and patio decks.

16.6 Consistent with Article VI, Section 8 of the Declaration, no owner may obstruct any buffer easement, which rests on an individual's lot, reserved to the members of the Association.

17. COMMON AND PUBLIC PROPERTY

17.1 The Association's common property in Old Town Greens consists of all real property, buildings, and fixtures not owned by individual lot owners, including all the private streets, sidewalks, alleys, and buffer easements, except for the common property, streets, parking lot, and sidewalks owned by the Condominium Association. Potomac Greens Drive and Massey Lane are public streets. The sidewalks and/or bike paths that run along Massey Lane and the western side of Potomac Greens Drive are public.

17.2 The sidewalk and/or vehicle pathway that connects Potomac Greens Drive and the tennis courts and tot lot is owned by the Association. That sidewalk and/or vehicle pathway is private property and may only be used by authorized Association vendors and all Old Town Greens owners, residents, and their guests, except it may also be used by employees of the Washington Metropolitan Area Transit Authority (WMATA). No motor vehicles are permitted on that pathway except vehicles used by authorized Association vendors and the WMATA.

17.3 No owner, resident, guest, or any other person or entity shall convert any Association common property to his/her exclusive use.

Prepared by and after
recordation return to:

Edward E. Zughaib, Esq.
Katten Muchin Zavis
1025 Thomas Jefferson Street, N.W.
Suite 700, East Lobby
Washington, DC 20007

RECORDED
INDEXED
MAY 10 9 55 AM '01
FAX 202 637 3374

PUBLIC ACCESS EASEMENT,
INGRESS EGRESS EASEMENT FOR MAINTENANCE
AND TEMPORARY ACCESS EASEMENT FOR CONSTRUCTION

THIS DEED OF EASEMENT; made this 14th day of May, 2001, by and between CRESCENT POTOMAC YARD DEVELOPMENT, LLC, a Delaware limited liability company, its successors and assigns ("Crescent"), grantee for indexing purposes only, SLATERS VILLAGE, L.L.C., a Virginia limited liability company, its successors and assigns ("Slaters"), grantor for indexing purposes only, and COMMONWEALTH ATLANTIC PROPERTIES, INC., a Virginia corporation, its successors and assigns ("CAP"), grantee for indexing purposes only.

RECITALS:

- R-1. Crescent is the owner of certain real property located in the City of Alexandria, Virginia (the "Crescent Property"), more particularly described in that certain Deed dated March 22, 2001 recorded as Instrument No. 01-07092 among the land records of the City of Alexandria, Virginia (the "Land Records").
- R-2. The Crescent Property is subject to those certain ordinances, permits and requirements imposed from time to time by the City of Alexandria, Virginia, including, without limitation: Master Plan Amendment No. 99-0004, as adopted by the Alexandria City Council as Ordinance No. 4076 on October 16, 1999; Amended Rezoning Application No. 99-0004, as adopted by the Alexandria City Council by Ordinance No. 4077 on October 16, 1999; CDD Concept Plan No 99-01 and the Potomac Yard/ Potomac Greens Urban Design Guidelines as adopted by the Alexandria City Council by Resolution No. 1931 on September 8, 1999 and Transportation Management Plan Special Use Permit No. 99-0020, as adopted by the Alexandria City Council on September 8, 1999 (together and singly, the "Municipal Requirements").
- R-3. Slaters is the owner of certain real property adjacent to the Crescent Property located in the City of Alexandria, Virginia (the "Slaters Property") more particularly described in that certain Deed recorded in Deed Book 1592 at page 975 among the Land Records.
- R-4. In accordance with the Municipal Requirements, Crescent is obligated to install and maintain certain improvements, including, without limitation, a public park (the "Park") on a portion of the Crescent Property that must be accessed through the Slaters Property.

- R-5. To comply with the Municipal Requirements and in connection with the orderly development of the Crescent Property, Crescent may be obligated to install and maintain certain utilities on the Crescent Property and certain adjacent property, including, without limitation, water, telephone, storm and sanitary sewer, gas, electricity, fiber optic and cable television (together and singly, the "Utilities"), and may require access through and across the Slaters Property to install and maintain such Utilities.
- R-6. To comply with the Municipal Requirements and in connection with the orderly development of the Crescent Property, Crescent may be obligated to install and maintain a Metro station and or related transportation facilities on the Crescent Property and certain adjoining property (together and singly, the "Metro Facilities") and may require access through and across the Slaters Property to install and maintain such Metro Facilities. (The Park, Utilities and Metro Facilities are referred to together and singly herein as the "Facilities").
- R-7. In furtherance of the foregoing, Slaters wishes to grant to CAP and Crescent, respectively, certain easements more particularly described below.

