

Docket Item #4 A-F
EESAP Blocks 11 & 12 - 2210 Eisenhower Avenue

6
 4-17-10

Application	General Data	
Project Name: Eisenhower East Blocks 11 & 12	PC Hearing:	April 6, 2010
	CC Hearing:	April 17, 2010
	If approved, DSUP expiration:	April 17, 2013 (36 months)
	Site Area:	Block 11: 126,010 sf (2.89 ac) Block 12: 59,653 sf (1.37 ac)
Location: 2210 Eisenhower Avenue	Zone:	CDD#2
	Proposed Use:	Residential & Retail
	Gross Floor Area:	Block 11: 674,259 sf Block 12: 641,964 sf Total: 1,317,304 sf
Applicant: Hoffman Company, LLC by Kenneth Wire, McGuireWoods LLP	Small Area Plan:	Eisenhower East
	Green Building:	LEED Certified or 1 Green Globe (& min. 40% of possible Green Globes points)

Purpose of Application
 Stage 2 DSUP approval for development of two blocks in the *Eisenhower East Small Area Plan* area. The proposal includes two residential/retail mixed-use buildings on the east side of the Eisenhower Avenue Metro Station, name approvals for two new public streets – Anchor Street and Swamp Fox Road – and the new Eisenhower Station Square at the renovated Eisenhower Avenue Metro Station.

- Special Use Permits, Modifications, and other Approvals Requested:**
1. Development Special Use Permit with Site Plan Stage 2(DSUP 2009-0004)
 2. Coordinated Development District Amendment (CDD 2009-0002)
 3. Special Use Permit for a Transportation Management Plan (SUP 2009-0063)
 4. Master Plan Amendment for increased height (MPA 2009-0002)
 5. Special Use Permit for increased penthouse heights and additional penthouses
 6. Street Names for two new public streets (Street Name Case 2009-0002, 2009-0009)
 7. Modifications to building setback to building height ratio, landscape guidelines and compact parking space ratio.
 8. Encroachment for electrical vaults in the public right of way.

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewers: Gwen Wright, gwen.wright@alexandriava.gov
 Thomas H. Canfield, AIA, NCARB, tom.canfield@alexandriava.gov
 Gary Wagner, RLA gary.wagner@alexandriava.gov
 Natalie Sun, AICP, LEED AP (former staff member)

PLANNING COMMISSION ACTION, APRIL 6, 2010: On a motion by Mr. Wagner, seconded by Mr. Jennings, the Planning Commission voted to **adopt** Resolution MPA #2009-0002 for increased height. The motion carried on a vote of 6 to 0.

On a motion by Mr. Wagner, seconded by Mr. Jennings, the Planning Commission voted to **recommend approval** of CDD #2009-0002. The motion carried on a vote of 6 to 0.

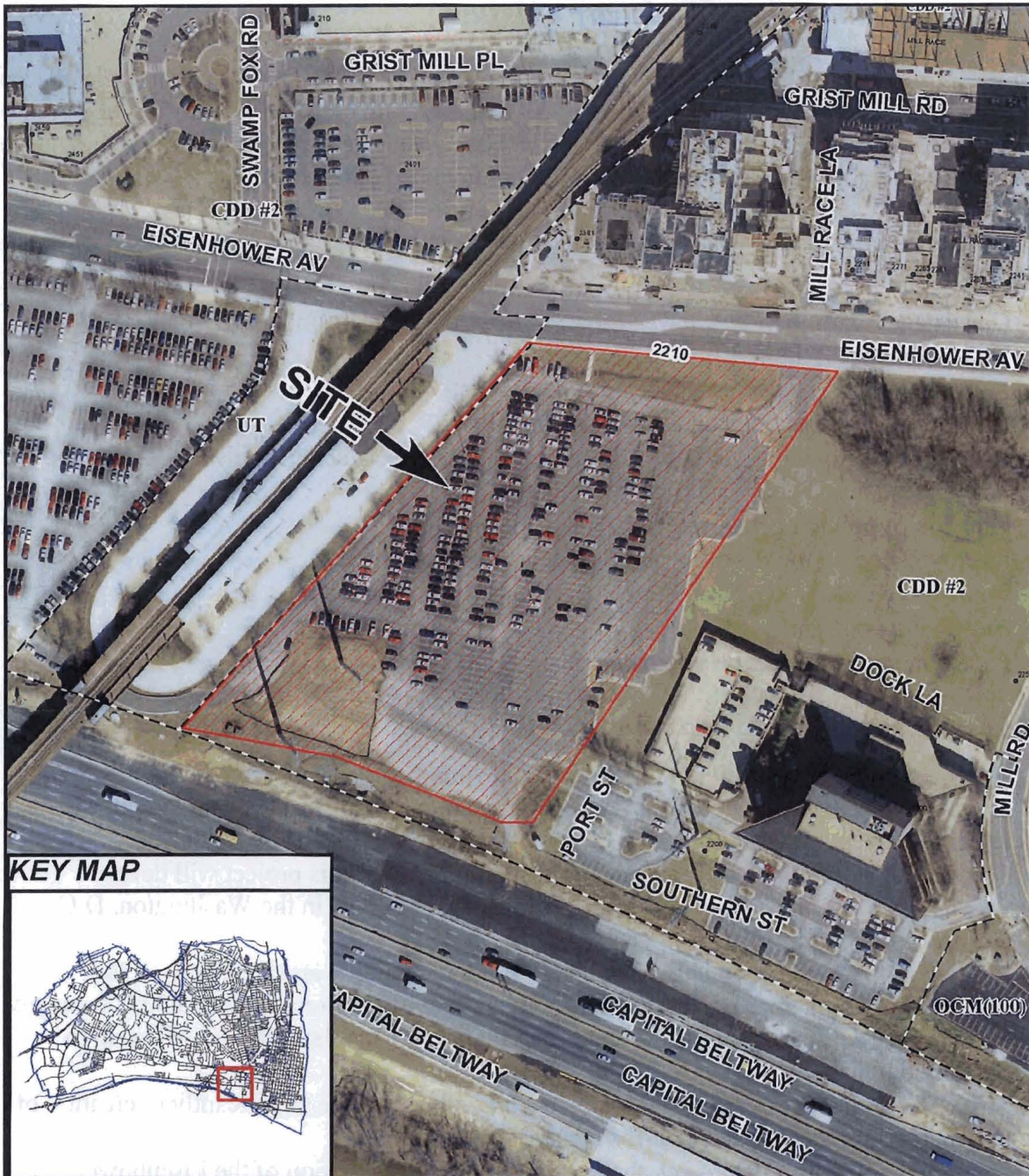
On a motion by Mr. Wagner, seconded by Mr. Jennings, the Planning Commission voted to **recommend approval** of DSUP #2009-0004, SUP #2009-0063, and ENC #2010-0004, and voted to **approve** Street Name #2009-0002 and 2009-0009, subject to compliance with all applicable codes, ordinances, staff recommendations and conditions, with amendments to Conditions 1, 2, 3, 4(ff), 4(ll), 4(nn), 7, 8, 8(h), 9, 15, 26, 27, 35(a)(iv), 35(b), 42, 43, 44, 51, 57, 66, 67, 88, 131(a) and deletion of Conditions 4(v) and 90. The motion carried on a vote of 6 to 0.

Reason: The Planning Commission agreed with the staff analysis and recommendations as amended and also recommended that Conditions 51 and 57 regarding affordable housing units not be limited to a 30 year expiration date.

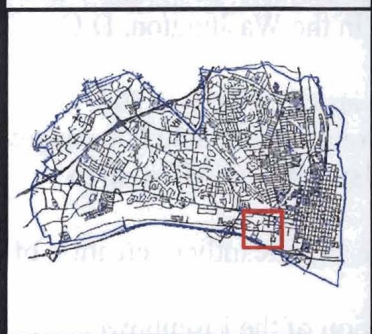
Speakers:

Joanne Lepanto spoke in opposition to the proposal.

Jonathan Rak, attorney representing the applicant, spoke in support of the application and to clarify conditions with which the applicant disagreed.



KEY MAP



CDD #2009-0002
MPA #2009-0002
DSUP #2009-0004
TMP-SUP #2009-0063
ENC#2010-0004
STNAME #2009-0002, #2009-0009

04/06/10



I. SUMMARY

A. *Recommendation and Summary of Issues*

The Hoffman Company, LLC is requesting approval of a Stage 2 Development Special Use Permit and all associated applications for a proposed mixed-use residential and retail development on Blocks 11 and 12 in Eisenhower East. Staff recommends **approval** of these applications subject to compliance with the staff recommended conditions.

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

- Consistency with the *Eisenhower East Small Area Plan*, Hoffman CDD Plan, and Stage 1 DSUP for Blocks 11 & 12;
- Affordable housing and associated density bonus;
- Building design and environmental sustainability;
- Retail uses – including a new grocery store and street-facing retail along Eisenhower Avenue and new Dock Lane;
- Creation of public open space;
- Improvements to the Eisenhower Avenue Metro Station area;
- Improvements to a Resource Protection Area;
- Traffic impacts; and
- Pedestrian and streetscape improvements.

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

- This development is an important part of achieving the vision for the *Eisenhower East Small Area Plan* as a high density, transit-oriented area with a significant system of integrated open spaces.
- The heights of the three towers and architectural design of this project will define Alexandria's skyline as it will be among the tallest buildings in the Washington, D.C. region.
- The mix of high-density residential and retail uses, including approximately 1,200 dwelling units and approximately 67,000 square feet of total retail - with a 50,000 square-foot Harris Teeter grocery store - is appropriate near a Metro station and will help to maximize transit usage.
- This development creates four new streets that will contribute significantly to creation of an urban grid system in the East Eisenhower area.
- In conjunction with this project, there will be a major renovation of the Eisenhower Metro Station, including reconfigured and consolidated bus facilities, relocation of the Kiss & Ride lot, better taxi, shuttle and car-share spaces, and upgraded paving and canopies. The applicant will be implementing the bus loop improvements, and the City will be implementing the station improvements using existing grant funds – the CIP budget next year will be modified to reflect this City project.
- A new open space plaza immediately north of the Metro station entrance (where the current Kiss & Ride lot is located) will be created as part of this proposal. The expanded Eisenhower Station Square, as it is called, will be a key node for public gatherings in Eisenhower East and will complement the Eisenhower Metro transit hub. The costs for

the design and construction of this portion of the project are being shared by the City and the applicant.

- This project is proposing over 50,000 square feet (which equates to over 50 units) of new affordable housing units and significant monetary contributions to the City's Housing Trust Fund.
- This project will achieve green building certification levels of LEED Certified or 1 Green Globe (attaining a minimum of 40 percent of the total possible Green Globes points).
- The net new tax revenue (after City services have been accounted for) generated from the residential development is anticipated to be approximately \$1,073,000 per year. The sales tax generated by this development would add an anticipated \$225,000 more in net tax revenue per year, thereby making the total net new taxes generated by this project approximately \$1.3 million per year in today's dollars.

B. General Project Description

The development proposal for Blocks 11 and 12 in the Eisenhower East district includes the construction of two buildings. Block 11 consists of one building with two towers for a total of approximately 675,000 square feet – an east tower with 22 stories and a west tower adjacent to the Eisenhower Avenue Metro Station consisting of 31 stories. A 723-space underground parking garage will serve this block and will include 5 levels of underground parking. In addition, a 150-space surface parking lot on Block 11 is proposed in conjunction with the proposed grocery store use. This surface lot is located below major Dominion Virginia Power transmission lines and, thus, no building can be located in this area.

Block 12 will include a 28-story building with approximately 640,000 square feet and 782 above- and below-grade parking spaces. The northeast corner of Block 12 will also have a small open space plaza area on the applicant's property, which could be used for informal gathering space or outdoor dining.

As the application for Blocks 11 and 12 is the first Stage 2 application to be filed for the Hoffman properties, several additional components accompany this proposal, as mandated by the CDD conditions. One of these additional elements is improvements to the Eisenhower Metro Station area, including construction of a new urban plaza and reconfiguration of the bus loop road. This Stage 2 DSUP application for Blocks 11 and 12 includes plans for these adjacent improvements.

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

1. Stage 2 Development Special Use Permit with Site Plan;
2. Coordinated Development District Plan (CDD) Amendment;
3. Special Use Permit for a Transportation Management Plan Amendment;
4. Master Plan Amendment for increased height for both blocks;
5. Special Use Permit for increased penthouse heights and additional penthouses on both blocks; and
6. Street Names for two new public streets: Anchor Street and Swamp Fox Road.
7. Encroachment for electrical vaults in the public right of way.

8. Modifications to building setback to building height ratio, landscape guidelines and compact parking space ratio.

II. BACKGROUND

A. *Procedural Background*

Two-stage DSUP Approval Process

The two-stage DSUP approval process for Blocks 11 and 12 is unique to the Hoffman properties located in the Eisenhower East district. This two-step process is the result of a settlement agreement to a lawsuit filed by Hoffman Management, Inc. against the City of Alexandria on the basis that the approval of the 1998 CDD Concept Plan vested the Hoffman properties with certain specific development rights, notwithstanding the subsequent adoption of the *Eisenhower East Small Area Plan* in 2003. The City opposed the argument that the 1998 CDD Concept Plan created any vested rights with respect to the Hoffman properties. Prior to completion of the Circuit Court trial, both parties agreed to a compromise, which resulted in the creation of a two-stage DSUP approval process.

In February 2006, a series of applications related to the Hoffman properties were approved by the Planning Commission and City Council. These approvals included:

- An amendment to the 1998 CDD Concept Plan (CDD#2005-0002) for the Hoffman properties in Eisenhower East
- A transportation management plan special use permit (SUP#2005-0115)
- Stage 1 development special use permits (DSUP#2005-0031 through 0035) for Eisenhower East Blocks 2, 3, 4, 5, 9A, 9B, 11, 12, 24, and 25A

The Stage 1 DSUP approvals included approvals for use, adjusted gross floor area (AGFA), number of parking spaces, levels of underground parking, preliminary building massing, and height. As all of the above-named blocks have obtained Stage 1 DSUP approvals, the next step in the development approval process is for each block to apply for individual Stage 2 DSUP applications. Evaluation of the Stage 2 DSUP application includes review of the final massing, design scale, articulation, and footprint of the building(s) together with other related factors including the DSUP application checklist items not previously provided as part of the Stage 1 DSUP. In addition, review of the development proposals for each block for compliance with the *Eisenhower East Design Guidelines* is part of the Stage 2 DSUP process. Blocks 11 and 12, the subject of this application, is the first set of blocks that has filed for approval of its Stage 2 DSUP.

In addition to the Stage 2 DSUP application and associated requests, the applicant is also requesting approvals for amendments to the CDD Plan and transportation management plan (TMP) special use permit (SUP), and master plan. The proposed increase in floor area for Blocks 11 and 12 triggers the TMP-SUP amendment per Condition 7 of the CDD approval. In conjunction with the proposed additional floor area is a proposed height increase, requiring a master plan amendment (MPA).

B. Site Context

Located in the Coordinated Development District (CDD#2) zone, Blocks 11 and 12 are located along Eisenhower Avenue immediately to the east of the Eisenhower Avenue Metro Station. Blocks 11 and 12 are undeveloped and are currently occupied by a large surface parking lot.

A new street, Port Street, will be located to the east of the subject properties. On the east side of Port Street is the future head of the Eisenhower Park system and Blocks 19 and 20 (2250 and 2200 Mill Road, respectively). DSUPs for Blocks 19 and 20 have been approved by the Planning Commission and City Council, and four high-rise buildings are planned on these blocks. The existing WMATA Eisenhower Avenue Metro Station is located to the west, and will be separated from Blocks 11 and 12 by Anchor Street, a new street to be constructed by the applicant. Across Eisenhower Avenue to the north is the existing Mill Race residential development, the Meridian at Eisenhower (2351 Eisenhower Avenue) and Carlyle Place East (2251 Eisenhower Avenue). South of the site are the future Southern Street, Dominion Virginia high-tension power lines, and the Capital Beltway.

C. Site History and Historic Context

During the nineteenth century, much of Eisenhower East was marshland and the area currently defined as Blocks 11 and 12 would have been part of the flood plain of Cameron Run. These low-lying areas have since been filled, first with sediment and later with soil from the construction of the Capital Beltway to the south. As recently as the 1940's, small boats may have navigated areas within the marsh.

During the archaeological excavation, the remains of a pier were found in the eastern part of Blocks 11 and 12. The pier is believed to have been part of a historic dock on Hunting Creek that functioned as an export point for Cameron Mill. Other significant sites discovered on the Hoffman property include:

- The burial vault and cemetery of the West family, located just north of the AMC movie theater. The Wests were among the founders of the Town of Alexandria.
- The remains of a mill race and Cameron Mills, constructed by 1798 where the Hoffman parking structure now stands. One of the mills became the Alexandria Water Company pumping station in 1851, and operated until the mid-20th century. The tail race for the mills ran through Blocks 11 and 12.
- The remnants of the Cameron Farm complex, purchased by the Roberts' family in 1848, which included the mills, farmhouse, miller's residence, and several outbuildings.

Another significant site, the Village of Cameron, probably located just west of the current development blocks, was settled before the establishment of Alexandria and is believed to have been a port for tobacco export on Hunting Creek.

Since the 1980's, the project site and the Eisenhower Avenue corridor have been largely surrounded by surface parking lots, large vacant sites, office space, flex space, and warehousing uses. Under the *Eisenhower East Small Area Plan*, high-density, transit-oriented uses are envisioned for this district, with the highest density closest to the metro station. The beginnings

of this vision are starting to be realized with the recent completion of the Meridian at Eisenhower and Carlyle Place East mixed-use buildings across Eisenhower Avenue from Blocks 11 and 12.

D. Detailed Project Description

The Hoffman Company, LLC is requesting approval for a development consisting of two mixed-use buildings with three towers. Under the small area plan, Coordinated Development District Plan (CDD #2), and Stage 1 Development Special Use Permit for Blocks 11 and 12, mixed-use residential and retail development has been approved for these sites. The proposal for Block 11 consists of a 22-story residential tower and a 31-story residential tower on top of a three-story expressed base with designated retail space for an anticipated Harris Teeter grocery store use on the ground floor and retail uses along Dock Lane. A 28-story residential tower is proposed on Block 12, with ground-floor retail frontage along Eisenhower Avenue, Anchor Street, and portions of retail along Dock Lane and Port Street. Framing these two blocks will be several new streets: Southern Street, an east-west connection originating at Mill Road and eventually continuing west to Block 1 (existing Holiday Inn); Port and Anchor Streets, north-south connections between Eisenhower Avenue and Southern Street; and Dock Lane, an east-west private road separating Blocks 11 and 12 (and Blocks 19 and 20 to the east.)

Approximately 1,200 residential units are in the current proposal, including approximately 50-55 affordable units, due to the application of the Affordable Housing Density Bonus. The current mix of units, which may be adjusted slightly at final site plan, is: 12% Studios (ave. 560 sq. ft.); 64% 1BR (ave. 700-850 sq.ft.); and 24% 2BR (ave. 1,100 – 2,000 sq. ft.).

The ground-floor retail configuration includes the potential for an approximately 50,000 square-foot grocery store on Block 11, with approximately 17,000 square-feet of additional retail space on Blocks 11 and 12. The ground-level retail also includes approximately 1,000 square feet of “pocket retail” on Dock Lane as described below.

In addition to the proposal for construction on Blocks 11 and 12, CDD conditions require implementation of certain additional improvements at the Eisenhower Metro Station, which are discussed in more detail below.

Several district-wide requirements of the CDD are also tied to the Stage 2 DSUP application process, including a Public Art Plan and Open Space and Infrastructure Phasing Plan for all of the Hoffman Stage 1 and 2 properties. As the application for Blocks 11 and 12 is the first Stage 2 application to be filed for the Hoffman properties, the CDD requires that many of these district-wide components be addressed with the Blocks 11 and 12 proposal.

Blocks 11 and 12

The proposal for Blocks 11 and 12 consists of three, primarily masonry and glass, residential towers on top of bases with designated retail on the ground floor of both buildings. Block 11 East is 277 feet (22 stories); Block 12 is 339 feet (28 stories); and Block 11 West is 370 feet (31 stories). The two Block 11 towers total approximately 675,000 square feet in a single building, with the tallest tower adjacent to the Eisenhower Avenue Metro Station. Block 12 consists of a single tower, with approximately 640,000 square feet of floor area. The design of the buildings is discussed in more detail below in the Staff Analysis Section.

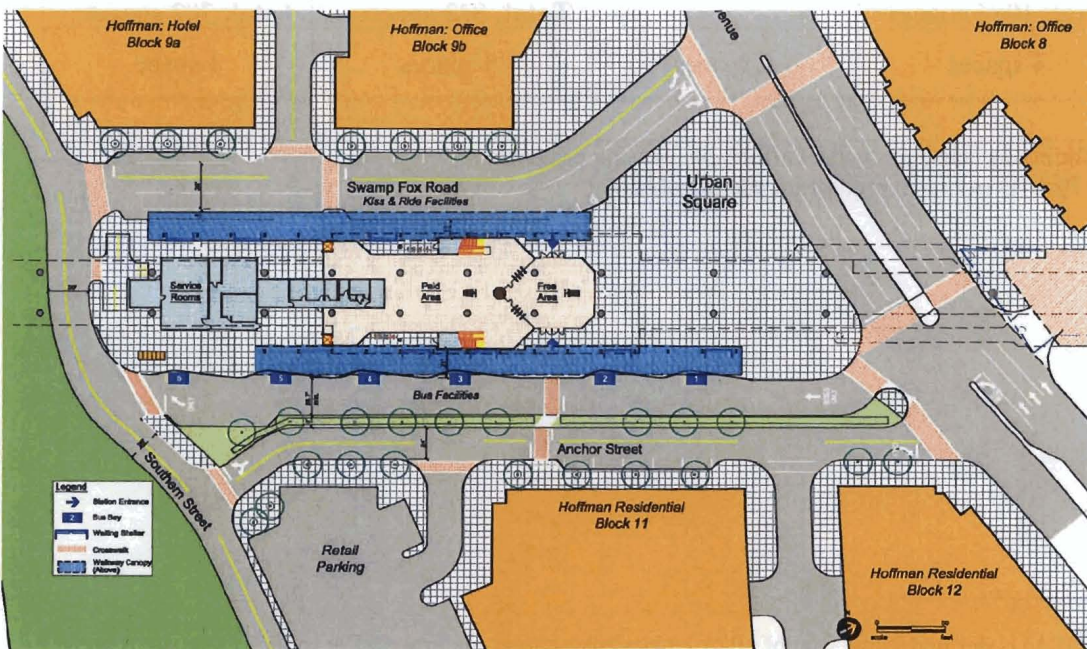
The ground-floor retail configuration includes the potential for an approximately 50,000 square-foot grocery store on Block 11, as well as approximately 17,000 square feet of ground-floor retail on Blocks 11 & 12 combined. The northeast corner of Block 12 will also have a small open space plaza area on the applicant's property, which could be used for informal gathering space or outdoor dining.

A 723-space underground parking garage will serve Block 11, and a 150-space surface lot will accompany the grocery store on this block. On Block 12, 782 spaces are proposed in above and below-grade garages to serve the residential and retail uses in this block.

Eisenhower Metro Station and Eisenhower Station Square

In conjunction with this project, there will be a major renovation of the Eisenhower Metro Station, including reconfigured and consolidated bus facilities, relocation of the Kiss & Ride lot, better taxi, shuttle and car-share spaces, upgraded paving and canopies, and construction of a major public open space – Eisenhower Station Square.

These are all improvements that were called for the *Eisenhower East Small Area Plan* and CDD #2005-0002. As part of the CDD amendment, certain improvements to the Metro station area were tied to the Stage 2 DSUP applications for Blocks 9A, 9B, 11, or 12. Specific improvements are required to occur as part of the first of these applications. Over the past several years, the Hoffman Company, WMATA, and the City have worked jointly to develop a plan to improve the Eisenhower Metro Station and a draft Memorandum of Understanding is being developed which lays out the parties' respective responsibilities for these improvements. A summary of these responsibilities is: 1.) the applicant will be implementing the bus loop improvements, in fulfillment of the CDD conditions, along with construction of new public streets planned around the station; 2.) the City will be implementing the station improvements using existing grant funds – and the City's CIP budget next year will be modified to reflect this project; and 3.) the City and the applicant will share the responsibility for designing/constructing Eisenhower Station Square.



A key node of the *Eisenhower East Small Area Plan*, Eisenhower Station Square will be a transit plaza centrally located at the metro station. This plaza will be a major gathering space and civic center for the City along Eisenhower Avenue within the Hoffman Town Center, which encompasses Blocks 11 and 12.

III. ZONING

Table 1. Zoning compliance table.

Property Address:	2210 Eisenhower Avenue			
Site Area:	Block 11: 126,010 sf (2.89 ac)			
	Block 12: 59,653 sf (1.37 ac)			
	Total: 185,663 sf (4.26 ac)			
Zone:	Existing – CDD#2			
	Proposed – CDD#2			
Current Use:	Block 11: Surface parking lot Block 12: Surface parking lot			
Proposed Use:	Block 11: Residential & retail			
	Block 12: Residential & retail			
	Permitted/Required		Proposed	
	<i>Block 11</i>	<i>Block 12</i>	<i>Block 11</i>	<i>Block 12</i>
Floor area ¹ :	626,456 sf	545,762 sf	674,259 sf*	641,964 sf*
Height:	250 ft	250 ft	East: 277 ft** West: 370 ft**	339 ft**
Parking:	Garage: 924 spaces	Garage: 238 spaces	Garage: 723 spaces	Garage: 782 spaces
	Surface: 160 spaces (for grocery store)		Surface: 150 spaces (for grocery store)	
	Total: 1084 spaces		Total: 873 spaces	Total: 782 spaces
Loading spaces:	4 spaces	2 spaces	5 spaces	1 space

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

**Includes Master Plan Amendment request for additional height

¹Gross Floor area (GFA) is defined as the sum of all gross horizontal areas under a roof or roofs. These areas are measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums and similar volumetric construction, not involving floor space are excluded.

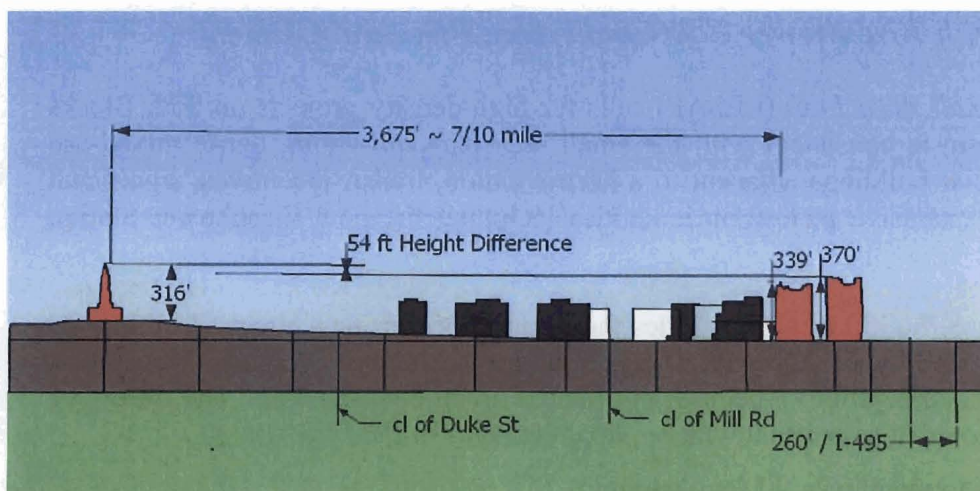
IV. STAFF ANALYSIS

A. Master Plan Amendment Request

The applicant is requesting a significant increase in the permitted height for Blocks 11 and 12 specified by the *Eisenhower East Small Area Plan*. Currently, the EESAP permits a maximum of 250 feet in height as the cap for these blocks. The proposal is for a 120-foot increase in height on Block 11 and an 89-foot increase on Block 12. Providing variety in height and mass, the buildings will step up counterclockwise towards the Eisenhower Avenue Metro Station. The Block 11 east tower will stand at 277 feet, Block 12 will be 339 feet, and Block 11 west will be 370 feet tall (all heights are to highest point of building – for example, top of the accent fins – and not roof height.)

Staff supports this increase in the permitted height for several reasons:

1. Staff believes that this Master Plan Amendment for additional height is consistent with the goals established by the EESAP. The EESAP envisions that the tallest buildings in Eisenhower East should be concentrated around the Eisenhower Avenue Metro station area. A number of buildings on blocks adjacent to 11 and 12 are approved at and/or built at 250 feet tall. Blocks 11 and 12 are next to the station, and should have the greatest height and density. This creates a clear “tent” of buildings focused on the Metro station.
2. The design of three slim, very tall towers of staggered heights will contribute positively to the Alexandria skyline and will serve as a symbol of the transformation of the Eisenhower valley. At 370 feet tall, Block 11-west would be one of the tallest buildings in the region, and as a slender tower, would contribute positively to defining Alexandria’s skyline. The two Block 11 towers, with narrow floorplates and a strong vertical design emphasis, will be visible from several vantage points in the surrounding area and prominent within the Eisenhower valley. Out of concern for the building height in comparison to the height of the Masonic Temple, staff did a section study, *Illustrative A* below, that demonstrates that the top of the tallest building on Block 11 is approximately 54 feet lower than the top of the Masonic Temple. In addition, the closest building (Block 12) is approximately 7/10 of a mile away from the Masonic Temple, with a number of large buildings between them.



Illustrative A

In earlier schemes for this project, the applicant proposed three towers of uniform (albeit lower) heights. Staff encouraged the applicant to reevaluate the massing to incorporate stepped forms which would provide visual interest and would counteract the perception of Carlyle/Eisenhower East as a visual “plateau.” For more information on building design, see Section K. Building Design below.

3. Another reason staff supports the additional height is that the applicant is providing a significant amount of affordable housing on this site in return for a density bonus. Additional development density – including that for affordable housing – in this location next to a Metro Station, is particularly desirable, with readily accessible transit amenities. With approximately 50,000 square feet of affordable housing, this project will provide the largest number of affordable housing units of any new development in the City. Additionally, these affordable units will be located in a part of the City that has a very small amount of existing affordable housing.

4. The additional height allows for more vertical building forms with narrower building masses and smaller tower footprints. The Stage 1 DSUP plan for Blocks 11 and 12 included buildings with blockier massing that focused more height along Dock Lane, which is anticipated to be a major pedestrian route to the Metro station. The massing on Block 11 included a 70-foot-high bar of residential above retail running parallel to the street, connecting the east and west towers. This would have created a “canyon effect” on Dock Lane and left it in shadow most of the time. With the current application, the design was revised to remove some of the massing along Dock Lane to be incorporated into the vertical towers. This supports the principle behind the required setback-to-building height ratio in Section 6-403a of the Zoning Ordinance, “to provide for appropriate building heights or streetwalls given certain street widths.” The result is a Dock Lane that has improved sun exposure for the street. Additionally, there is more sun for the amenity deck on Block 12. Even though the applicant has worked to push the bulk of the building massing away from Dock Lane, the applicant is requesting a modification to Section 6-403a of the Zoning Ordinance in specific locations along Dock Lane. This modification is further described below.

For all the above reasons, staff supports the requested Master Plan Amendment for increased building height on Blocks 11 and 12.

B. Consistency with Eisenhower East Small Area Plan and CDD #2

The *Eisenhower East Small Area Plan* (EESAP) calls for high-density projects on both Blocks 11 and 12. This proposal is consistent with the small area plan, providing dense mixed-use residential and commercial buildings adjacent to a Metro station, transit incentives, significant ground-floor retail, and extensive pedestrian amenities including the new Eisenhower Station Square.

Development of these three buildings also includes the creation of four new streets, forming the urban grid pattern envisioned by the EESAP. The existing mega block on which Blocks 11 and 12 is situated will be reorganized into a pedestrian-oriented urban environment. The following public benefits will be provided, consistent with required elements of the EESAP:

- High-density development near a Metro station
- Transit-oriented development

- Creation of new grid streets
- Creation of Eisenhower Station Square, a new urban plaza
- Improvements to the Eisenhower Metro Station, including a reconfigured bus loop road
- LEED or Green Globes certification
- Underground parking for both blocks
- Affordable housing on both blocks
- Significant ground-floor retail, including a grocery store
- Pedestrian and streetscape improvements
- Public art in both Eisenhower Station Square and on the plaza on Block 12.

The mass and scale of the buildings are appropriate for the blocks on which they are located and the design has achieved conceptual approval from the Carlyle-Eisenhower East Design Review Board, and a memo from the DRB is attached (*Attachment J*). Proposals for both blocks are also in substantial compliance with the *Eisenhower East Design Guidelines*. A few deviations from the design guidelines exist. See Figures 2 and 3 for an analysis of the design guidelines pertaining to Blocks 11 and 12. The applicant's SUP request for increased density and Master Plan amendment for increased building height on both blocks discussed above and below addresses the inconsistencies related to the design guidelines for the building envelope. The remaining design guideline deviations related to the building design will be discussed further as part of the building design analysis section of this report.

Revisions to the CDD are proposed in conformance with this Stage 2 DSUP for Blocks 11&12. The amendments to the CDD consist of revisions to incorporate the additional AGFA, additional parking spaces and the increased height for the project. In addition, amended conditions are proposed addressing the phasing of the expanded Eisenhower Station Square, to include construction of a portion of this urban plaza as part of the development of Eisenhower East Blocks 9A and 9B. It is anticipated that future Stage 2 DSUP applications may also require amendments to the CDD to, at a minimum, ensure consistency with those Stage 2 DSUP development proposals.

C. Retail Uses

The Hoffman Town Center, stretching from the Metro Station northward along Swamp Fox Road and past the AMC theater complex, is the major retail entertainment center of Eisenhower East. Retail locations proposed in the Blocks 11 and 12 buildings have been planned in synergy with the Hoffman Town Center destination and Metro Station, with concentrated storefronts along Anchor Street, Dock Lane and Eisenhower Avenue. In a recent retail study of the Eisenhower East and Carlyle areas, the area near the existing Hoffman AMC Movie Theater was noted as a location where new retail uses should be clustered, so as to build on the existing successful retail and entertainment uses.

Grocery Store on Block 11

The applicant has a signed agreement with Harris Teeter to open a new 50,000 square foot grocery store on Block 11. The design of the current proposal has been focused to meet the needs of this desirable tenant, with approval of certain features – such as the surface parking lot – that are generally not recommended in very dense projects directly next to a Metro station. Staff has worked to ensure that the design elements are as compatible with the Metro location as

possible, including additional landscaping for the parking area and a second pedestrian entrance to the grocery store facing the Metro station. Because the design of the current proposal has been so informed by the potential for a grocery store use on Block 11, staff is recommending a condition that states that, if a grocery store use is not located on Block 11, then the applicant must come back to the Planning Commission and City Council for a major amendment to the DSUP.

Permitted retail uses

Staff is recommending a definition of retail for this project that is substantially in conformance with the definition of retail in the Zoning Ordinance and believes that this will provide a rich and diverse collection of uses that are appropriate for this location. Ground floor uses on Blocks 11 and 12 that are designated as retail are recommended to be limited to retail, personal service uses, day care uses, and restaurants. In addition, as in the Carlyle district, staff has included a condition that allows administrative approval of other similar pedestrian-oriented uses that meet the intent of providing active pedestrian-oriented neighborhood-serving retail uses. Staff is also recommending that full-service restaurants can be approved administratively, whereas quick-service restaurants would require a full special use permit. Finally, day care centers are also encouraged within this development and may be approved by staff administratively permitted that certain criteria are met. Staff believes that day care is a use that is particularly supportive of a residential development of this size. The City has not included day care as an administratively permitted use for required retail square footage in many other DSUPs in the past, but it is very appropriate in this location.

"Pocket" retail uses

The applicant has worked extensively with staff to address the building façade treatment along Dock Lane, which will be an important pedestrian connection serving the site and connecting to the Metro Station. The presence of above-grade parking on Block 12 and curb cuts on both blocks are constraints that make it difficult to activate the pedestrian realm along the street. To address this concern, several "pocket" retail spaces, approximately 200 square feet each, line the parking garage along Dock Lane to help activate the street. Possible tenants of these spaces could include newsstands, flower shops, food vendors, and jewelry stores.

D. Affordable Housing

The applicant's proposal includes on-site affordable sales units or apartments, and will allow this major new residential project to successfully include a mix of incomes. Specifically, as allowed under Sec. 7-700 of the Zoning Ordinance, the applicant requests that the maximum allowed floor area under CDD #2005-0002 (626,456 square feet for Block 11 and 545,762 square feet for Block 12) be increased by a total of approximately 145,000 square feet (55,004 square feet on Block 11 and 90,082 square feet on Block 12) or approximately 11 percent., resulting in a total floor area cap of approximately 1.3 million square feet.

The applicant proposes to set aside 33 percent of the bonus density, as affordable units. This floor area will be used to provide affordable set-aside rental units. At this time the exact size of the units are unknown so the final number of units provided will be to the satisfaction of the Director of Housing. The projected number of units is 50-55 depending on final unit

configuration. These units will be rented to individuals making up to 60% of the area median income.

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 amount for the voluntary contribution is \$3,333,151.² If construction of Blocks 11 and 12 is phased, the applicant will make payments and provide affordable units corresponding to each phase.

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

The applicant's Affordable Housing Plan was approved by the Affordable Housing Advisory Committee (AHAC) in January 2010. This approval took into account that one of the recommendations of the Affordable Housing Initiatives Work Group (AHIWG) Report of May 2009 was "New affordable housing units should be significant in number or location, or should address another housing goal, such as replacement of other priority housing units, including public housing units." These affordable units are in line with this recommendation for both number and location. This project would be the largest developer contribution of affordable units in the City. The location within *Eisenhower East Small Area Plan* has a low concentration of affordable housing units compared to other Small Area Plans in the City.

In the past, the Planning Commission has questioned whether the policy of setting aside only 33 percent of the bonus density is significant enough to warrant the granting of density bonuses by the City. The Planning Commission has discussed this issue at length and expressed its view that developers should, in an appropriate case, be willing to set aside more of the bonus floor area for housing than 33 percent, recognizing the significant gain to the applicant from any additional floor area. In response to that concern, the Office of Housing wishes to note that any bonus density program must sufficiently incentivize developers to make their affordable housing contribution cost a known and acceptable consideration when they model projects, structure financing options and assess feasibility, as well as offer opportunities for increased economic benefit. Staff supports the bonus density proposal in this case for several reasons.

First, the 33 percent allocation was a policy decision negotiated among developers, landowners, and City staff and accepted by City Council to guide cases like this one. In this development, the approval of bonus density will yield an additional 145,000 square feet of floor area beyond what is allowed under the current zoning ordinance. The developer has agreed to comply with the current policy by providing 33 percent of this additional density as affordable units onsite, which is estimated to be between 50 and 55 units.

Second, the cash equivalent of the affordable units is significant. As calculated by the City in

² The DHCPWG contribution on permitted square footage of gross floor area is \$1.50 for rental units and commercial space. The contribution for the additional square footage allowed with an SUP is \$4.00 per square foot.

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

Third, the site's proximity to the Eisenhower Metro Station is a desirable feature, and a concept the City has continually supported. The provision of affordable housing in this location is consistent with the transit-oriented goals of the *Eisenhower East Small Area Plan*.

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

With regard to any affordable units provided, staff has included extensive conditions governing the affordable housing; 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 30 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.