A. NOW THEREFORE THIS DEED WITNESSETH that for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Slaters does hereby grant and convey unto CAP and Crescent, a twelve (12) foot wide temporary access easement for the purpose of access across the Slaters Property by CAP and Crescent for the purpose of constructing the Facilities on the Crescent Property, said easement being more particularly bounded and described as the "12' Public Access Easement and Ingress/Egress Easement for Construction and Maintenance" on the plat (the "Plat") titled "Plat Showing 12' Public Access Easement and Ingress/Egress Easement for Construction and Maintenance on Block 1-B Old Town Greens City of Alexandria, Virginia" dated April 27, 2001 prepared by Christopher Consultants, Ltd., a copy of which is attached hereto and incorporated herein (such easement being referred to hereafter as the "Temporary Construction Access Easement").

1. CAP and Crescent shall have full and free use of the said Temporary Construction Access Easement for the purposes named, and shall have all rights and privileges reasonably necessary to the enjoyment and exercise of the Temporary Construction Access Easement; provided however that the Temporary Construction Access Easement shall expire and become null and void once construction of the Facilities has been completed.

2. CAP and Crescent shall have the right to trim, cut and remove trees, shrubbery, fences, structures or other obstructions or facilities in or near the Temporary Construction Access Easement being conveyed hereby, deemed by CAP or Crescent to interfere with the proper and efficient access to the Facilities; provided, however, that CAP or Crescent, as appropriate, at its own expense shall restore, as nearly as possible, the Slaters Property to the condition that existed immediately prior to the time such party exercised such Temporary Construction Access

Easement, such restoration to include the backfilling of trenches and the replacement of curbing, landscaping, trees and shrubbery.

3. The Temporary Construction Access Easement granted herein will be exercised by Crescent and CAP only during periods of actual construction of the Facilities.

B. NOW FURTHER WITNESSETH that for and in consideration as aforesaid, Slaters does hereby dedicate, grant and convey, a twelve (12) foot wide Public Access Easement (the "Public Access Easement") for the purpose of ingress and egress by the public through and across the Slaters Property for the purpose of accessing the Park, said easement being more particularly bounded and described as the "12' Public Access Easement and Ingress/Egress Easement for Construction and Maintenance" on the Plat.

C. NOW FURTHER WITNESSETH that for and in consideration as aforesaid, Slaters does hereby grant and convey unto Crescent, a twelve (12) foot wide ingress egress easement through and across the Slaters Property (the "Ingress/Egress Easement") to access the Slaters Property in order to improve, maintain, repair and replace the Facilities, said easement being more particularly bounded and described as the "12' Public Access Easement and Ingress/Egress Easement for Construction and Maintenance" on the Plat. Such Ingress Egress Easement for Maintenance is subject to the following terms and conditions:

1. Crescent shall have full and free use of the said Ingress Egress Easement for Maintenance for the purposes named, and shall have all rights and privileges reasonably necessary to the enjoyment and exercise of the Ingress Egress Easement for Maintenance, during periods of actual surveying, construction, reconstruction or maintenance.

2. Crescent shall have the right to trim, cut and remove trees, shrubbery, fences, structures or other obstructions or facilities in or near the Ingress Egress Easement for Maintenance being conveyed hereby, deemed by Crescent to interfere with the proper and efficient access to the Facilities; provided, however, that Crescent at its own expense shall restore, as nearly as possible, the Slaters Property to the condition that existed immediately prior to the time Crescent exercised such Ingress Egress Easement for Maintenance, such restoration to include the backfilling of trenches and the replacement of curbing, landscaping, trees and shrubbery.

D. The parties hereto agree that the agreements and covenants stated in this Deed are not covenants personal to CAP, Crescent or Slaters but are covenants running with the land which are and shall be binding upon Slaters and its successors and assigns.

3

34

WITNESS the following signature and seal:

SLATERS VILLAGE, LLC,
 a Virginia limited liability company
 By: Jonathan B. Cox, Managing Member
 By: [Signature] (SEAL)
 Name: Jonathan B. Cox
 Title: President

State of District of Columbia
 City/County of Columbia to wit:

On this the 14th day of May, 2001, the foregoing instrument was
 acknowledged before me by Jonathan B. Cox, President of
 SLATERS VILLAGE, LLC, a Virginia limited liability company on behalf of the company.

[Signature]
 Notary Public

My Commission Expires: 9/31/2005

INSTRUMENT #010011443
 RECORDED IN THE CLERK'S OFFICE OF
 ALEXANDRIA ON
 MAY 24, 2001 AT 12:33PM
 EDWARD SEMONIAN, CLERK

BY: [Signature] DC 9
 PLAT ATTACHED

*

Prepared by and Return to:

Rees, Broome & Diaz, P.C.
8133 Leesburg Pike, Ninth Floor
Vienna, VA 22182
Map No. 035.02-01-01

**VACATION, REVOCATION AND WITHDRAWAL
OF PUBLIC ACCESS EASEMENT**

THIS DEED OF VACATION, REVOCATION AND WITHDRAWAL OF PUBLIC ACCESS EASEMENT is made this 30th day of September, 2003, by OLD TOWN GREENS TOWNHOME OWNERS ASSOCIATION, INC., a Virginia non-stock corporation (the "Association").

WITNESSETH:

WHEREAS, the Association is the sole owner and proprietor of that certain parcel of real property located in the City of Alexandria, Virginia, more particularly described as Parcel 1-B, OLD TOWN GREENS, as the same appears duly dedicated, platted and recorded in Deed Book 1592, at page 957, among the land records of the City of Alexandria, Virginia ("Parcel 1-B"); and,

WHEREAS, while title holder of record of Parcel 1-B, and by that certain Deed of Easement dated May 14, 2001 and recorded among the land records on May 24, 2001 as Instrument Number 01001443, Slaters Village, L.L.C., offered to dedicate, grant and convey a twelve foot (12') wide easement for the purpose of ingress and egress by the public through and across Parcel 1-B for the purpose of accessing a proposed public park on a parcel of land adjacent to Parcel 1-B, as more particularly bounded and described on a plat dated April 27, 2001 prepared by Christopher Consultants, Ltd., and attached to the said Deed of Easement (the "Proposed Public Access Easement"); and,

WHEREAS, at no time through the date of this Deed of Vacation, Revocation and Withdrawal of Public Access Easement has the City of Alexandria, Virginia, either expressly or impliedly, accepted the offer of dedication by Slaters Village, L.L.C., of the Proposed Public Access Easement; and,

WHEREAS, as successor in title to Slaters Village, L.L.C., and as the sole owner and proprietor of Parcel 1-B, the Association intends to hereby withdraw, revoke, terminate and void the said offer by Slaters Village, L.L.C., to dedicate, grant and convey the Proposed Public Access Easement over, across and upon Parcel 1-B.

NOW, THEREFORE, in consideration of the premises, the Old Town Greens Townhome Owners Association, Inc., does hereby withdraw, revoke, terminate and void the offer made by Slaters Village, L.L.C., to dedicate, grant and convey a twelve foot (12') wide easement for the purpose of ingress and egress by the public through and

across Parcel 1-B, OLD TOWN GREENS, as the same appears duly dedicated, platted and recorded in Deed Book 1592, at page 957, among the land records of the City of Alexandria, Virginia for any purpose, including without limitation for the purpose of accessing a proposed public park on a parcel of land adjacent to Parcel 1-B, said offer being more particularly set forth and described in that certain Deed of Easement dated May 14, 2001 and recorded among the land records of the City of Alexandria, Virginia, on May 24, 2001 as Instrument Number 01001443.

IN WITNESS WHEREOF, the Association has caused its name and seal to be hereunto affixed as of the date first above written.

OLD TOWN GREENS TOWNHOME OWNERS ASSOCIATION, INC., a Virginia non-stock corporation

By: Brian Detter
Brian Detter, President

STATE OF VIRGINIA

COUNTY FAIRFAX, to-wit:

I, the undersigned Notary Public of and for the State of Virginia, County of Fairfax, do hereby certify that Brian Detter, personally known to me, or a person who provided sufficient identification to prove that he is the person whose name is signed as President to the writing foregoing and hereunto annexed, bearing date on the 30th day of September, 2003, personally appeared before me in my jurisdiction aforesaid and acknowledged said writing to be the act and deed of the Corporation, and the writing was so signed and acknowledged by him by authority of the Board of Directors of the Corporation.