Because this is a 100% rental project, with affordable units scattered throughout, this project is not optimal for consideration as part of the goal of finding 16 replacement units for purchase for ARHA. However, there is a recommended condition which states that the developer will work with the City and ARHA to consider the possibility of providing 16 public housing replacement units to ARHA as an alternative to some or all of the aforementioned units.

E. New Streets and Street Names

Four new public streets (Anchor Street, Port Street, Swamp Fox Road, and Southern Street) and one new private street (Dock Lane) will serve Blocks 11 and 12 and the Eisenhower Avenue Metro Station, as called for by the EESAP. The applicant will construct Dock Lane between Blocks 11 and 12 and the segment of Southern Street between Port Street and Swamp Fox Road. If construction of the development on Blocks 11 and 12 precedes construction of Blocks 19 and 20, the applicant will also be responsible for constructing Port Street. These five new streets will contribute to the urban grid and block system identified by the EESAP. The creation of the grid network will help to disperse traffic along several streets and relieve pressure at both Eisenhower Avenue/ Mill Road and Eisenhower Avenue/Stovall Street intersections.

As part of the request for this project, the applicant is also requesting approval of the street names Anchor Street and Swamp Fox Road. Port and Southern Streets were approved in

conjunction with the proposal for the adjacent Blocks 19 and 20. Dock Lane, which is a private street, does not require Planning Commission or City Council approval for its naming. A description of all five streets is included here for informational purposes.

Street Name Requests

Anchor Street

Anchor Street is the proposed name for the 66-foot wide public street located on the western side of Blocks 11 and 12, to the east of the Eisenhower Avenue Metro Station. This street will consist of 40 feet of land dedicated by the applicant and 26 feet acquired by the City from WMATA. Staff has recommended that this street be constructed prior to the issuance of the first certificate of occupancy for Block 11 or Block 12. The name Anchor Street was chosen in line with the area's maritime history, similar to the previously approved Port Street discussed below.

Swamp Fox Road

Swamp Fox Road is the proposed name for a new two-lane, 66-foot-wide public street located to the west of the Eisenhower Avenue Metro Station, bisecting Eisenhower Station Square. This road segment is an extension of the existing Swamp Fox Road, a private street, located north of Eisenhower Avenue and connecting to Mandeville Lane. The CDD plan envisions Swamp Fox Road eventually extending north to Mill Road as part of the development of Blocks 4 and 5.

The *Eisenhower East Small Area Plan* did not envision the north-south segment of Swamp Fox Road adjacent to the Eisenhower Metro Station. However, subsequent to the approval of the small area plan, this portion of roadway was planned to accommodate bus loop operations. This new road will provide another connection to the southwest quadrant of Eisenhower East and access to and from Block 9.

Previously Approved Street Names

Port Street

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

Southern Street

Southern Street is the proposed name for the two-lane, 66-foot-wide public street located south of Block 11 eventually extending west to the Eisenhower Avenue Metro Station. The name Southern Street was chosen because the roadway is the southern most street in Alexandria.

Private Street

Dock Lane

Dock Lane is the proposed name for the two-lane, 66-foot-wide private street located between Blocks 11 and 12. Although the applicant will retain ownership of this portion of property due to the presence of underground parking under the street, staff is recommending a public access

easement for Dock Lane so that it can function as a public street. Similar to the naming of Port Street, the name Dock Lane was chosen based on the area's maritime history.

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

F. Eisenhower Avenue Metro Station Improvements

The City's vision for the Eisenhower East neighborhood is a "dynamic urban mixed-use community that encourages the use of transit." With this goal in mind, WMATA, Hoffman and the City collaborated to develop a plan to improve the Eisenhower Avenue Metro Station area, and in September 2008, WMATA issued a Final Report of its "Eisenhower Avenue Station Access Improvement Study."

The Hoffman Company, WMATA, and the City are working jointly on a draft Memorandum of Understanding related to the parties' respective responsibilities for implementing the improvements outlined in the WMATA Final Report. This MOU contains detailed information about the scope of work for three project areas: 1.) Bus Loop Improvement; 2.) Expanded Eisenhower Station Square; and 3.) Station Improvements. The City Manager's Office will finalize the negotiations and execution of the MOU.

Bus Loop Improvements

As envisioned by the EESAP, one component that the 2008 WMATA study addresses is improvements to the bus and Kiss and Ride facilities at the existing station. As part of the first Stage 2 DSUP for Blocks 9A, 9B, 11, or 12, whichever occurs first, the applicant is required to prepare a plan for the construction of the bus loop improvements and explore the possibility of eliminating or relocating the existing Kiss and Ride facilities. These improvements are hereinafter referred to as the "Bus Loop Improvements."

The Bus Loop Improvements include relocation of three bus bays on the west side of the Metro Station to the east side of the Station, beside the three existing bus bays. This consolidation of the six bus bays will improve transit operations and pedestrian flow. In addition, the Kiss and Ride functions currently located beneath the aerial platform will be accommodated along Swamp Fox Road as on-street spaces. Car-share reserved parking spaces, taxicab spaces, and shuttle spaces will also be located along Swamp Fox Road.

For purposes of this application, the Bus Loop Improvements also include construction of certain new public streets, including Swamp Fox Road, Southern Street, and Anchor Street, adjacent to the Station. These streets will be constructed by the applicant on land to be contributed by WMATA and Hoffman.

Expanded Eisenhower Station Square

A key focal point of the *Eisenhower East Small Area Plan*, the Expanded Eisenhower Station Square will be a transit plaza located at the metro station. This station plaza will be a central gathering space along Eisenhower Avenue within the Hoffman Town Center, which is immediately northwest of Blocks 11 and 12.

The 2006 CDD Amendment for the Hoffman properties also requires the applicant to dedicate land towards creation of Eisenhower Station Square, a new urban plaza that is bisected by realigned Swamp Fox Road, and to design and construct the eastern portion of Eisenhower Station Square part of the Stage 2 DSUP application for Blocks 11 and 12. The western portion of Eisenhower Station Square will be completed with the development of Block 9B.

Not included in these two areas is the space beneath the WMATA aerial platform. However, WMATA has expressed willingness to transfer the land under the platform to the City so that it can be seamlessly integrated into the Eisenhower Station Square open space – thereby expanding it significantly. Collectively, this area plus the east and west portions of Eisenhower Station Square, are hereinafter referred to as the “Expanded Eisenhower Station Square,” which is approximately 30,000 square feet in size.

The Expanded Eisenhower Station Square will include informal seating areas, public art, plantings, a fountain, LID technology, and decorative paving. In addition, the statue of President Eisenhower currently located in the Holland Lane rotary will be relocated to this urban plaza. Funding for this portion of the project will be shared by the applicant – who is responsible under the terms of the CDD for design and construction of approximately 1/3 of the full Expanded Eisenhower Station Square – and the City. The City will use existing grant funds to pay for this portion of the project.

Station Improvements

The final collection of improvements to the Eisenhower Metro Station area is referred to as the “Station Improvements,” located entirely on WMATA property. These improvements will be the responsibility of the City, as part of the transfer of approximately 1.4 acres of land from WMATA for the Bus Loop Improvements and Expanded Eisenhower Station Square noted above. Funding for these improvements will come from existing Federal Transit Administration grant funds and funds contributed by the applicant in lieu of making road improvements to Eisenhower Avenue along Block 12 (this project is now funded by VDOT.) The Station Improvements project will consist of new sidewalk paving, new waiting shelters and canopies for the bus platform and taxi waiting area, and other amenities such as bike racks.

G. Open Space

Block 19 Open Space

A small portion of the site, less than ½ acre, is located on the northern side of Block 19 (see *Attachment F*). This area will be severed from the site when Port Street is constructed and will be further reduced in size when Eisenhower Avenue is widened. The area contains a stream (the Old Cameron Run channel) and wooded buffer, which is considered a resource protection area (RPA) and is protected from encroachment by development or impervious surfaces in order to maintain water quality. The stream in this RPA daylights on the Hoffman property and flows east eventually to Hooff’s Run. The area of the RPA is the most western portion of the future Eisenhower Park. Future dedication of open space on other properties to the east will ultimately link the park to the African American Heritage Park on the east side of Holland Lane.

The *Eisenhower East Small Area Plan* (EESAP) and the *Eisenhower East Plan Implementation* anticipates that approximately 55,000 square feet of open space area within Block 19 will be

dedicated to the City as part of the future Eisenhower Park. With the ATA/Lane development plan, approved in June 2009, the developer was required to dedicate approximately 40,000 square feet of land, all within the RPA, to the City. It was also anticipated at the time of that approval that the balance (approximately 15,000 sq. ft.) of the 55,000 square feet would be provided with the Hoffman application for Block 12.

Staff strongly suggested that the applicant dedicate this portion of the site to the City for inclusion into the future Eisenhower Park. Since the site is entirely within an RPA, there is no future development potential for this land. However, the applicant has been adamant that they are not required to dedicate any additional land in their ownership because the requirement to construct Eisenhower Station Square fulfills their open space obligation for Blocks 11 and 12.

As an alternative to dedication of this RPA open space area, staff is recommending certain requirements to preserve and enhance the potential use of this open space; including the provision of a connection to the 6 ft. pervious stone dust trail within the RPA buffer area on the Lane property as well as enhancements within the RPA such as a continuation of the wildflower meadow on the adjacent Lane site, additional trees and retention of this area in its natural state, all of which will improve the environmental and visual quality of the area. In addition, staff is recommending that a tree conservation and protection plan be provided for the wooded portions of the tract and that a perpetual public access easement be provided over the privately owned open space so that neighbors and local pedestrians will have an opportunity to experience the natural environment and stream.

Roof Top Decks and Amenities

The applicant is proposing two large private amenity decks, each approximately ½ acre in size, on Blocks 11 and 12. Additionally, roof top open space areas with additional amenities will be provided for each of the residential towers. The two amenity decks will be connected by a pedestrian bridge that will span Dock Lane. This bridge will be open and designed to fit in with and enhance the architecture of the buildings.

The applicant has indicated that the amenities for the apartment towers are not fully programmed yet, but are anticipated to include a club room, gym, business center, library/e-lounge, movie room, outdoor recreational areas (pool, putting green, grilling areas, hot tubs, rock climbing wall, and roof-top observation deck/lounge on 11W and 12. Block 11E will share a club room with 11 W.

The Block 11 amenity deck, directly above the grocery store, is the slightly larger of the two main amenity decks and will include a pool and hot tubs with a large sun deck area and a shade trellis with landscape planters and sitting areas.

Eisenhower Station Square

The *Eisenhower East Small Area Plan* (EESAP) and the Eisenhower East Plan Implementation provides for a system of open space areas in the form of urban plazas, parks and conservation areas. Developers are required to either contribute to or design and construct these open space areas as part of their respective development projects. In this case, the developer is required to design and construct an urban plaza at the Eisenhower Metro Station (Eisenhower Station Square) in conjunction with the development of Blocks 11 and 12. No other ground level open space

areas are required for either Blocks 11 or 12; however, a smaller ground level plaza is provided at the intersection of Port Street and Eisenhower Avenue and large private above-grade plazas are proposed for each block.

The *EESAP* originally envisioned a 28,000 square-foot urban square (Eisenhower Station Square) on the south side of Eisenhower Avenue and the west side of the metro station. The plan describes this plaza as “a major gathering and social space along Eisenhower” that will “anchor the southern end of Swamp Fox Road, the major north south shopping street and the route to the entertainment complex.”

With the approval of the Stage I DSUP, the plaza was revised as a result of a new north-south extension of Swamp Fox Road to allow better traffic circulation and access to Blocks 9A and 9B. The plaza was divided into two plazas; a 9,200 square-foot plaza adjacent to the metro station to be designed and constructed by the applicant with the subject application and an approximately 11,000 square-foot future plaza adjacent to Block 9B.

Additionally, WMATA has offered to the City the portion of the plaza that is under the above-grade platform, extending the size of the plaza east of Swamp Fox Road to approximately 20,000 square feet. WMATA would retain the area as a permanent surface easement for maintenance purposes. By having the property in City ownership, the City would be able to use the property for special events without obtaining permits from WMATA.

H. Pedestrian and Streetscape Improvements

The development of Blocks 11 and 12 will provide pedestrian and streetscape improvements that will enhance the area in accordance with the *Eisenhower East Small Area Plan* and associated design guidelines. In general, the streetscape for Blocks 11 and 12 will consist of minimum 14-foot-wide brick sidewalks with street trees, pedestrian scale lighting, and continuous sidewalks at all drive aisles serving the site.

Additionally, the *Eisenhower East Plan* identifies a hierarchy of street frontages with “A,” “B,” and “C” designations. On Block 11, the Anchor Street side is classified as an “A” frontage, the most restrictive guidelines to ensure the highest quality character and appearance. Block 12 has a more prominent location, with two “A” frontages – Anchor Street and Eisenhower Avenue. “B” frontages, or secondary street designations, are located along the Block 12 Port Street façade. Finally, Dock Lane, Southern Street, and the portion of Port Street serving Block 11 are classified as “C” frontages, which are considered the least public in nature and therefore, the least restrictive in design. Specific streetscape guidelines are associated with each type of frontage.

Dock Lane is required by the Stage 1 DSUP to be a 66-foot-wide street with a public access easement and is an important street within the overall grid street pattern in the Eisenhower East Plan area given that it provides a direct link to the Eisenhower Metro Station for this development as well as for other development to the east of the project. The street has recently taken on a more significant role as a major pedestrian route than was originally anticipated in the Eisenhower East Small Area Plan.

As discussed above, the *EESAP* classifies Dock Lane as a “C” street, which is “the least public in nature and the least restrictive in design intent.” With the recently approved development for

Blocks 19 and 20 (ATA site), a new “A” street envisioned by the Plan on the north side of the residential buildings on Block 19 was not required, placing more emphasis on Dock Lane as a major pedestrian street with direct access to the Metro station. With over one million square feet of mixed residential and commercial development on Blocks 19 and 20 and an equal or greater amount of development on Block 11 and 12, it is anticipated that Dock Lane will be a heavily used pedestrian street.

In order to ensure that Dock Lane is a quality pedestrian oriented street, staff has worked with the applicant to do several things; reduce the number of garage access points from 4 to 3; integrate more retail on the street, some in the form of “pocket retail” as discussed above; provide opportunities for outdoor seating between pockets of retail; maintain ample sidewalk width between the retail and the curb with street trees in tree grates; provide continuous level sidewalks over all driveways; and provide parallel parking on the street with special concrete pavers that mimic the treatment of the parking spaces in the surface parking lot for Harris Teeter.

Harris Teeter Parking Lot

The CDD allows for a maximum 160 space surface parking lot on Block 11, solely in conjunction with a grocery store tenant on that block. Additionally, conditions of the CDD require that the parking lot be in compliance with the landscape requirements of Section 11-410(cc)(6) of the Zoning Ordinance and the City of Alexandria Landscape Guidelines.

The current parking lot layout provides for approximately 150 parking spaces. The applicant has indicated that Harris Teeter is satisfied with that amount of surface parking. The reduction in ten spaces from that specified in the CDD is necessary to provide certain landscape features in order to find conformance with the Zoning Ordinance and landscape guidelines. Even with the reduction of the ten spaces, the applicant needs some modifications to minimum requirements for landscape islands provided and the width of required landscape strips. Staff has worked closely with the applicant in the design of parking lot and landscape features and supports the requested modifications.

In order to accommodate landscaping within the parking lot, Southern Street had to be shifted to the south into a VDOT easement for a stormwater pond on the southern end of the property. Staff and the applicant worked on numerous alternatives for the alignment of Southern Street and believe the current alignment works, pending VDOT approval. This alignment allows a landscaped island in the middle of the parking lot to function as a stormwater/bio-swale feature, as well as supporting vegetation for shading of parked cars. Periodic breaks in the landscaped islands are provided for shoppers and their carts. In addition, the applicant has agreed to provide pervious pavers in the parking spaces to further enhance natural drainage within the parking lot.

I. Traffic and Transportation

Area Traffic Impacts

Trip Generation

The proposed development on Blocks 11 & 12 is generally consistent with the East *Eisenhower Small Area Plan* (EESAP). A traffic impact study for Blocks 11 and 12 was submitted for this project, which updated the Hoffman Master Plan Traffic Impact Analysis dated October 2005.

Based on the applicant's traffic study, the development will generate 407 AM peak hour trips and 727 PM peak hour trips. These numbers include a 24% vehicle reduction during the AM peak hour and a 28% vehicle reduction during the PM peak hour based on the proposed transportation demand management (TDM) strategy.

Comparison of Peak Hour Traffic Conditions

The applicant analyzed peak hour intersection volumes using appropriate procedures, as detailed in the 2000 Edition of the Highway Capacity Manual. Traffic analysis results are summarized in Table 2 below for key area intersections.

Table 2. Peak Hour Level of Service and Delay for Key Area Intersections

Study Intersection	Existing Conditions		2020 with Development*	
	AM	PM	AM	PM
	Eisenhower Avenue and Mill Race Lane/Port Street	A 2.6	A 3.4	C 26.9
Eisenhower Avenue and Mill Road	A 8.8	B 10.9	E 57.9	E 63.0
Eisenhower Avenue and Swamp Fox Road	C 21.5	B 12.0	C 30.7	D 45.3

Note: Intersection delay is measured in seconds/vehicle

*2020 Scenario assumes improvements to Eisenhower Avenue consistent with the EESAP and the Hoffman Master Plan Traffic Impact Analysis (Eisenhower Avenue is assumed to be a six-lane divided roadway and additional side street approach lanes are added at the following intersections: 1. Eisenhower Avenue & Mill Race Lane/Port Street, 2. Eisenhower Avenue & Mill Road, and 3. Eisenhower Avenue and Swamp Fox Road)

Pedestrian, Bicyclist, and Transit Improvements

In Blocks 11 & 12, Dock Lane will serve as an important pedestrian link, providing pedestrians in Blocks 19 & 20 and Blocks 11 & 12 convenient access to the Eisenhower Avenue Metro. In conjunction with the Eisenhower Avenue widening project, a shared use path will be created along the south side of Eisenhower Avenue to support both pedestrians and bicyclists. Finally, in partnership with the city and WMATA, a continuous bus canopy will be provided along the east side of the Metro station to shelter bus riders from inclement weather.

Amendment to the Transportation Management Plan

In accordance with Condition 7 of CDD#2005-0002, which accompanied the Stage 1 DSUP approvals, the applicant was required to submit an amendment to the Transportation Management Plan since the adjusted gross floor area will increase due to affordable housing bonus density. In October 2009, VHB, Inc. submitted a revised traffic impact study. The traffic study determined the changes to the traffic volumes as a result of the bonus density will not significantly impact surrounding intersection operations. Therefore the existing TMP measures (Condition #33 of the TMP-SUP#2005-0115) are adequate, and all units, including those added with the bonus density, will be subject to the previously approved TMP with associated fees.

J. Parking

The *Eisenhower East Small Area Plan* promotes limited parking throughout the district to reduce the number of single occupancy vehicles and encourage transit use. Calculated under the EESAP parking ratios, the maximum number of parking spaces permissible for the Hoffman properties is 12,316. A maximum of 12,060 parking spaces were approved as part of the 2006 CDD amendment. The CDD conditions also compel the preparation and enforcement of a Parking Management Plan with each Stage 2 DSUP application, requiring fair market rates for single occupancy vehicle (SOV) parking, except that free parking is required for vanpool vehicles and for retail customers.

As part of the Stage 1 DSUP approvals for each block, the permissible maximum number of parking spaces was determined on a block-by-block basis. The number of underground parking levels was also approved in the Stage 1 DSUPs. In conjunction with the proposed density bonus request associated with the provision of affordable housing, the applicant is requesting additional parking spaces over and above the total Stage 1 DSUP approval. For Block 11, 924 garage spaces and 160 surface spaces were approved, and for Block 12, 238 garage spaces were approved, for a total of 1162 structured and 160 surface lot spaces (See Table 1). In the current proposal, a total of 1505 garage spaces and 150 surface spaces are requested. As per the analysis in the original CDD approval, the current proposal is within the intent of the previous CDD approval and *EESAP* provisions. Specifically, the residential parking ratio is approximately 1.2 per unit (including visitor parking) or 1.09 per unit (excluding visitor parking) and the retail parking ratio for both the grocery store and the retail on Block 12 is approximately 3 per thousand. These parking ratios are also generally consistent with the ratios in the recently approved development on Blocks 19 and 20. Parking garage entrances and exits for this project are located along Dock Lane.

Although the *Eisenhower East Small Area Plan* does not have specific requirements for visitor parking, staff has added conditions recommending that 9 percent of the total provided residential parking spaces in the parking garage be reserved for visitors to the residential units – this would equate to 130 spaces. The general City policy for visitor parking, which is not a technical requirement in the *EESAP* neighborhood, requires that a minimum of 15 percent of provided parking be allocated as visitor parking. Given the proximity of the Eisenhower Metro Station and the goal of encouraging transit use, staff recommends a reduced amount of visitor parking. In addition, if the utilization rates of the visitor parking spaces in the Blocks 11 and 12 garages are low, staff is recommending that the applicant submit a study for staff review to reconsider the visitor parking ratio and to possibly adjust to allow more residential parking if necessary.

Modification to increase compact parking space ratio

Section 8-200(E) of the Zoning Ordinance requires that no more than 30 percent of the total required retail parking for this project be compact-size spaces. Of the 150 proposed surface parking spaces for the grocery store use, 49 (33 percent) are compact. This surface parking lot has several site constraints that have challenged the design of this space. First, the existing above-grade high-tension power lines and poles restrict the configuration of the parking lot layout and the location of landscape islands and parking spaces. Second, the requirements of the Stage I DSUP to comply with City Landscape Guidelines and to screen the parking lot further limit the size of the parking lot. Finally, in working with staff, the applicant has reduced the

number of proposed parking spaces from 160 in the Stage 1 DSUP approval to 150 in the current application. Given these constraints and revisions, staff supports a modification to allow 3 percent more compact parking spaces in this parking lot.

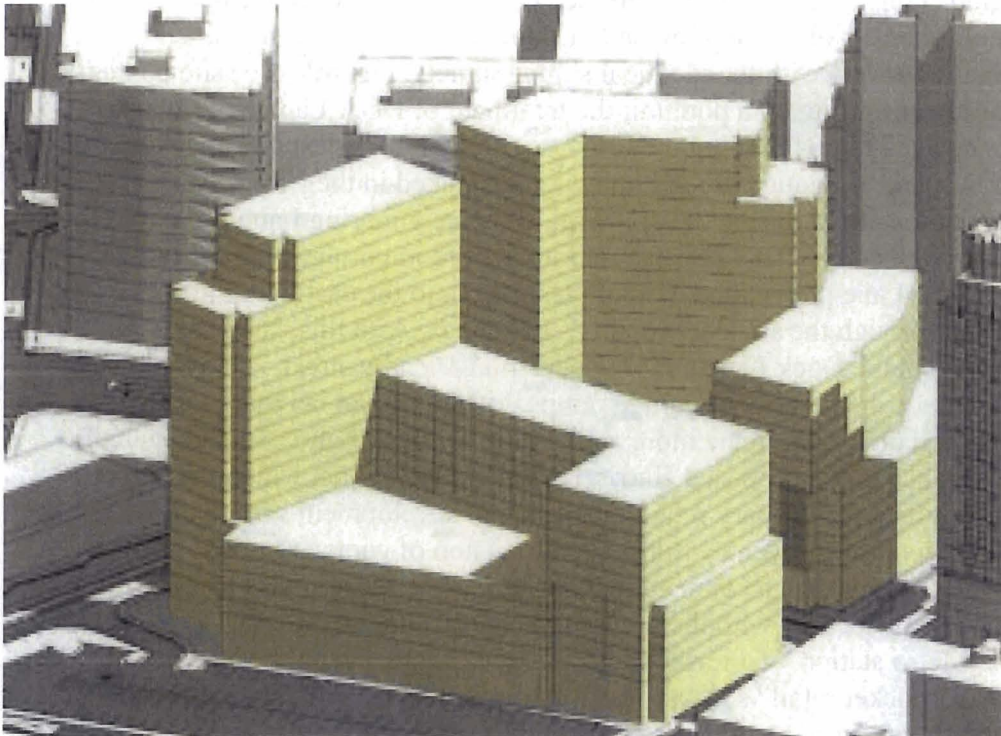
On-street parking

In addition to the off-street parking spaces, approximately 15 new on-street spaces will be created with the construction of the new streets surrounding Blocks 11 and 12: Anchor Street, Port Street, Dock Lane, and Southern Street. Staff has added conditions requiring that the applicant install City parking meters on each of these streets, including the private street. These new on-street spaces will provide additional short-term parking for visitors.

K. Building Design

Background:

This project was previously approved by Planning Commission and City Council under a Stage 1 DSUP in February 2006. The Stage 1 DSUP included approvals for use, adjusted gross floor area (AGFA), number of parking spaces, levels of underground parking, preliminary building massing, and height. The massing that was proposed by the applicant, as shown below, included strongly articulated and stepped building forms. (*Illustrative B – below:*)



Illustrative B:

Approved Stage 1 DSUP Massing

The applicant later returned with a fundamentally different proposal in March of 2009, consisting of three equal-height towers, two on Block 11 on top of the proposed grocery store and two levels of podium parking, and a third tower on Block 12 over one level of retail and five levels of podium parking (*Illustrative C – below:*)



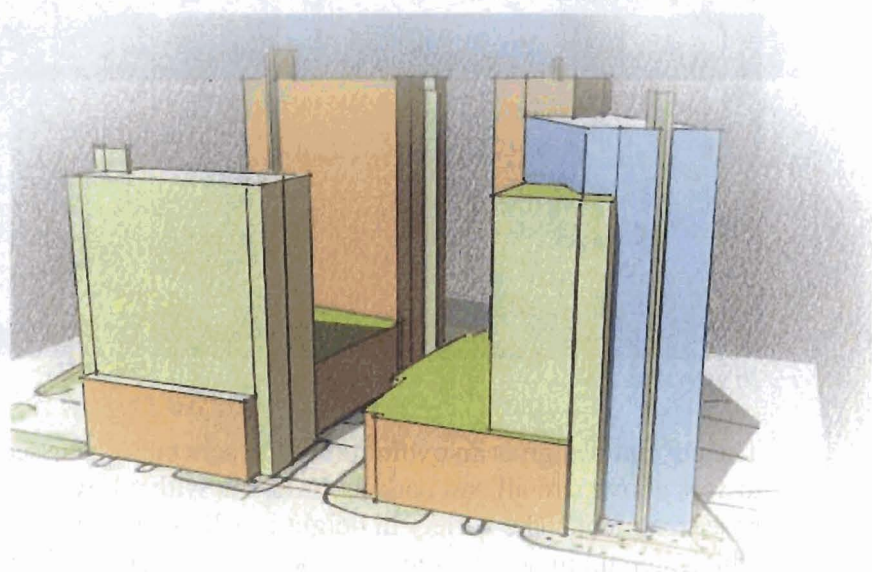
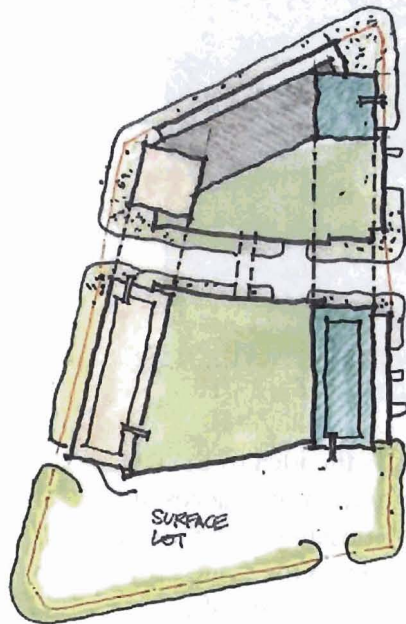
Illustrative C: Applicant's Initial Stage 2 Design

In this design, there were two levels of underground garage proposed over the entire site (with the exception of the surface parking lot, which is encumbered with a DVP underground easement that precludes below-grade construction.) Staff expressed concerns with several aspects of this design: the lack of three-dimensional articulation and building top expression; the repetitive quality of three same-height towers with the identical skin treatment, regardless of site context; the dated appearance of towers sitting on a podium; the treatment of Dock Lane, with blank parking garage walls and speed ramps running continuously along both sides; and a lack of ground-level public open space. Although Dock Lane was designated in the EESAP as a “C” street, design evolution that occurred during the approval of the neighboring Lane project to the east has effectively changed the character of this street into a more important pedestrian thoroughfare, connecting the Lane project and existing residential to the east with the Eisenhower Metro station, through the subject property. In keeping with this, staff has encouraged the applicant to make Dock Lane a more pedestrian-friendly street. This included suggestions to move or reduce the number of garage ramps, lower podium heights to increase solar access to the street, and above all create more active uses on Dock Lane. Staff repeatedly asked to add a second entrance to the proposed Harris Teeter on Dock Lane, which the tenant opposed. Staff felt strongly that the primary retail tenant in this development should not “turn its back” to Dock Lane and Eisenhower Avenue. Subsequent revision of garage ramps to their current configuration would allow such a connection, but the space opened up is currently shown as a secondary retail space on Block 11 with the secondary entrance to the grocery store located on the façade facing the Metro station. To further activate Dock Lane, the applicant has proposed a series of small “pocket retail” spaces – basically micro shops – that would support small retail uses, and add life and activity to the street frontage. For further discussion of the Dock Lane issues, see also the Block 12 Parking discussion (below.)

Schematic Design Evolution:

Subsequently, staff met with the applicant on an ongoing basis to work through these concerns. Applicant stated that the project's economics made strong three-dimensional stepping or plan setbacks problematic, and proposed achieving height variation by seeking additional height

through the provisions of the affordable housing density bonus. Staff was generally supportive of seeking additional height for this site, in view of its prominent position on Eisenhower Avenue, potential enhancement of the City skyline, and its location immediately adjacent to a Metro station. Staff worked with applicant to develop several alternate massing and architectural expression strategies in diagram form, which stressed a variety of building heights and expression (*Illustrative D* – below:)



Illustrative D:

Staff Massing Studies

The revised project, now containing five levels of underground garage, was taken to the Carlyle/Eisenhower East Design Review Board (which is advisory for this project) for several hearings and work sessions, and the design has made significant progress (*Illustrative E* below) although the Board has asked the applicant to continue to refine the design in a number of areas, including final façade expression, color and materials.

Current Design:

Staff analysis of the current design, based on submissions dated February 16th and March 16th and March 23rd, 2010, recognizes that Applicant has made substantial progress with the building design, but notes a few remaining areas of concern, which staff believes could be resolved at Final Site Plan with the applicant and their design team. Staff therefore recommends approval of this Stage 2 DSUP application, with the conditions listed in the Building Section of the Recommendations.



Illustrative E:

Current Design, as of 3/24/10

The current design is an evolution of the schemes discussed above: it retains the idea of three towers above a retail and parking base, but with a lower, and in staff's opinion, more successful base treatment. The variety in height is achieved through the fundamental massing of the towers, which step up in height counterclockwise from the southeast corner, across from the Lane project, to Eisenhower Avenue, to the tallest building at the southwest corner of the site, facing the Beltway and the Metro station. To achieve a stronger skyline, applicant has also proposed the creation of two-story penthouse units at key locations, which help to break the horizontal plane of the building top, and create the sense of vertical "tower" elements embedded in the larger building slab. Additional three-dimensional sculpting of the building forms is located on key areas of the façade with a series of projecting and receding planes (achieving a five foot depth in certain locations) to modulate the façade. There is additional variation created through color and fenestration changes. While early attempts using the color method seemed flat and unsuccessful, the applicant's team has continued to work on ways to make these plane changes read more strongly, and staff now feels that they can achieve an appropriate level of expression of base-middle-top and articulation. Staff also notes that the design has made a stronger visual connection between the building tower and base at key locations, by carrying the tower expression (whether solid or glass) all the way down to the base, or even to the ground.

An additional area of concern has been color. Both staff and applicant have agreed that the three buildings need to read as parts of a whole, but staff continues to feel that there should be subtle, but distinct, variations between the color and material treatment of the individual buildings – first, to respond to the highly varied conditions that surround the site, and second, to emphasize the most important focal points of the project – such as the corner that overlooks the RPA and Eisenhower Avenue, the tallest building fronting the Metro, or the view from the Capital Beltway. It is important for this project to be distinguished from the color schemes of the existing Paradigm/Mill Race residential project across Eisenhower Avenue, and the approved Lane project to the east. The applicant had a productive meeting with the DRB on this issue on March 18th and the color scheme for this project is on the right track. The applicant will continue

to work through the final site process with Planning & Zoning and the DRB to refine the color and materials solutions for this important project.

The building tops are another area where the building design is very strong, although additional refinement will be needed during the final site plan process. The applicant has proposed a series of highly articulated “lantern” elements to cap the key building corners. These lantern elements will be lit at night and act to give the building tops variety and interest. The issue of distinctive building tops has been a major concern for the City and this project has effectively addressed this by creating building tops of differing heights and utilizing specially lit design features. The detailed design of the lantern elements and how these elements tie into the rest of the tower design needs to be further refined during the final site plan process.

The building base is a final area that has simply not received a great deal of attention, due to the complex problems of massing and elevation that have been addressed above. It is currently shown as being constructed primarily of an architectural concrete masonry material (Arriscraft – the same material used for the base of the Potomac Yard Fire Station) which may not be appropriate for all areas of such a prominent project. In this regard, staff needs more information and will continue to work with applicant to refine this part of the building.

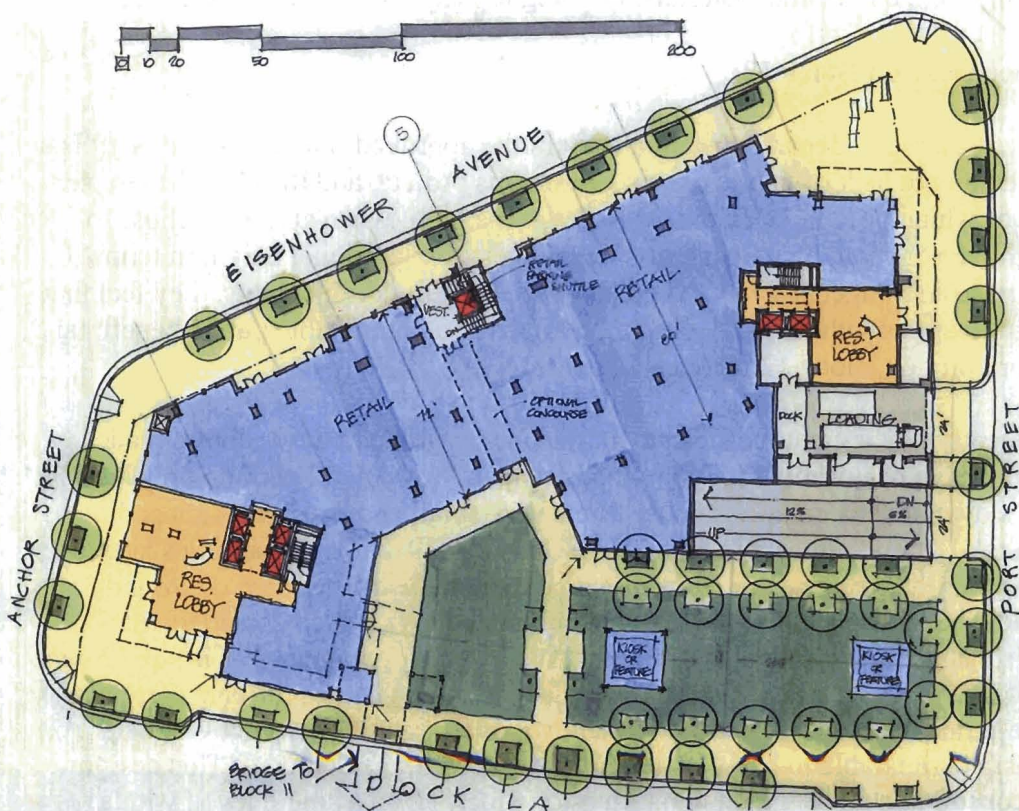
In view of the above, staff is recommending approval of the design of this major project, as reflected by the drawings dated February 16th, 2010, as amended by design sketches dated March 16th and 23rd, 2010, and with the condition that the applicant will continue to work with staff and the DRB to resolve the final colors and materials, building top expression, and base elements.

Parking/Open Space Issue on Block 12:

Since the applicant’s decision to depart substantially from the approved Stage 1 DSUP, staff has consistently remarked on the lack of public open space on this project, and the closed character of Dock Lane, both of which became even bigger issues at the point when applicant chose to request greater height. Even though staff supports this request for additional height in terms of the opportunity to create a stronger skyline and greater variety of building heights, they feel that the addition of a significant amount of GFA should be offset by a comparable public benefit, and that there is an opportunity on Block 12 for such a contribution.

Staff has also consistently noted great inefficiency in the one on-grade and two above-grade sections of garage that have been shown for combined retail and residential parking on Block 12. Using the applicant’s own area calculations, these three, very small and irregularly shaped garage plates park a total of only 96 cars in 68,000 SF. This means that each parking space in this garage takes up more than 700 square feet, compared to an industry standard of around 350 SF/car. Staff has studied an alternate design (see illustrations, below), which considers the redesign of entry, aisle and circulation geometry in the five levels of garage *below Block 12 only*. Staff studies showed that the increased efficiency could accommodate all of the cars currently shown parked above-grade on Block 12 *and* allow removal of all 68,000 SF of above-grade garage (a building area comparable to *two* Charles Houston Recreation Centers.) This design change would also consolidate all of the retail parking for Block 12 on a single level, with a simple one story elevator connection to grade and the retail space along Eisenhower Avenue. It permits the creation of more than a third of an acre of high-quality, south-facing public open space on Dock Lane, (comparable in size to Hunter-Miller Park,) while still saving the applicant a substantial amount of construction cost. This park could include high-quality outdoor dining

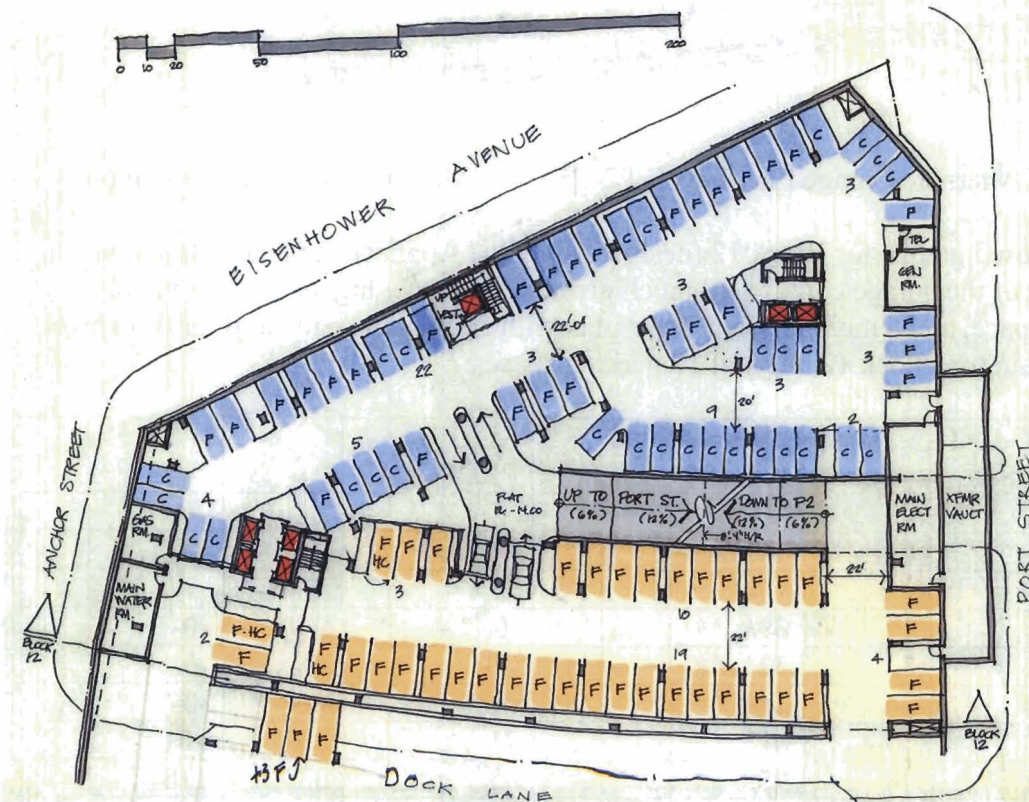
opportunities for future restaurants in Block 12, and is also large enough to accommodate retail kiosks, such as the ones found in Bryant Park and elsewhere in Manhattan. The plan changes also allow for greater retail depth (an industry-standard 70-80 feet, versus the 50 feet shown in the current proposal,) and the elevator location – close to Eisenhower Avenue - allows for complete flexibility in retail tenant sizes (versus the current proposal, which requires a passageway at some point, cutting the retail space in half.) This consolidated retail space gains substantial exposure as well, since it would also be visible *and* accessible from the newly-created open space, and its single parking entrance on Port Street is immediately visible to anyone coming to the retail, whether from Southern Street, Dock Lane or Eisenhower Avenue eastbound or westbound. Replacing the two ramps on Dock Lane with a single entry on Port Street also adds a significant number of on-street parallel parking spaces on Dock Lane (from 11 to 17.) Elimination of the above-grade parking structure also allows increased efficiency by relocating tenant and leasing office spaces currently shown on a single-loaded corridor on the second floor facing Port Street to the main building corridor, along with a net gain of 3 – 4 additional dwelling units, and elimination of an exit stair necessitated by the long dead-end corridor in the current proposal. Finally, removal of three levels of mechanically-ventilated garage would save total construction costs in the neighborhood of \$4 million. While these changes would involve some minor adjustments to column and core locations in Block 12, it should be noted that this piece of the project has been identified by the Applicant as Phase II, and there is therefore ample time to make these design changes without impacting the construction schedule for the overall project.