Given under my hand and seal this 30th day of September, 2003.

Joan A. Gray
Notary Public

My Commission Expires:

Nov. 30, 2005

K:\15115162\Old Town Greens Vacation of Easement.doc

INSTRUMENT #030040706
RECORDED IN THE CLERK'S OFFICE OF
ALEXANDRIA ON
OCTOBER 1, 2003 AT 03:12PM
EDWARD SEMONIAN, CLERK

BY: [Signature] (DC)

Petition of Members of the Old Town Greens
Townhome Owners' Association, Inc.

15
6-14-08

To: The Mayor and Members of City Council

The undersigned homeowners and residents of Old Town Greens do hereby support the following action:

1. Approval of the site for the Proposed Pedestrian Bridge between Potomac Yards and the east side of the CSX and Metro tracks near the proposed future site for the Metro Station in the Potomac Greens Development.
2. Approval of placement of the dog park near the current dog park at Simpson Field.
3. Set for future negotiation and discussion with the homeowners of Old Town Greens Townhomes any easement right that may be desired by the Government of the City of Alexandria and its employees to Landbay D over Old Town Greens property.
4. City Council directing city staff to vacate the existing two bridge landing easements on Old Town Greens property located south of the tennis courts and north of the tot lot as they are no longer needed.
5. Approve the plans by the developers of Potomac Yards to move approximately 750,000 square feet of office and retail space north in the Potomac Yards development so that is located closer to the proposed pedestrian access bridge.

Bill [Signature] 712 Fitzhugh Way 11 Jun 08
Name and Address Date

Carol [Signature] " "
Name and Address Date

Name and Address Date

Name and Address Date

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Townhome Owners' Association, Inc.

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<u>Robert D. Meier</u> 710 Scarborough Way	<u>6-10-08</u>
Name and Address	Date
<u>Jim Han</u> 710 Scarborough Way	<u>6-10-08</u>
Name and Address	Date
_____	_____
Name and Address	Date
_____	_____
Name and Address	Date
_____	_____

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Ellen Schwaner 709 Fitzhugh 6-10-08
Name and Address Date

Sheryl Schwaner 708 Fitzhugh 6/10/08
Name and Address Date

Name and Address Date

Name and Address Date

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Amy + David Weiskopf
Amy + David Weiskopf
Name and Address

724 COTTIS TAVON Dr.

6/13/08
Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Petition of Members of the Old Town Greens
Townhome Owners' Association, Inc.

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Mary Toddall 1640 Hunting Creek Dr.
Name and Address

6/13/08
Date

Suzanne C Mead 715 CATTS AVENUE
Name and Address

6/13/08
Date

Heidi + Bobbie Ripstein 710 FITZGERALD CIRCLE
Name and Address

6/13/08
Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Read Message

Previous

Next

Move To

Select One ▾

OK

REPLY

REPLY ALL

FORWARD

FULL HEADERS

EXPORT

PRINT

DELETE

REPORT SPAM

From: secretary@oldtowngreens.net <secretary@oldtowngreens.net>

[add to contacts]

To: secretary@oldtowngreens.net

Cc:

Date: Tuesday, June 10, 2008 05:16 pm

Subject: City Council Meeting June 14th

Attachments:  Text version of this message. (773B)

 Pedestrian Bridge Petition.doc (35KB)

Dear Homeowners:

City Council will be taking up a number of issues regarding Potomac Yards. You were previously sent a copy of the notice for the upcoming meeting as well as the Planning Commission meeting earlier this month.

As many of you may not be able to attend the City Council session, I have prepared the attached petition that I would appreciate your signig and returning to me at 710 Fitzhugh Way or to our President, May Kendall at 1640 Hunting Creek Drive.

If you are able to sign and return it to me electronically, that would be acceptable as well.

We need to have these in hand when we go to the City Council meeting early on Saturday morning so please get them to us by Friday evening.

Thanks for your support on this.