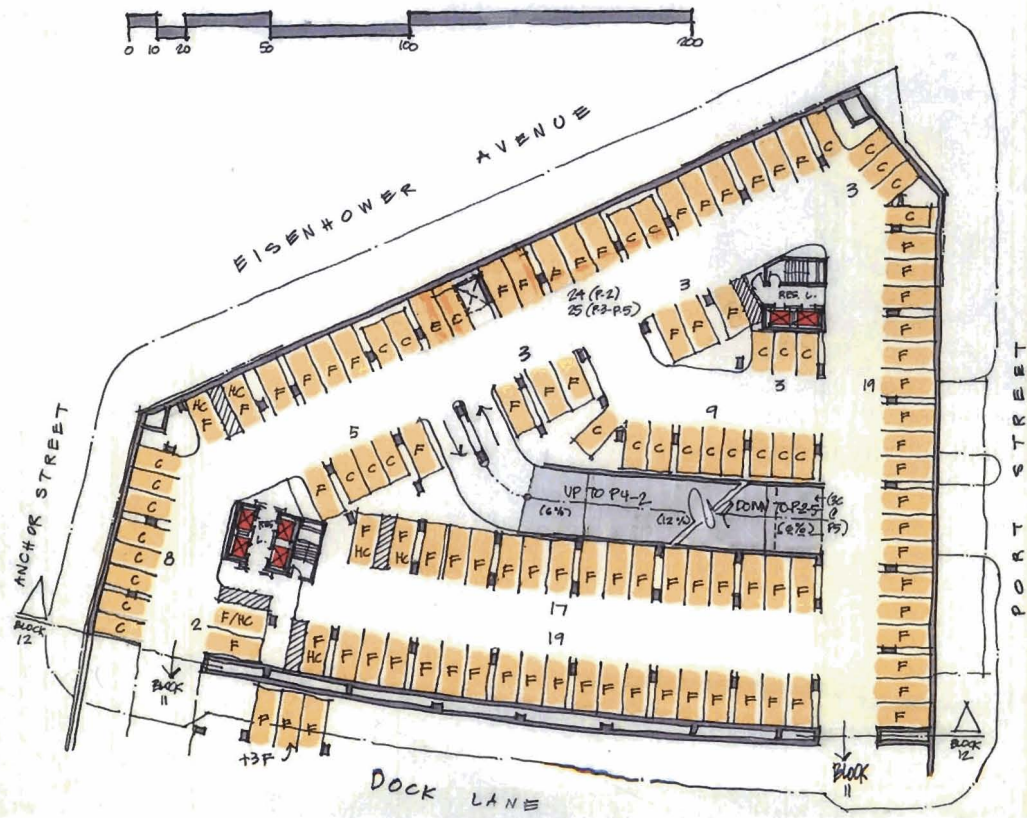
Illustrative F: Staff Alternate Ground Floor Plan - Expanded Retail Space shown in blue
 Note that retail elevator location gives direct access to Eisenhower Avenue and lease space.



A Bryant Park Kiosk (about 20' square)
 Could supplement retail activity in open space.



Illustrative G: Staff Alternate First Garage Plan (P-1 Level) - Retail Parking is shown in blue, and could easily be expanded by moving the division between retail and residential garage sections.



Illustrative H: Staff Alternate Garage Plan Levels P2-P5 – More Efficient Parking Layout

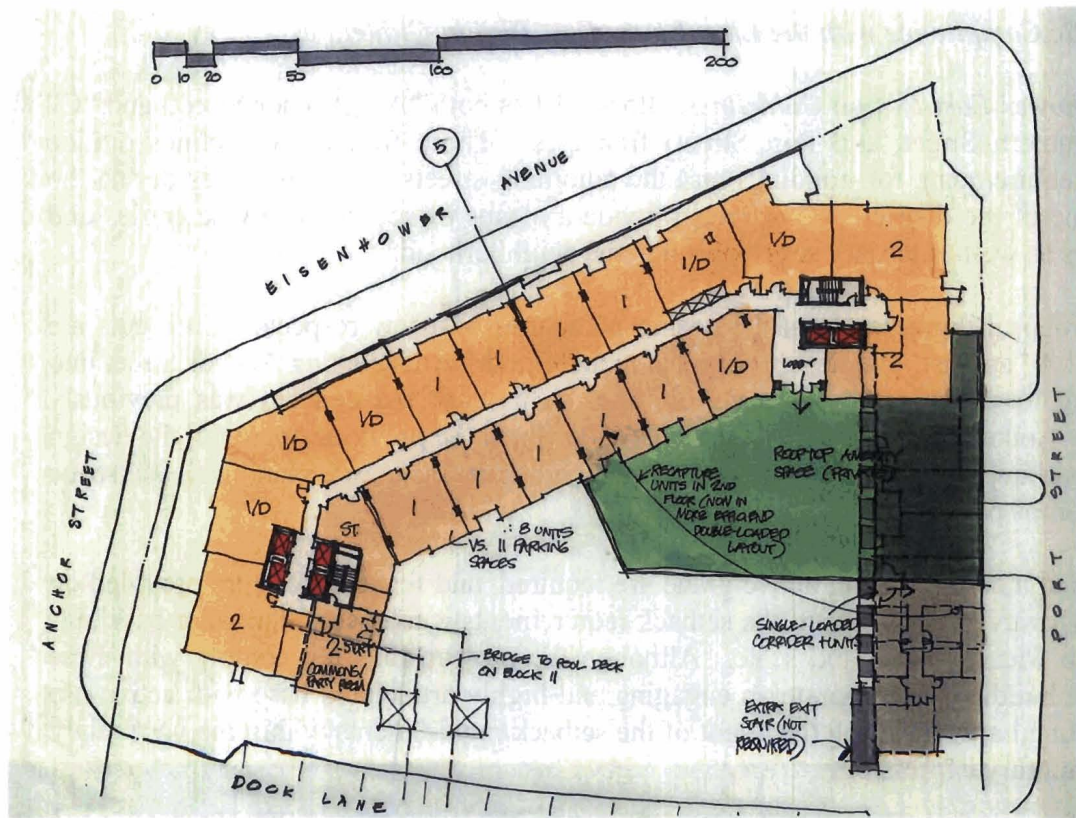
A study of the proposed garage for Block 12 (designated by the Applicant as Phase II) shows that reconfiguration of the garage could yield much greater efficiency, higher parking yield, ground level open space, and a more efficient floor plan with additional residential units on level 2, with a total net gain (on Block 12 only) of 19 parking spaces:

	APPLICANT PROPOSAL			STAFF PROPOSAL			
LEVEL	FULL	COMP.	TOTAL	FULL	COMP	TOTAL	
2	27	12	39*, **	-0-	-0-	-0-	
MEZZ	24	8	32*, **	-0-	-0-	-0-	
G	20	4	24*, **	-0-	-0-	-0-	
P-1	51	30	81	71	30	101	
P-2	47	48	95	85	33	118	
P-3	47	48	95	85	34	119	
P-4	47	48	95	85	34	119	
P-5	46	53	99	85	37	122	
TOTALS:	309	251	560	411	168	579	
%'S	55%	45%		71%	29%	+19 SP	

*) Applicant proposes a total of 95 cars on three above-grade levels - totaling approximately 65,000 square feet, which translates into \$3.5 to 5 million of construction. In

addition, this parking is very inefficient (over 750 square feet per car, versus a standard of around 350 square feet each.) The area freed up by elimination of the above-grade parking can provide over one-third of an acre of ground-level open space. The area on the 2nd floor formerly occupied by garage can then be used for additional residential units (yielding several additional units, and eliminating a redundant exit stair and long single-loaded corridor.)

**) Applicant proposes 53 retail spaces on two separate, small levels, which makes searching for a parking space difficult; staff proposal provides 54 retail spaces on a single level, with one-stop elevator connection to retail shops and Eisenhower Avenue.



Illustrative I: Staff Alternate 2nd Floor Plan – Replaces Single-Loaded Condition with Double-Loaded

A final note: the bridge that is shown connecting Blocks 11 and 12 can still be accommodated if these changes are carried out. There is also absolutely no change suggested for Block 11, which has been designated as Phase I.

The applicant is completely unwilling to consider this change as they believe that some limited above-grade parking is essential to the success of their retail uses on Block 12. Staff is not making the provision of open space on Block 12 a condition of approval; however, believes that this is an issue that the Planning Commission and City Council should discuss with the applicant.

Compliance with Design Guidelines:

The massing and orientation of the three proposed buildings are consistent with the intent of the EESAP and the *Eisenhower East Design Guidelines*. Staff and the Eisenhower East Design Review Board have worked with the applicant to refine the massing and building design for this project. Like the recently approved Blocks 19 and 20 project, the design of Blocks 11 and 12 has moved away from the typical combination of red brick and white precast – which is common to the area – to a composition of three colors of brick, metal and glass. However, this design remains consistent with the Design Guidelines, which require vertical proportions, high quality materials and detailing, a well-defined base-middle-top composition, and strong design elements at the top of all three buildings, which have been designed as an ensemble.

Block 11: Specific Compliance with the Eisenhower East Design Guidelines

Under the *Eisenhower East Design Guidelines*, Block 11 has both “A” (Anchor Street) and “C” (Dock Lane, Southern Street, and Port Street) frontages. These frontage guidelines outline specific design requirements for buildings and the adjoining streets. “A” frontages define the character and tone of the district. “C” streets provide a means of access to service entries and parking structures as well as tertiary streets through the neighborhood.

The Block 11 proposal digresses from the design guidelines in a few respects. Curb cuts are prohibited along “A” streets. The design proposal includes a drive aisle along Anchor Street into a surface parking lot serving the grocery store use. This curb cut concept was previously approved by City Council as part of the Stage 1 DSUP. Since the previous approval, the design of the surface parking lot has been improved to incorporate increased plantings, landscape screening, and porous pavers.

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

Finally, for “A” street façades... In general, although the Block 11 project deviates slightly from a few guidelines under the “A” frontage requirements, staff is supporting these areas of non-conformance, since the design decisions in question give significant merit to the buildings.

Block 12: Specific Compliance with the Eisenhower East Design Guidelines

Under the *Eisenhower East Design Guidelines*, Block 12 has “A” (Anchor Street, Eisenhower Avenue, northern portion of Port Street), “B” (southern portion of Port Street) and “C” (Dock Lane, Southern Street, Port Street) street frontages. “B” streets connect primary streets to each other and to service streets, and provide access options throughout the neighborhood. “A” and “C” frontages have been described in the previous section. These frontage guidelines outline specific design requirements for buildings and the adjoining streets.

Setback-to-Height Ratio Modification

As part of this proposal, the applicant is also requesting a waiver of the setback-to-height ratio requirements under Section 6-403a of the Zoning Ordinance, which states that a building is required to be set back from the centerline of the street it faces a distance equal to at least half the height of the building at every point. Building heights on Blocks 11 and 12 range between 370 and 339 feet tall respectively, and the distance between buildings across Dock Lane is approximately 66 feet. Under Section 6-403a of the Zoning Ordinance, the buildings along Dock Lane for this block would be required to step back substantially or overall heights would need to be reduced, assuming the building footprints and towers are in their current location. As discussed earlier, the building massing approved in the Stage 1 DSUP for Blocks 11 and 12 consisted of a higher street wall along Dock Lane but lower overall tower heights. In the current proposal, the applicant expressed the desire to open up Dock Lane and consolidate more floor area on the building towers. The building massing in the current proposal was also determined based on the following: the desire to orient the rooftop amenity space and residential units for sun exposure; the site constraints related to the high-tension power lines on Block 11; and the desire to provide sun exposure on Dock Lane. For these reasons, staff supports a modification under Section 6-403a of the Zoning Ordinance for Blocks 11 and 12.

Building Signage

The Hoffman Coordinated Sign Plan (SUP-0163), approved in 1998, includes signage standards for all of Hoffman Town Center, including this site. Staff has included conditions requiring the design and development of additional signage for business signs, interpretive signs and specific signage for the grocery store so that it will be prominent from key locations approaching the site, including the Port Street and Dock Lane intersection, the eastbound Eisenhower Avenue and Swamp Fox Road intersection, and the elevated Metro Station platform.

L. Green Building

Under the City's new Green Building Policy adopted in April 2009, this development project would be required to achieve the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Certified level for New Construction or equivalent. Several green building elements that will accompany this proposal include: native plantings to reduce potable water use for irrigation, high-albedo roof materials on site and on building roofs, locally sourced materials, low-e glazing, energy efficient lighting and HVAC systems, and EPA WaterSense low-flow plumbing fixtures.

In lieu of the LEED system, the applicant has expressed interest in pursuing certification under the Green Globes Design system, which is owned and operated by the Green Building Initiative (GBI). Used in Canada and the U.S., Green Globes is a Canadian-based system that has been adapted for use in the U.S. Figure 4 contains a list of Green Globes certified projects. Both LEED and Green Globes originated from the Building Research Establishment Assessment Method (BREEAM), an environmental certification system launched in the United Kingdom in 1990.

The applicant has cited a few reasons for preferring to obtain certification through Green Globes over LEED. They have expressed that Green Globes is more user-friendly, providing guidance throughout the green building certification process. In addition, the applicant is interested in the

option for obtaining points for conducting a Life Cycle Assessment (LCA) of building assemblies and materials that is offered under Green Globes but not through LEED.

Although staff recognizes these advantages, staff is not certain that Green Globes is currently an equivalent system to LEED. The "Green Building White Paper for the City of Alexandria" prepared by Environmental Resources Management (ERM) dated December 25, 2007 notes that the two systems which appear to meet most of the criteria set for the City are LEED and Green Globes. The white paper attests that "both rating systems include many of the same green building criteria and are similar in content." However, under the City's Green Building Policy, and consistent with the ERM white paper, LEED is currently considered the City's preferred system. Staff has several reservations with the Green Globes system. First, the energy modeling procedures of the two systems are not equivalent; Green Globes is more simplified for purposes of being more accessible and user friendly. LEED has more stringent requirements stipulating who on the project team is permitted to perform the energy modeling. Second, entry to obtaining 1 Green Globe is lower than entry to achieving the LEED Certified level. Third, there are differences in the reporting and verification requirements for both systems. These differences and other staff concerns are not discussed here, as a detailed analysis and comparison of the technical differences between LEED and Green Globes is beyond the scope of this report.

To address the discrepancies between the two systems, staff has several recommendations. Since eligibility for 1 Green Globe begins at the 35 percent level, staff is requiring that a minimum of 40 percent of the possible points be achieved, the minimum threshold for the LEED Certified level. See Table 3 below for a comparison of the LEED and Green Globes points systems. If the applicant opts for Green Globes certification, staff is recommending the following conditions to address the concerns described earlier, creating a more level playing field between the LEED and Green Globes systems:

- Achievement of a minimum of 40 percent of the total possible Green Globes points;
- A third-party assessment, which is the New Construction (NC) Stage I and II assessment under the GBI Green Globes system;
- A GBI-certified energy modeling analysis to achieve a minimum score of 75 based on EPA's National Energy Performance Rating System; and
- If the project becomes eligible, a certified Energy Star rating of 75 based on EPA's National Energy Performance Rating System.

Table 3. Comparison of LEED and Green Globes points systems.

LEED® 2009 for New Construction and Major Renovations		Green Globes
Total Possible Points**	110*	1000 points
1 Sustainable Sites	28	115
2 Water Efficiency	10	100
3 Energy & Atmosphere	33	360
4 Materials & Resources	14	100
5 Indoor Environmental Quality	15	200
* Out of a possible 100 points + 10 bonus points		
** Certified 40+ points, Silver 50+ points, Gold 60+ points, Platinum 80+ points		
6 Innovation in Design	6	0
7 Regional Priority	4	0
Emissions, Effluents & Other		75
Project Management		50

In light of these recommendations, it is important for the City to monitor and evaluate the comparative performance metrics between the Green Globes and LEED systems - including current and future versions - to ensure that future development proposals desiring to pursue Green Globes certification will be on par with LEED.

M. Mechanical Penthouses

The applicant is also requesting permission to build taller mechanical penthouses than the 15-foot maximum height currently permitted under the Zoning Ordinance. Section 6-403(B)(2)(b) of the Zoning Ordinance requires a special use permit to increase the penthouse height beyond the permitted 15 feet. Staff supports the applicant's request for 34-foot tall penthouses on Blocks 11 and 12 because the elevators will be providing access to the roofs and the additional height is necessary both to accommodate increased mechanical overruns and to meet current code requirements for the high speed elevators required in the residential buildings. The applicant has committed to keep this height as low as technically feasible as they progress through detailed design of the building.

In addition, the applicant is requesting a special use permit to build more than one penthouse on Block 12. The added penthouse is needed because there are two elevators serving the building. Staff supports the request for incorporation of an additional penthouse on Block 12 for these purposes and has worked with the applicant to integrate the penthouse design into the overall building design.

N. Public Art

The 2006 CDD amendment included a condition of approval requiring that the applicant prepare a plan for sculpture and public art as part of the submission of the first Stage 2 DSUP for the

Hoffman properties. This Public Art Plan must be reviewed and approved by the Planning Commission and City Council.

The document submitted and included as *Attachment H*, along with a submitted map designating locations throughout the Hoffman holdings for future locations of public art, represents a cohesive plan for the location and type of public art that will be provided throughout the Hoffman holdings, which comprise the majority of the Eisenhower East neighborhood. Staff and the applicant have worked to develop a Public Art Plan which lays out processes for selection and implementation of public art. Additional refinements to the Public Art Plan will be made prior to final site plan – specifically, historic and interpretive goals will be incorporated into the Public Art Plan upon creation of the Historic Interpretive Plan. The Public Art Plan will also provide for opportunities to interpret history in the design and signage of the open space in the area. These refinements will crystallize the vision for the area to serve as a framework for determining the type of art or specific art piece for each location identified in the Plan. Staff is recommending approval of the Public Art Plan as provided in *Attachment H*.

O. Encroachment into Resource Protection Area

This property contains a Resource Protection Area (RPA) on the northeastern portion of the property. The *Eisenhower East Small Area Plan* requires that this RPA be bisected by a public road, Port Street. The remnant RPA is then disconnected from the live stream and surrounded by highly urbanized development, severely compromising its functional ecosystem benefits. The applicant has requested and received an administrative approval from the Director of Transportation and Environmental Services to encroach into the RPA under Section 13-116, (B) of the Environmental Management Ordinance. The applicant has agreed to provide off-site mitigation to more properly restore the functionality of a Resource Protection Area elsewhere in the city.

P. Encroachment into Public Right of Way for Electrical Transformer Vaults

Staff had several meetings with the applicant and Dominion Virginia Power on the location of several large electrical transformer vaults needed to serve the project. After exploring all options, including locating the vaults within the Virginia Dominion Power easement under the surface parking lot, it was concluded that the only feasible location for the vaults was under the sidewalk in the Port Street right-of-way. Staff has worked with the applicant on revising the preliminary plan to that ensure the location of the vaults will not conflict with the ability to provide street trees between the vaults and the curb. Additionally, staff has added conditions requiring the applicant to obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant and the City against all claims, demands, suits, etc., and all costs related to any bodily injury or property damage which may occur as a result of the granting of the encroachment. Therefore, staff supports the requested encroachment into the public right of way for the location of the transformer vaults.

V. COMMUNITY

Staff and the applicant have contacted business and homeowner associations in the vicinity to inform the community of the project. A presentation has been made to the surrounding community, which includes the Meridian at Eisenhower, Carlyle Towers, and other residential

groups, and the Eisenhower Partnership. The Blocks 11 and 12 development proposal was also discussed at length at several publicly noticed Design Review Board meetings, and the community had opportunities to ask questions and engage in the design review for the development. The project has also been discussed at meetings of the Federation of Civic Associations. Overall, there was support for this project and concerns were not expressed regarding the development proposal.

VI. CONCLUSION

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

Staff: Faroll Hamer, Director, Planning and Zoning;
Thomas Canfield, City Architect, Planning and Zoning;
Gwen Wright, Chief, Development;
Gary Wagner, RLA, Principal Planner;
Natalie Sun, AICP, LEED AP, Former Staff Member;
Shanna Austin, Transportation and Environmental Services;
Daniel Imig, Transportation and Environmental Services;
Matt Melkerson, Transportation and Environmental Services;
Bethany Carton, Recreation Parks & Cultural Activities; and
Eric Keeler, Office of Housing.

VII. GRAPHICS



Figure 1. Site Plan

Figure 2. Block 11 summary compliance table – Eisenhower East Design Guidelines.

	Design Guidelines	Development Proposal	Consistent
Land Use	Residential & Retail	Residential & Retail	Yes
Density	626,456 sf AGFA	674,259 sf AGFA	No*
Height	250'	Varies: 277'-370'	No**
Building setbacks	<ul style="list-style-type: none"> ○ Meet the build-to-line at the streetwall ○ Min. 7' setback at specific heights above the sidewalk ○ Buildings on all other streets except Eisenhower and C-frontages, shall have 40'-60' streetwall 	<ul style="list-style-type: none"> ○ Meets build-to line ○ Setbacks vary from visual only to 5' to 20' ○ Buildings have 40' streetwall (typical) 	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Architectural Articulation	<ul style="list-style-type: none"> ○ Site shall be a signature architectural site with articulation ○ Architecturally significant façade: North façade ○ Required architectural feature: West and East sides of site 	<ul style="list-style-type: none"> ○ High quality, highly articulated architecture ○ Key building corners, including north façade, are accented ○ Features provided facing Metro Station and Capital Beltway 	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Street Tree Plan	<ul style="list-style-type: none"> ○ Port St., Anchor & Dock Ln.: Golden Raintree or Japanese Pagoda 	<ul style="list-style-type: none"> ○ Port St., Anchor & Dock Ln.: Golden Raintree 	<p>Yes</p> <p>Yes</p>
Street Frontage Design Principles: Street Frontage Plan	<p>Street Frontages:</p> <ul style="list-style-type: none"> ○ Buildings shall front the street ○ Main pedestrian entries ○ Active uses on all street frontages ○ Highest quality of architectural façade & streetscape treatment ○ No visible curb cuts/service alleys on A Streets ○ Structured parking shall be screened with active uses min. 30' deep from building face ○ Architectural features may not extend more than 4' past build-to-line & may not exceed 12' in width. Projection must be 15'+ above sidewalk 	<ul style="list-style-type: none"> ○ Buildings front the street ○ Main pedestrian entries on Anchor, Eisenhower, Dock and Port. ○ Active uses on Anchor, Eisenhower, Dock and Port ○ High quality, highly articulated architecture ○ No visible curb cuts/service alleys on A Streets ○ No above grade parking provided. ○ Certain canopies may be built to a width in excess of 12 ft. as shown in submission and supported by staff. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

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

**Staff supports waiver

Figure 3: Block 12 summary compliance table – Eisenhower East Design Guidelines.

	Design Guidelines	Development Proposal	Consistent
Land Use	Residential & Retail	Residential & Retail	Yes
Density	545,762 sf AGFA	641,964 sf AGFA	No*
Height	250'	Varies: 277'-370'	No**
Building setbacks	<ul style="list-style-type: none"> ○ Meet the build-to-line at the streetwall ○ Min. 7' setback at specific heights above the sidewalk ○ Buildings on all other streets except Eisenhower and C-frontages, shall have 40'-60' streetwall 	<ul style="list-style-type: none"> ○ Meets build-to line ○ Setbacks vary from visual only to 5' to 20' ○ Buildings have 40' streetwall (typical) 	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Architectural Articulation	<ul style="list-style-type: none"> ○ Site shall be a signature architectural site with articulation ○ Architecturally significant façade: North façade ○ Required architectural feature: West and East sides of site 	<ul style="list-style-type: none"> ○ High quality, highly articulated architecture ○ Key building corners, including north façade, are accented ○ Architectural features provided facing RPA and Metro Station 	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Street Tree Plan	<ul style="list-style-type: none"> ○ Port St. & Dock Ln.: Golden Raintree or Japanese Pagoda 	<ul style="list-style-type: none"> ○ Port St., Anchor & Dock Ln.: Golden Raintree 	<p>Yes</p> <p>Yes</p>
Street Frontage Design Principles: Street Frontage Plan	<p>Street Frontages:</p> <ul style="list-style-type: none"> ○ Buildings shall front the street ○ Main pedestrian entries ○ Active uses on all street frontages ○ Highest quality of architectural façade & streetscape treatment ○ No visible curb cuts/service alleys on A Streets ○ Structured parking shall be screened with active uses min. 30' deep from building face ○ Architectural features may not extend more than 4' past build-to-line & may not exceed 12' in width. Projection must be 15'+ above sidewalk 	<ul style="list-style-type: none"> ○ Buildings front the street ○ Main pedestrian entries on Anchor, Eisenhower, Dock and Port. ○ Active uses on Anchor, Eisenhower, Dock and Port ○ High quality, highly articulated architecture ○ No visible curb cuts/service alleys on A Streets ○ Above grade parking facing Port St is screened by 40-55 ft of active use. ○ Certain canopies may be built to a width in excess of 12 ft. as shown in submission and supported by staff. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

* Proposal includes MPA request for increased height

**Staff supports waiver



Green Globes NC Certified Buildings

Building Name	City	State	Owner	Green Globes Rating	Date
Duncan Avenue Apartments - Bldg 1	Fayetteville	AR	University of Arkansas	1	2009
Duncan Avenue Apartments - Bldg 2	Fayetteville	AR	University of Arkansas	1	2009
Duncan Avenue Apartments - Bldg 3	Fayetteville	AR	University of Arkansas	1	2009
Duncan Avenue Apartments - Bldg 4	Fayetteville	AR	University of Arkansas	1	2009
Duncan Avenue Apartments, Community Building	Fayetteville	AR	University of Arkansas	2	2009
ADEQ Headquarters	Little Rock	AR	Arkansas Department of Environment Quality	3	2007
William J. Clinton Presidential Center	Little Rock	AR	William J. Clinton Foundation	2	2006
Chandler Airport Commerce Center	Chandler	AZ	Irgens Development Partners, LLC	1	2008
5055 East Washington Street	Phoenix	AZ	Irgens Development Partners, LLC	2	2009
Tempe Gateway	Tempe	AZ	J-V: Opus West Corporation / US Airways	2	2009
Tolleson Commerce Center #1	Tolleson	AZ	Irgens Development Partners, LLC	1	2009
Tolleson Commerce Center #2	Tolleson	AZ	Irgens Development Partners, LLC	1	2009
Tolleson Commerce Center #3	Tolleson	AZ	Irgens Development Partners, LLC	1	2009
Tolleson Commerce Center #4	Tolleson	AZ	Irgens Development Partners, LLC	1	2009
Tolleson Commerce Center #5	Tolleson	AZ	Irgens Development Partners, LLC	1	2009
ASU Walter Cronkite School of Journalism	Phoenix	AZ	ASU / COP / KAET	2	2009
Barrel O'Fun	Phoenix	AZ	Sunstate Builders	2	2009
One Central Park East	Phoenix	AZ	Holder Construction	1	2009
Summit County MRF	Summit County	CO	Summit County	2	2006
Woodward at Copper Mountain	Copper Mountain	CO	Copper Mountain Resort	2	2009
Bethke Elementary School	Timnath	CO	Poudre School District	3	2008
Whole Foods Southglenn	Centennial	CO	Whole Foods Market, Inc.	1	2009
Frisco Depot Building B	Frisco	CO	Frisco Depot LLC	2	2009
Frisco Depot Building C	Frisco	CO	Frisco Depot LLC	2	2009
Pfizer Clinical Research Unit	New Haven	CT	Pfizer Inc.	3	2006
Newell Rubbermaid Inc.	Sandy Springs	GA	Greenstone Properties, Inc.	2	2008
Remington Medical Commons	Bolingbrook	IL	Remington Partners, LLC	1	2008
Whole Foods Dedham	Dedham	MA	Whole Foods Market, Inc.	3	2009
Apple Valley Liquor Store	Apple Valley	MN	City of Apple Valley	2	2009
Hayes Community & Senior Center	Apple Valley	MN	City of Apple Valley	2	2009
Alberici Headquarters	St. Louis	MO	Alberici Redevelopment Corporation	4	2006
Point at Morristown	Morristown	NJ	Washington Cattano LLC	2	2008
NewPage Corporate Headquarters	Miamisburg	OH	NewPage Corporation/ Bunnell Hill	3	2007
Victory Square Center	Hermiston	OR	Umatilla Morrow Head Start, Inc	2	2008
Koaxis, Inc.	Schwenksville	PA	Koaxis, Inc.	1	2008
AUS-020 Bank	Austin	TX	Capitol One	1	2009
Ysleta County	Ysleta	TX	County of El Paso	3	2009
Katherine K. Hanley Family Shelter	Fairfax	VA	Fairfax County	1	2007
Fairfax County (VA) Girls Probation House	Fairfax	VA	Fairfax County Juvenile Courts	2	2009
MeadWestvaco Headquarters	Richmond	VA	MeadWestvaco	4	2009
City Center Plaza	Bellevue	WA	Beacon Capital	3	2008
Blakely Hall	Issaquah	WA	Issaquah Highlands & Port Blakely Community	2	2006
Joshua Green Building	Seattle	WA	JGB LLC	3	2009
RenewAire, LLC	Madison	WI	Renewaire, LLC	2	2006
Home Savings Bank	Madison	WI	Home Savings Bank	2	2007
WEEBF Office Building	Madison	WI	Wisconsin Electrical Employees Benefit Fund	2	2006
Wisconsin Fertility Institute	Middleton	WI	Fem Partners	1	2007

Figure 4: Selected Green Globes Certified Projects



Figure 5: Building View from Eisenhower Avenue looking East



Figure 6: Eisenhower Avenue View looking West



Figure 7: Beltway View



VIEW FROM
EISENHOWER AVE.
LOOKING WEST



VIEW FROM
WILSON BRIDGE
LOOKING WEST



VIEW FROM
I-495
LOOKING EAST

Figure 8: PhotoMontage



Figure 9: Night View

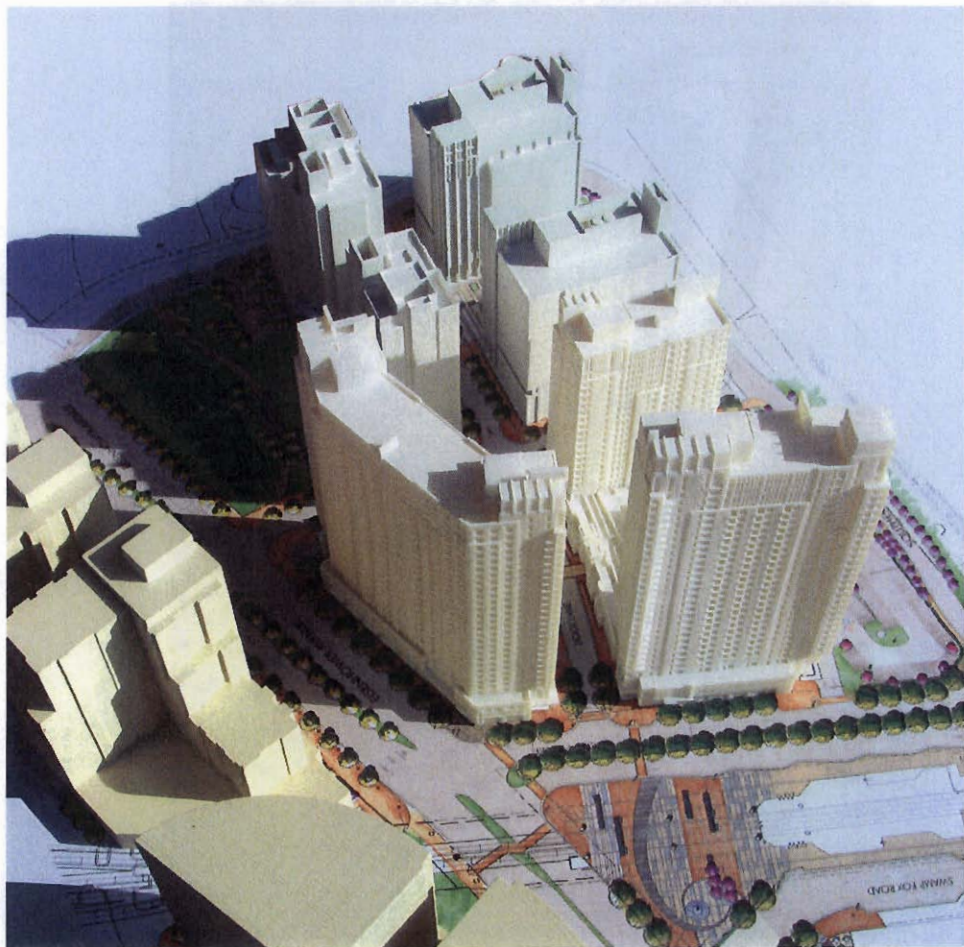


Figure 10: Model



Figure 11: Model



Figure 12: Model



Figure 13: Bird's Eye View of Eisenhower Metro Station Square Design



Figure 14: Street Level View of Eisenhower Metro Station Square Design

VIII. STAFF RECOMMENDATIONS:

1. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The ~~preliminary plan final site plan~~ for Blocks 11 & 12 shall not be released until the contingent on the successful execution of a three-party agreement between Hoffman, the City and WMATA regarding the Eisenhower Station Improvements, Bus Loop Improvements, and Expanded Eisenhower Station Square, including the transfer of 63,905 sf (1.467 acres) of property from WMATA to the City for construction of necessary infrastructure. (P&Z)(T&ES)(RP&CA)(PC)
2. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The final site plan shall be in substantial conformance with the preliminary plan originally submitted on dated 10/22/09, as amended by the applicant's replacement architectural and civil drawing sheets dated 11/05/09 and landscape drawing sheets dated 11/06/09 (the November 5, 2010 Preliminary Plan) with the changes to the building design reflected in the building design submission packages dated February 16, March 16 and March 23, 2010 and comply with the following conditions of approval. (P&Z)
3. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant is responsible for obtaining agreements for the dedication of all public rights-of-way, ~~exclusive of~~ except in regard to the WMATA right-of-way noted in Condition 1 and VDOT right-of-way noted in Condition 4, and must provide the City with verification of these agreements prior to the release of the final site plan. In the first case, it shall be the responsibility of the City, and in the latter the City and the applicant will work jointly to obtain agreements for these dedications. Agreements for the dedication of all public rights-of-way must be reached prior to the release of the final site plan. The deeds of dedications shall be recorded prior to the release of the first certificate of occupancy for either Block 11 or 12.

A. PEDESTRIAN/STREETSCAPE

4. **CONDITION AMENDED BY PLANNING COMMISSION:** Provide the following pedestrian improvements as shown in the preliminary plan or referenced attachments to the satisfaction of the Directors of P&Z, RP&CA and T&ES:***
 - a. Subject to the overall construction phasing plan referenced in Section L of this document, complete all pedestrian improvements prior to the issuance of the first temporary or permanent certificate of occupancy permit.
 - b. Install ADA accessible pedestrian crossings serving the site.
 - c. All brick sidewalks within the public right-of-way shall comply with the City's Memo to Industry 05-08.
 - d. Sidewalks shall be flush across all driveway crossings.

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- e. All newly constructed curb ramps shall be concrete with detectable warnings and shall conform to VDOT standards as outlined in a City Memo to Industry (3/07) available on-line: <http://alexandriava.gov/tes/info/default.aspx?id=3522>
- f. Provide separate curb ramps for each direction of crossing (i.e., two ramps per corner). Curb ramps, including future Port Street crossings, shall be perpendicular to the street to minimize crossing distances. Any changes must be approved by the Director of T&ES.
- g. Provide and install pedestrian actuated in-roadway warning lights or MUTCD approved rectangular rapid flash beacons for the mid-block Anchor Street pedestrian crossing connecting to Block 11.
- h. Provide colored and imprinted concrete pedestrian crosswalks for all crossings within the public right-of-way, except at the intersection of Southern Street and Port Street, which shall be thermoplastic. Concrete crosswalks shall be H20 loaded and shall have 6" white lines on the outside edges of the concrete. All crosswalks shall be 10' wide.
- i. Crosswalks on Dock Lane shall be installed and maintained by the applicant.
- j. Thermoplastic crosswalks shall be standard, 6" wide white parallel lines with reflective material, 10' wide between interior lines.
- k. Remove the northern crosswalk on Block 12 located at the Anchor Street and Dock Lane intersection, including the portion crossing the bus loop road.
- l. Shift the crosswalk on Block 11 located at the Anchor Street and Dock Lane intersection to the south – including the portion crossing the bus loop road – in order to provide additional stacking room for buses.
- m. Provide a decorative fence and densely planted shrubbery in the Anchor Street median to guide pedestrians to designated pedestrian crossings.
- n. Provide special paving patterns to designate entrances per the *Eisenhower East Design Guidelines* in sidewalk areas outside of the public ROW.

Eisenhower Avenue:

- o. Revise spacing of street trees along Eisenhower Avenue to be 25-feet on-center in compliance with the *Eisenhower East Design Guidelines*.
- p. Subject to the maximum right-of-way dedication specified in CDD#2005-0002 Condition #22 which states: "67' south of the centerline shown on DSUP98-0042 shall be provided by Applicant," the applicant shall coordinate with the City on the Eisenhower Avenue widening project.
- q. Update the internally illuminated street name signs at the intersection of Eisenhower Avenue and Mill Race Lane to include both Mill Race Lane and Port Street on the signs facing Eisenhower Avenue.