Steve Rideout

OK

REPLY

REPLY ALL

FORWARD

DELETE

REPORT SPAM

Previous


Next

Petition of Members of the Old Town Greens
Townhome Owners' Association, Inc.

To: The Mayor and Members of City Council

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Name and Address

DONALD P. AUGUSTINE
717 SCARBURGH WAY, ALEXANDRIA, VA.

06/11/08
Date

Name and Address

 712 CATS TAVERN DR 22314
ALEXANDRIA, VA 22314

Name and Address

Date
6/14/08
Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

Name and Address

Date

15
6-14-08



David Fromm or Amy Slack
<alsdmf@earthlink.net>

06/13/2008 03:18 PM

To Bill Euille <alexvamayor@aol.com>, Jackie Henderson
<jackie.henderson@alexandriava.gov>
cc Del Pepper <delpepper@aol.com>, Rob Krupicka
<Rob@krupicka.com>, Tim Lovain <timothylovain@aol.com>,
Paul Smedberg <paulcsmedberg@aol.com>, Justin Wilson
bcc

Subject DRCA letter, di 15

Mr. Mayor, Ms Vice Mayor, and members of City Council,

Attached is letter of support for a docket item at tomorrows hearing.



CC_PY_RailPk_PedBrg.doc

Amy

Amy Slack, Land Use committee Co-chair
Del Ray Citizens Association
703.549.3412
landuse@delraycitizen.net

"We live within a heritage beyond our computation.
Will we tilt the cup until it runs dry or build for a day beyond our day?"

Del Ray Citizens Association

Established 1954
delraycitizens@yahoo.com

P.O. Box 2233, Alexandria, VA 22301
<http://www.delraycitizen.org>

June 12, 2008

Mayor William Euille
City Hall, Room 2300
Alexandria, VA 22314

Hearing date: June 14, 2008, docket item #15
Subject: SUP# 2008-0029; Potomac Yard Rail Park, Pedestrian Bridge, and Dog Park.

Dear Mayor Euille,

At our regular association membership meeting, we voted to support the Land Use committee recommendation for approval of the subject items.

The Land Use committee met with staff earlier this year to discuss developmental triggers, dedication of 4.2 acres in Rail Park to the city, the location of the Pedestrian Bridge near the Metro reserve areas in Landbay G Town Center and Potomac Greens, and the dedication of a .91 acres parcel in Landbay L as a substitute site for a Dog Park. Ms. Aimee Vosper, Division Chief, Parks, Recreation & Cultural Affairs and Ms. Pattie Haefeli, Principal Planner, Planning & Zoning made the presentation. Ms. Cathy Puskar, attorney for the applicant was present.

Land Use supports the Pedestrian Bridge and proposed location. We support immediate construction of it rather than accept money toward construction. We feel that the proposed location has the least amount of community objection and a delay may well jeopardize implementation. We fully support the bridge with a landing to facilitate a 'touchdown' into Rail Park that will allow pedestrian and bicycle access.

Land Use supports the dedication of Rail Park to the city. We sincerely hope the dispute over access through Old Town Greens may be settled amicably with future residents of the community so that they may benefit from direct access into this park.

Land Use supports the dedication of a substitute site for a Dog Park in Landbay L adjacent to the Dominion Virginia power substation. A staff proposal for the setback from Monroe Avenue, similar to the power substation, is in keeping with our own recommendation.

Thank you for your consideration and we ask that you support our recommendations.

Sincerely,

Amy Slack
Co-Chair
Land Use Committee

cc:
City Council
Director of Planning and Zoning

Celebrating 100 years of the Town of Potomac
1908 - 2008

SPEAKER'S FORM

DOCKET ITEM NO. 15



**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: M Catharine Puskas

2. ADDRESS: 2200 Clarendon Blvd Ste 1300 Arl, VA

TELEPHONE NO. 703-528-4700 E-MAIL ADDRESS: cpuskas@allthelandlawyers.com

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Potomac Yard Development LLC

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.

SPEAKER'S FORM

DOCKET ITEM NO. 15

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:** Duncan W. Blair, Esquire
2. **ADDRESS:** 524 King Street, Alexandria, Virginia 22314
TELEPHONE NO. 703 836-1000 **E-MAIL:** dblair@landclark.com
3. **WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?**
Potomac Yard Development, LLC
4. **WHAT IS YOUR POSITION ON THE ITEM?**
For
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?**
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