Port Street:

- r. The minimum width of the sidewalk along Port Street shall be per the preliminary plan except at the southeast corner of Block 11 which shall be 10 feet (5 feet unobstructed) per ATTACHMENT A.

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- s. The applicant shall enact a land transfer agreement with the owner(s) of Block 19 to allow the construction of Port Street as well as the construction of a 14-foot-wide (8 feet unobstructed) brick sidewalk with street trees 25 feet on center.
- t. Any proposed retaining walls on the applicant's property on Block 19 facing the RPA open space on that block as a result of the construction of Port Street shall be a stone veneer and include decorative metal railings.
- u. Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Port Street shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.***
- v. ~~Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, construction of the sidewalk along the east west side of Port Street shall be per the approved construction phasing plan noted in Section L of this document.***~~
- w. Provide the street trees along Port Street at the southeast corner of Block 12 as shown on Sheet L3.03 of the preliminary plan, spaced 25 feet on center in accordance with the *Eisenhower East Design Guidelines*.
- x. Provide one pick-up/drop-off space in front of the residential lobby on Port Street on Block 12.

Anchor Street:

- y. The minimum width of the sidewalk along Anchor Street shall be per the preliminary plan.
- z. Subject to the City successfully acquiring the necessary right-of-way from WMATA and the Hoffman/WMATA/City joint agreement, prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Anchor Street shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.***
- aa. Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, construction of sidewalks along Anchor Street shall be per the approved construction phasing plan noted in Section L of this document.***
- bb. Subject to the City successfully acquiring the necessary right-of-way from WMATA and the Hoffman/WMATA/City joint agreement, widen the sidewalk in the Anchor Street median at Southern Street to 6 feet.

Dock Lane:

- cc. Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Dock Lane shall be constructed, operational, and a public access easement shall be dedicated to the City.***
- dd. Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, construction of sidewalks along Dock Lane shall be per the approved construction phasing plan noted in Section L of this document.***
- ee. The Dock Lane street section, including the sidewalks, size of parking spaces, and street trees in ADA-compliant tree grates shall be as shown in ATTACHMENT B.

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- ff. The visual treatment of the parallel parking spaces and pick-up/drop-off zones along Dock Lane shall be designed to match the treatment of the surface lot parking spaces on Block 11 or shall have color concrete pavers at the election of the Director of P&Z. (PC)
- gg. Ensure all retail bays comply with required sidewalk widths.
- hh. Explore the provision of one pick-up/drop-off space in front of each residential lobby on Dock Lane.

Swamp Fox Road and Eisenhower Metro bus loop:

- ii. Subject to the City successfully acquiring the necessary right-of-way from WMATA and the Hoffman/WMATA/City joint agreement, prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Swamp Fox Road shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.*** The applicant shall dedicate 9 feet of right-of-way to the City for this street.
- jj. Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, provide a 10-foot-wide temporary asphalt sidewalk along the west side of Swamp Fox Road from Southern Street to Eisenhower Avenue.***

Southern Street:

- kk. Revise the site plan to provide the following:
 - i. A four (4) foot wide minimum landscape buffer and a six (6) foot wide minimum sidewalk along Block 11 as shown on ATTACHMENT C.
 - ii. Elimination of proposed parallel parking spaces along Southern Street to provide additional planting area within the parking lot and flow through islands for additional trees.
 - iii. Provide additional street trees along the north side of Southern Street as shown on ATTACHMENT C.
- ll. Subject to the City and the applicant working jointly to successfully acquire ~~ing~~ the necessary rights-of-way from VDOT, and the City acquiring WMATA right-of-way and successfully executing the Hoffman/WMATA/City joint agreement, and prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Southern Street from Port Street to Swamp Fox Road shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.***
- mm. Coordinate boundary information and final alignment of Southern Street with adjacent property (Block 20) to the east.* (P&Z)(RP&CA)(T&ES)
- nn. Align Southern Street to the south as shown on the preliminary plan: provided that the City and the applicant are successful in obtaining agreements for necessary right-of-way dedication from VDOT.

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B. OPEN SPACE/LANDSCAPING

5. Develop, provide, install and maintain an integrated Landscape Plan with the final site plan that is coordinated with other associated site conditions and the *Eisenhower East Design Guidelines* to the satisfaction of the Directors of P&Z and RP&CA. At a minimum the Landscape Plan shall:
 - a. Provide an enhanced level of detail plantings throughout the site (in addition to street trees). Plantings shall include a simple mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees, groundcovers and perennials that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.
 - b. Ensure positive drainage in all planted areas.
 - c. Provide detail, section and plan drawings of tree wells showing proposed plantings and associated materials, irrigation, adjacent curb/pavement construction, including edge restraint system, dimensions, drainage, and coordination with site utilities. Continuous tree trenches shall be provided along streets where there are street trees. All trees shall have a minimum soil volume of 300 cubic feet.
 - d. All street trees adjacent to retail shall be 4' x 8' and have tree grates.
 - e. Provide detail sections showing above and below grade conditions for plantings above a structure. All plantings above structure shall comply with City of Alexandria Landscape Guidelines. Provide an exhibit documenting soil volume. (P&Z)(RP&CA)

6. Provide the following modifications to the landscape plan and supporting drawings to the satisfaction of the Directors of P&Z and RP&CA:
 - a. Ensure all drawings are coordinated.
 - b. Provide a narrative demonstrating compliance with the open space requirements for the project.
 - c. Revise the crown coverage calculations in accordance with ATTACHMENT D.
 - d. Replace Quercus trees along Dock Lane with Koelreuteria paniculata.
 - e. Amend details for turf area over structure to align with manufacturer's recommendations. (P&Z)(RP&CA)

7. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** Provide the following additional modifications to the proposed surface parking lot on Block 11 to the satisfaction of the Director of P&Z:
 - a. Additional screening of the surface parking lot from view of public streets, particularly along Port and Anchor Streets, per ATTACHMENT E.
 - b. A maintenance plan for the flow through islands in the parking area. The plan shall include information on daily and long-term care, cleaning, and maintenance.
 - c. Wheel stops for parking spaces adjacent to landscape areas.
 - d. Final details of the parking lot to be determined at Final Site Plan. (P&Z)

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8. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The plans for the Eisenhower Station Square, included as part of the November 5, 2009 preliminary plan submission dated 10/22/09, as amended by the Design Review Board submission dated February 16, March 23, 2010, are conceptual in nature and shall be revised prior to release of the final site plan to, at a minimum, include the following to the satisfaction of the Directors of T&ES, RP&CA, and P&Z:
- a. Continue to work with staff and WMATA to provide a comprehensive plan for both plazas (east and west) for design and construction. The design of the urban squares shall be integrated with the design of the metro station and with the proposed development.
 - b. The plaza shall be designed as a civic center, with at least 50% of the area suitable to accommodate informal and formal gatherings and events.
 - c. The plaza shall be created with the highest quality materials, paving, design and amenities.
 - d. With the Stage 2 DSUP application for Blocks 9A & 9B, consideration shall be given to providing a decorative paving material for Swamp Fox Road to visually connect the two areas of open space.
 - e. Final design and construction of the western plaza shall be in conjunction with a Stage 2 DSUP for Blocks 9A & 9B. The plaza shall include at a minimum, hardscaping and landscaping to accommodate informal outdoor gatherings, a fountain, benches, trash receptacles, and special lighting. The plaza shall be fully open to the public with a perpetual public access easement provided and depicted on the subdivision plat prior to the release of the final site plan.
 - f. Final design of the eastern plaza shall include the area under the metro platform and be completed prior to final site plan approval for the Stage 2 DSUP for Blocks 11 and 12. The plaza shall include at a minimum, hardscaping and landscaping to accommodate informal and formal outdoor events, shows and other activities for workers, retail patrons and visitors, as well as residents of the City. The square shall also include the following:
 - i. Relocated Eisenhower statue as described in Condition 11 below;
 - ii. Information or quotes within the granite paving area of the plaza and/or base of the statue in order to highlight the historic significance of President Eisenhower.
 - iii. One readily accessible two phase 120 volt power source. Locate in coordination with City Staff.
 - iv. Work with WMATA and the City to incorporate special lighting under the overhead Metro platform.
 - v. Explore providing 5 to 7 additional ornamental trees in landscaped bands with additional benches in the plaza area around the statue.
 - vi. Provide four medium sized shade trees or ornamentals on the east side of the metro platform.

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- vii. Ensure that landscape bands do not interfere with pedestrian desire lines to and from the station.
 - viii. Align granite band with crosswalk on east side of plaza.
 - ix. On-site mock-up/sample of the stamped/imprinted concrete paving to be approved by T&ES and P&Z prior to construction to verify color and panels.
 - x. Integral color concrete is discouraged. Stained concrete is preferred.
 - g. The final design of any proposed LID measures on either plaza or along Swamp Fox Road are subject to the approval of T&ES, RP&CA and P&Z.
 - h. The eastern portion of the park shall be dedicated to the City and constructed with the Metro bus loop road as ~~described~~ may be provided in the Memorandum of Understanding for the Eisenhower Station Improvements, Expanded Eisenhower Station Square, and Bus Loop Improvements, ~~prior to release of the final site plan.~~ prior to the issuance of the first certificate of occupancy for either Block 11 or 12.*** (P&Z)(RP&CA)(T&ES)
9. **CONDITION AMENDED BY PLANNING COMMISSION:** Per Condition 27 of CDD#2005-0002, the applicant must plan and construct Eisenhower Station Square. In lieu of actually constructing the portion of the open space anticipated in this CDD Condition, the application shall contribute a maximum of \$350,000 to the City- , and the City and the applicant shall mutually reconcile the actual construction costs after the completion of construction.
10. The design for the open space plaza in the northeast corner of Block 12 shall be coordinated with the Historical Interpretive Plan and subject to the following:
- a. Consider provision of an artistic element of appropriate size in the plaza or on the face of the building that recalls the historic aspects of the site, including the historic 18th century landing/wharf and mill race in that location.
 - b. Provide paving patterns that reflect the location of the mid-19th century shoreline and swamp in that location.
 - c. Provide an interpretive marker in the plaza that highlights the historical aspects of the site.
 - d. Consider provision of additional planting area and benches in the plaza.
 - e. All planters shall be seatwall height. (P&Z)
11. Accept the relocation of the existing statue of President Eisenhower currently located in the Eisenhower Avenue and Holland Lane rotary to the future Eisenhower Station Square as indicated in the *Eisenhower East Small Area Plan* to the satisfaction of the Directors of P&Z, RP&CA and in accordance with the following:
- a. Final design of the base for any art piece, including identification of the artist and artwork, located in Eisenhower Station Square shall be coordinated with the artist and approved by the City.

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- b. The applicant shall bear the cost for the relocation and installation of the statue of President Eisenhower, including the design and installation of the base with appropriate lighting.
 - c. Upon completion of the statue base, provide a lump sum payment of \$5,000 towards a maintenance fund for the statue of President Eisenhower.
(P&Z)(RP&CA)
12. Provide a site irrigation/water management plan developed installed and maintained to the satisfaction of the Directors of RP&CA and Code Administration.
- a. Provide an exhibit that demonstrates that all parts of the site can be accessed by a combination of building mounted hose bibs and ground set hose connections.
 - b. Provide at least one accessible external water hose bib on all building sides at a maximum spacing of 90 feet apart.
 - c. Hose bibs, ground set water connections and FDCs must be fully accessible and not blocked by plantings, site utilities or other obstructions.
 - d. Install all lines beneath paved surfaces as sleeved connections.
 - e. Locate water sources and hose bibs in coordination with City Staff.
 - f. Ensure that irrigation system for Eisenhower Station Square is compatible with City's remote control Maxicom System. (Code Administration)(RP&CA)
13. Develop a palette of site furnishings in consultation with staff.
- a. Provide location and specification for site furnishings that depicts the scale, massing and character of site furnishings.
 - b. Site furnishings shall include benches, bicycle racks, trash receptacles, and other associated features, and shall be provided in compliance with the *Eisenhower East Small Area Plan* and *Eisenhower East Design Guidelines*, and to the satisfaction of the Directors of RP&CA, P&Z, and T&ES. (RP&CA)(P&Z)(T&ES)
14. Provide material, finishes, and architectural details for all retaining walls, seat walls, decorative walls, and screen walls. Indicate methods for grade transitions, handrails- if required by code, directional changes, above and below grade conditions. Coordinate materials, finishes, and details with adjacent buildings. Design and construction of all walls shall be to the satisfaction of the Directors of RP&CA, P&Z, and T&ES.
(RP&CA)(P&Z)(T&ES)
15. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall ~~enact~~ submit a land transfer agreement ~~to with~~ the owner(s) of Block 19 that equitably ~~to~~ allows the construction of Port Street and the improvements required by this condition. An exhibit showing the required land transfer is shown on ATTACHMENT F. ~~The agreement shall ensure compliance with the following requirements for the open space area on Block 19 owned by the applicant at the time of this DSUP application:~~ In the land transfer agreement between the applicant and the owner of Block 19, the following issues will be addressed:

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- a. Ensure that a six-foot-wide stone dust trail with metal edging is provided at the time Block 19 is constructed as generally depicted in ATTACHMENT F. The trail shall connect to the proposed trail on Block 19 that is under separate ownership. The trail shall have a minimum 15-foot-wide public access easement and shall be designed and constructed to the satisfaction of the Directors of T&ES, RP&CA and P&Z.
 - b. Ensure that a wildflower mix is provided at the time Block 19 is constructed in the area generally depicted in ATTACHMENT G to match the adjacent condition on the portion of Block 19 that is under separate ownership.
 - c. The limits of disturbance shall be limited to retain existing trees and grades.
 - d. Provide, implement and follow a tree conservation and protection program that is developed per the City of Alexandria Landscape Guidelines and to the satisfaction of the Directors of P&Z and RP&CA and the City Arborist.
 - e. A fine shall be paid by the applicant in an amount not to exceed \$10,000 for each tree to be preserved over 2" in caliper that is destroyed if the approved tree protection methods have not been followed. Trees less than or equal to 2" in caliper shall be replaced in kind with no fine. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit to the satisfaction of the City Arborist and in accordance with the City of Alexandria Landscape Guidelines.***
 - f. In addition to the above provisions, provide a perpetual public access easement over the remaining at-grade privately owned open space area on Block 19. The perpetual open space easement shall enable the open space area to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be dedicated on the easement plat and shall be approved prior to the release of the final site plan.* (P&Z)(RP&CA) (PC)
16. Proposed plantings shall be coordinated with on-site utilities. Horizontal and vertical location of all site utilities including storm and sanitary sewer, water, electrical, gas and associated appurtenances shall be adjusted to maximize accommodation of street and on-site plantings. (RP&CA)
17. Project elements associated with pedestrian areas including sidewalks, crosswalks, depressed curbs, street and site lighting, site lighting and site furnishings, signals and signs shall be located and coordinated so as maximize accommodation of street and on-site plantings. Horizontal and vertical locations of all associate service, footings and foundations shall be adjusted to maximize accommodation of street and on-site plantings. (RP&CA)
18. The large, open space plaza on the third level shall be designed to function as high-quality usable open space for the residents. At a minimum, the revised plans for this

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rooftop open space shall include in addition to the elements shown on the Preliminary Plan, the following to the satisfaction of the Director of P&Z:

- a. Features and elements such as seating, trash receptacles, and pedestrian-scale lighting.
- b. Varied paving patterns and materials.
- c. Adequate landscaping and irrigation systems consistent with a high-quality apartment building.
- d. Lighting shall be pedestrian-scale pathway lighting and shall not be visible from the adjoining streets.

Any additional rooftop gathering places shall be reviewed as part of the final site plan review process. (P&Z)

C. RETAIL AND RESTAURANT USES

19. Ground floor uses of areas designated on the plan as “retail” shall be limited to retail, personal service uses, day care uses, and restaurants as defined below:
 - a. retail shopping establishments as defined in Section 2-191 of the Zoning Ordinance, excepting appliance stores, auto parts stores, lawn and garden supply stores,
 - b. personal service establishments as defined in Section 2-183 of the Zoning Ordinance, excepting appliance repair and rental, contractors’ offices, laundromats, and pawnshops;
 - c. day care centers, as defined in Section 2-133 of the Zoning Ordinance,
 - d. restaurants, as defined in Section 2-190 of the Zoning Ordinance, and
 - e. other similar pedestrian-oriented uses as approved by the Director of P&Z to meet the intent of providing active pedestrian-oriented neighborhood-serving retail uses. (P&Z)
20. The retail shopping establishments and personal service establishments as noted above are permitted uses and do not require either an administrative or a full SUP applications. (P&Z)
21. Quick-service restaurants and other pedestrian-oriented uses as approved by the Director of P&Z (as noted above) are permitted, but would require a full SUP application. (P&Z)
22. Day care centers may be approved administratively by the Director of P&Z, provided that any day care center approved under this provision complies with the conditions listed below. Day care centers that do not meet these criteria may be approved subject to a special use permit.
 - a. A plan that shows drop off and pick up areas must be provided and must be reviewed to ensure that the drop off and pick up areas will create minimal impact on pedestrian and vehicular traffic and will be safe for the day care users.

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- b. Day care uses must not occupy more than 1/3 retail square footage on Blocks 11 and 12, exclusive of the large retail space (approximately 50,000 square feet) on Block 11. (P&Z)
23. A full-service restaurant may be approved administratively by the Director of P&Z, provided that any restaurant approved under this provision complies with the conditions listed below. Restaurants that do not meet these criteria may be approved subject to a special use permit.
- a. A full service restaurant is defined as one where all patrons are seated by a host or hostess, printed menus shall be provided at the tables, service is provided at the tables by a waiter or waitress, and tables are preset with non-disposable tableware and glassware. All other restaurants are considered quick service for the purpose of this condition.
 - b. Restaurants shall close no later than 2:00 a.m.
 - c. Non-amplified, low-scale, acoustic entertainment may be permitted, but must be accessory to the restaurant use. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment.
 - d. If low-scale, acoustic entertainment is proposed, then it must be demonstrated by a qualified professional that sufficient sound-proofing materials are provided so as to prevent the entertainment from disturbing building residents.
 - e. Deliveries to the business shall not take place between the hours of 8:00 a.m. and 9:30 a.m., or between 4:00 p.m. and 6:00 p.m., Monday through Friday.
 - f. If any food delivery services are provided, they shall clearly be accessory to dine-in food sales, and all deliveries shall be nonvehicular (made on foot, via bicycle, etc.).
 - g. Alcoholic beverages may be sold for on-premises consumption only, and shall clearly be accessory to food sales.
 - h. Grease traps shall be located within the building. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
 - i. No food, beverages, or other material shall be stored outside.
 - j. Trash and garbage shall be placed in sealed containers, which do not allow odors to escape and shall be stored inside or in a closed container, which does not allow invasions by animals. No trash or debris shall be allowed to accumulate on-site outside of those containers.
 - k. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public.
 - l. Cooking odors, smoke and any other air pollution from operations at the site shall be properly ventilated and shall not be permitted to become a nuisance to neighboring properties, as determined by the Department of T&ES.

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- m. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for all employees. (P&Z)(T&ES)
24. Restaurants - Outdoor Dining: outdoor dining is encouraged and may be permitted administratively by the Director of P&Z subject to the following minimum criteria and conditions:
- a. All outdoor dining areas shall be accessory to an approved indoor restaurant.
 - b. An unobstructed sidewalk pathway with a minimum width of 8 feet shall be provided at all times.
 - c. Any permanent structures which are required for the outdoor seating area shall be subject to review and approval by the Director of P&Z.
 - d. Any outdoor seating areas shall not include advertising signage. The design of the outdoor seating shall be compatible with the design of the building.
 - e. The outside dining area shall be cleaned at the close of each day of operation.
 - f. One city trash container Model SD-42 shall be provided exclusively for the outdoor dining area. The trash container shall be emptied at the close of business each day.
 - g. All conditions associated with the primary restaurant use noted above, continue to be in force for the outdoor dining use. (P&Z)(T&ES)
25. The large retail space (approximately 50,000 square feet) on Block 11 shall be restricted in use to a grocery store. Any other proposed use for the space shall require a major amendment to the DSUP. (P&Z)
26. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The large retail space on Block 11 shall have entrances facing the surface parking lot to the south and Anchor Street to the west. ~~Both of these entrances shall be open and operational during all business hours for the retail use in this space.~~ The entrances facing the southern parking lot shall be open during normal business hours and the entrances on Anchor Street shall be open during peak business hours. (P&Z)
27. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The first level floor-to-floor height of the retail space on Block 12 and the non-grocery store retail space on Block 11 shall be a minimum of 20 ft. and the depth of retail spaces shall be per the preliminary plan. Exceptions to these requirements may be approved by the Director of P&Z on a case by case basis for exceptional interior design. This requirement shall not apply to retail service, back of house, kitchen and bathroom space. (P&Z)
28. Within each building containing ground floor retail, design opportunities shall accommodate a minimum of one exhaust vent shaft and grease trap shall be located within the retail space to accommodate ground floor restaurant uses and shall be depicted on the final site plan and all applicable building permits. (P&Z)

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29. The “pocket” retail spaces along Dock Lane shall each have individual, operable entrances. They shall have coordinated retail lighting and signage. Limited outdoor seating associated with the “pocket” retail shall be allowed as long as it still allows for an unobstructed sidewalk pathway with a minimum width of 8 feet. (P&Z)
30. All retail entrances on Eisenhower Avenue, Anchor Street, Port Street and Dock Lane shall be required to be operable entrances. This requirement shall be included as part of the lease for each tenant. (P&Z)
31. A pedestrian connection from within the Block 12 parking garage facilities directly to Eisenhower Avenue shall be provided to serve the Block 12 retail spaces. (P&Z)
32. Retail leases shall prohibit the placement of storage cabinets, carts, shelving, boxes, coat racks, storage bins, closets, and similar items which block the visibility of the interior of the store from the street. This condition, however, is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)

D. PUBLIC ART & PUBLIC HISTORY

33. The Applicant shall comply with the Public Art Plan in Attachment H. (P&Z)(RP&CA)(Arch)
34. Hire a professional consultant to prepare a Historical Interpretive Plan to identify themes and methods to incorporate and interpret elements of the heritage and historic character of the property into the design of open space and to prepare interpretive signage, which shall be erected as part of the development property. The Historical Interpretive Plan shall be coordinated with the Open Space Plan and the Public Art Plan and shall be submitted for approval prior to submission of the final site plan. The signage will highlight the history and archaeology of the site (pier discovered during archaeological work, relationship to mill and tail race location, historic landscape and development of Cameron at Hunting Creek navigation limits, etc.). The professional consultant hired by the developer shall provide text and graphics for the marker(s). The location, text and graphics for the signage shall be approved by Office of Historic Alexandria/Alexandria Archaeology and the Directors of P&Z and RP&CA prior to release of the final site plan.* (Arch)(P&Z)(RP&CA)

E. BUILDING

35. **CONDITION AMENDED BY PLANNING COMMISSION:** Provide the following building refinements to the satisfaction of the Director of P&Z*:
 - a. The Applicant shall continue to work with staff on the exterior building design to:

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- i. Resolve the final color scheme and materials selection for the project to be in general conformance with the drawings submitted March 23, 2010.
 - ii. Refine and define the building base elements in terms of height, extent, materials and details.
 - iii. Integrate building rooftop accents with the facades below more effectively.
 - iv. The applicant will work with staff on Sstrengthening the expression of the building tops through strategies including use of color, increased percentage of glass, and stronger vertical expression. (PC)
 - v. to strengthen and explore the use of strong accent colors and alternate materials and finishes for the vertical accent fins.
 - vi. Use high-quality materials on principal facades, restricted to brick, precast concrete, natural stone, glazed or architectural masonry units, architectural metal, and clear, low-e glass. In addition, the penthouse materials shall be consistent with the rest of the building in type and quality.
 - vii. Redesign the large, blank expanse of masonry wall shown facing the corner of Eisenhower Avenue and Port Street, overlooking the RPA. Strategies to accomplish this could include either incorporating substantial glass areas or integrating public art into the wall surface.
- b. Through-the-wall HVAC vent grilles, and other vents, shall, wherever possible, be located so as not to directly face streets (for example, turned to face into adjacent private balcony spaces). All such vents shall also be designed with high-quality grille work and of a color to match the material of the building and integrated into the facade design. ~~Any HVAC vent grille which cannot be so relocated shall be integrated into the window systems, with all visible elements (such as louvers) to be manufactured and supplied by the window fabricator, and finished to match the window frames in material and color. During Final Site Plan, the applicant will work with staff on the location, style, materials and detailing of vent grills. (PC)~~
- c. On the ground floor of both blocks, building/window system integrated louvers for fresh/outside air and exhaust, i.e. toilet and or non-grease laden kitchen exhaust for the designated retail areas shall be allowed to the satisfaction of the Director of P&Z.
- d. Provide aluminum, double-insulated, quality windows for all glazed openings in all areas of the buildings.
- e. Provide detailed design drawings (enlarged plan, section, and elevation studies, with shadows cast @ 45 degrees,) to evaluate the building base, entrance canopies, window treatments, balconies and railings, and other feature elements, including the final detailing, finish and color of these components, during final site plan review. Provide these detailed design drawings at a scale sufficient to fully explain the detailing and depth of façade treatment, but not necessarily show

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- construction-level detail. Color architectural elevations shall be submitted during final site plan review.*
- f. Provide detailed design drawings showing all architectural metalwork (balcony rails, transformer covers, garage doors, etc.) along with color, material and finish information for each. *
 - g. Provide design details including colors and materials for all balconies, decks, canopies, and rooftop spaces with the final site plan.*
 - h. Provide plan and section details of the conditions adjoining garage and loading bay doors. The doors shall be an opaque screen or mesh to minimize the projection of light from the garage or loading bay onto the adjoining street.
 - i. The final materials, details, and color selection shall be subject to review by the Eisenhower East Design Review Board and approval by the Director of P&Z prior to obtaining a building permit.**
 - j. On-site mock-up panels for the buildings on Blocks 11 and 12 shall be provided for final approval of the brick and metal materials and other major building materials (base, metal panels, windows, etc).** (P&Z)
36. The applicant shall coordinate with the Federal Aviation Administration (FAA) on any FAA-required reviews of the building proposal. (P&Z)
37. Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Certified, or 1 Green Globe for the entire project, to the satisfaction of the Directors of P&Z, RP&CA and T&ES. The applicant shall achieve a minimum of a 40 percent of the 1,000 possible Green Globes points. If Green Globes certification is pursued, the applicant shall: (1) complete a third-party New Construction (NC) Stage I and II assessment; (2) conduct a GBI-certified energy modeling analysis to achieve a minimum score of 75 based on the Environmental Protection Agency's (EPA) National Energy Performance Rating System; and/or (3) achieve a certified Energy Star rating of 75 based on EPA's National Energy Performance Rating System if the project becomes eligible. Diligent pursuance and achievement of this certification shall be monitored through the following:
- a. Provide evidence of the project's registration with LEED or Green Globes with the submission of the first final site plan.*
 - b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) or third-party NC Stage I assessment to the Green Building Initiative (GBI) prior to issuance of a certificate of occupancy.***
 - c. Provide evidence of submission of materials for Construction Phase credits to USGBC or third-party NC Stage II assessment to the GBI within six months of obtaining a final certificate of occupancy.
 - d. Provide documentation of LEED Certified certification from USGBC or achievement of 1 Green Globe from GBI within two years of obtaining a final certificate of occupancy.

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- e. Failure to achieve LEED Certification project or failure to achieve 1 Green Globe for the entire project will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staff's determination will apply. (P&Z)(RP&CA)(T&ES)
- 38. The applicant shall work with the City for reuse of the existing materials as part of the demolition process, including leftover, unused, and/or discarded materials. (T&ES)
- 39. Energy Star labeled appliances shall be installed in all multi-family residential units. (T&ES)
- 40. The applicant shall use **EPA-labeled WaterSense** fixtures, or equivalent, to minimize the generation of municipal wastewater from the site. **A list of applicable mechanisms can be found at <http://www.epa.gov/WaterSense/pp/index.htm>.** (T&ES)
- 41. Elevator lobbies and vestibules shall be visible from the parking garage. The design of the elevator lobbies and vestibules in the parking garage shall be as open as code permits. (Police)

F. SIGNAGE

- 42. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~In addition to the provisions of the Hoffman Coordinated Sign Program (SUP-0163), design and develop additional signage for Blocks 11&12, including, but not limited to site related signs, way finding graphics, business signs, and interpretive signage that highlights the history and archaeology of the site. The A more detailed signage plan shall be included as part of the final site plan and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Directors of Archaeology, P&Z, RP&CA, and T&ES.*~~
 - a. ~~Business signs shall employ variety and creativity of design. Tenant designers shall bring a sculptural and dimensional quality to their signs.~~
 - b. ~~Highlight the identity of individual business tenants through signage and storefront design. Coordinate signage with the building design and with individual storefront designs, including but not limited to integration with any proposed awnings, canopies, etc.~~
 - c. ~~Pedestrian oriented signs (e.g. projecting signs, window signs, etc.) are encouraged. Tenants with main storefront entrances on Eisenhower Avenue, Anchor Street, and Dock Lane shall incorporate a projecting or under canopy sign.~~
 - d. ~~Signs applied to storefront windows shall cover no more than twenty (20) percent of the glass.~~

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- e. ~~The grocery store shall incorporate pedestrian and vehicular oriented signage that is visible from the following locations:~~
 - i. ~~Port Street and Dock Lane intersection~~
 - ii. ~~Eisenhower Avenue (eastbound) and Swamp Fox Road intersection~~
 - iii. ~~Elevated Eisenhower Avenue Metro Station platform~~
- f. ~~The grocery store façade along Southern Street shall incorporate specialty graphics at a scale visible from the Capital Beltway in addition to any corporate graphics or logos that are included on the building. These specialty graphics shall be included as part of the overall permitted sign area.~~
(Areh)(P&Z)(RP&CA)(T&ES)

43. **CONDITION DELETED BY PLANNING COMMISSION:** ~~Design business and identification signs to relate in material, color and scale to the building and the tenant bay on which the sign is displayed to the satisfaction of the Director of P&Z.~~
 - a. ~~The business and identification signs shall be designed of high quality materials and sign messages shall be limited to logos and names for all tenants other than the grocery store on Block 11.~~
 - b. ~~Installation of building mounted signage shall not damage the building and signage shall comply with all applicable codes and ordinances. (P&Z)(PC)~~
44. **CONDITION DELETED BY PLANNING COMMISSION:** ~~A freestanding subdivision or identification sign shall be prohibited. (P&Z)~~
45. Install a temporary informational sign on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a contractor or real estate sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project.* (P&Z)(T&ES)
46. Provide City standard park signage for Eisenhower Station Square. (P&Z)(RP&CA)
47. Provide City standard parking signage for the retail parking garage to the satisfaction of the Directors of P&Z and T&ES. The retail parking signage shall match the parking signs currently installed on the Block 14 Hoffman parking garage and the Block G parking garage located at 1925 Ballenger Avenue.
48. In the event that a City wayfinding program is implemented in the future, the applicant shall be required to participate in the program. (P&Z)(T&ES)(RP&CA)

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G. HOUSING

49. The developer shall make a voluntary cash contribution of \$3,333,151 to the City's Housing Trust Fund in keeping with the conclusions of the Developer's Housing Contribution Policy Work Group (DHCPWG). The portion of the contribution applicable to each building shall be provided prior to the issuance of the certificate of occupancy for that building.*** (Housing)
50. The developer shall provide affordable set-aside rental units, with the mix of units to include a percentage of studio, one bedroom, one bedroom w/den, two bedroom, and two bedroom with den units as each such category of unit is more or less found in the whole project to the satisfaction of the Director of Housing. The total gross floor area for the affordable set-aside units shall be equal to 1/3 of the affordable housing density bonus. The portion of the affordable units applicable to each building shall be provided as each building is occupied. (Housing)
51. 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 30 years from the date of initial occupancy of each affordable unit. The developer shall re-certify the incomes of such households annually. (Housing)
52. 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) must be made available to a qualified household. Once the comparable unit is made available for lease, the rent of the over-income unit may then be increased to market rate in accordance with any lease restrictions. (Housing)
53. 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. (Housing)
54. The set-aside units shall be of the same size, floor plan and with the same amenities as other similar units in the development. Units designated as affordable housing units shall be distributed throughout the first fifteen (15) floors of the residential development. Concentrations of affordable units will be avoided. (Housing)
55. 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

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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. (Housing)

56. The tenants of the affordable rental units shall be offered the same number of parking spaces made available to the tenants of similarly sized market rate units. The parking fee for the first parking space for each affordable rental unit shall be included in the maximum allowable rental rate permitted by this approval. All additional parking spaces shall be offered at market rate. (Housing)
57. 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 30-year affordability period. (Housing)
58. 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)
59. 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, with any reduction in the number of affordable units subject to review by the Affordable Housing Advisory Committee and final approval by the City Manager. (Housing)
60. The developer will work with the City and ARHA to consider the possibility of providing 16 public housing replacement units to ARHA as an alternative to some or all of the aforementioned units. (Housing)

H. PARKING

61. The development shall be subject to compliance with the Parking Management Plan dated March 15, 2010. Any further revisions to the Parking Management Plan may be approved by the Directors of T&ES and P&Z. (T&ES)(P&Z)
62. Parking areas on Blocks 11&12 shall be allocated as follows:
 - a. A minimum of 1027 and a maximum of 1445 parking spaces shall be provided in the Blocks 11&12 parking garages for residents. Nine (9) percent of the total provided residential spaces shall be reserved for visitor use and shall include all applicable signage. Residential parking spaces shall be separated from retail spaces. At such point when certificates of occupancy have been issued for a minimum of 95 percent of the residential units, the applicant may submit a parking study on the utilization of the visitor parking spaces for City determination on reducing the amount of visitor parking required for this project.

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- b. A maximum of 60 parking spaces shall be provided in the Block 12 parking garage for retail uses.
 - c. Any surface parking lot on Block 11 is limited to a maximum of 150 parking spaces and only permissible in conjunction with a grocery store tenant on that block.
 - d. If the proposed grocery store that is a part of the application is eliminated, the applicant shall be required to file a major DSUP amendment.
 - e. Provide controlled access into the garage for vehicles and pedestrians. The controlled access to the garages shall be designed to allow convenient access to the parking garages for residents, retail patrons and visitors, and through the use of market or higher parking rates, discourage the use of the above-grade parking garage in Block 12 by users other than retail patrons, residents and bona fide visitors of residents.
 - f. At the request of the applicant, revisions to the Preliminary Plan, which would allow more of the approved parking spaces to be relocated below grade, may be reviewed and approved by the Director of P&Z during the final site plan process. (P&Z)(T&ES)(RP&CA)
63. Provide 160 bicycle parking space(s) per Alexandria's current Bicycle Parking Standards. Bicycle parking standards, acceptable rack types for short- and long-term parking and details for allowable locations are available at: www.alexandriava.gov/bicycleparking. This condition complies with the bicycle parking requirements of the TMP. (T&ES)
64. All on-street parking controls and restrictions within the project area shall be determined by the City. Any such controls and restrictions which the applicant desires shall be shown on the final site plan. Within the project area, any parking meters which are placed on private streets with public access easements or on public rights-of-way shall be acquired and installed by the applicant in accord with City specifications. The City reserves the right to maintain, enforce, and collect revenue from parking meters on private streets containing public access easements. The applicant shall have the right to use the parking spaces on private streets for construction parking without charge by the City. The public access easement for the private streets shall incorporate the terms of this condition. (P&Z)(T&ES)

I. CDD CONCEPT PLAN

65. Within 30 calendar days of approval of the Stage 2 DSUP for Blocks 11&12, submit a revised CDD Concept Plan incorporating and reflecting the amended CDD table showing Allowable Gross Floor Area (AGFA), height, parking and use. (P&Z)

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J. EISENHOWER METRO STATION IMPROVEMENTS

66. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** Subject to the City successfully acquiring the necessary right-of-way from WMATA and per the Hoffman/WMATA/City joint agreement or Memorandum of Understanding, the applicant shall: 1) undertake all improvements described in the MOU agreement as being the responsibility of the applicant; 2) All all such improvements shall be completed prior to issuance of the first certificate of occupancy permit for any building on Block 11 or Block 12. ~~In addition, the applicant shall;~~ and 3) dedicate to the City any land in their ownership necessary for Eisenhower Station Square and the new bus loop prior to issuance of the first certificate of occupancy for any building on Block 11 or Block 12.*** (P&Z)(RP&CA)(T&ES)
67. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** Final negotiation and execution of the Hoffman/WMATA/City joint agreement or MOU on behalf of the City will be the responsibility of the City of Alexandria City Manager.

K. SITE PLAN

68. Coordinate location of site utilities with other site conditions to the satisfaction of the Directors of RP&CA, P&Z, and T&ES. These items include:
- a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
 - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.
 - c. Do not locate above grade utilities in dedicated open space areas.
(RP&CA)(P&Z)(T&ES)
69. 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 Directors of T&ES, P&Z, and RP&CA in consultation with the Chief of Police and shall include the following:
- a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information.
 - b. A lighting schedule that identifies each type and number of all fixtures, mounting height, and strength of fixture in Lumens or Watts.
 - c. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s) and security lighting.
 - 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

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- adjacent properties and rights-of-way. Show existing and proposed street lights and site lights.
- e. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights to minimize light spill into adjacent residential areas.
 - f. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - g. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - h. The lighting for the areas not covered by the City of Alexandria' standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - i. Provide numeric summary for various areas (i.e., roadway, walkway/ sidewalk, alley, and parking lot, etc.) in the proposed development.
 - j. The walls and ceilings in the garage must be painted white or dyed concrete (white) to increase reflectivity and improve lighting levels at night.
 - k. The lighting for the parking garages shall be a minimum of 5.0 foot candle maintained. The fixtures should not be flush against the ceiling, unless there are no cross beams, but should hang down at least to the crossbeam to provide as much light spread as possible.
 - l. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (P&Z)(T&ES)(RP&CA)(Police)
70. Provide a unit numbering plan for each floor of a multi-unit building with the first final site plan submission. The unit numbers should comply with a scheme of 100 level numbers on the first floor, 200 level numbers on the second floor, and 300 level numbers for third floor and continue in this scheme for the remaining floors, however, if approved by the United States Postal Service, the top two floors of Block 12 and Block 11 E and the top four floors of 11 W may also have an alpha prefix (e.g. PH) to designate a penthouse level unit. Indicate unit's use (i.e.: Residential, Retail, Office) if known. (P&Z)
71. Revise the right-of-way line located at the northeast corner on Block 12 to provide the right-of-way alignment shown on the preliminary #1 plan dated September 17, 2009. (P&Z)(T&ES)

L. CONSTRUCTION

72. The Applicant shall provide a payment of \$795,882.00 to the City in satisfaction of the Applicant's obligation under Condition 26 of CDD2005-0002 to pay the equivalent of the actual cost of constructing the Eisenhower Avenue improvements including but not limited to the sidewalk area/shared use path, travel lanes and median for the portion of the Eisenhower Avenue improvements located along Block 12. This payment is required

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prior to release of the first certificate of occupancy for Block 11 or 12 , provided, however, that in no event shall payment be made later than 24 months from the commencement of construction.

73. Submit a construction phasing plan to the satisfaction of the Directors of P&Z and T&ES as part of the final site plan and building permit drawings. The construction phasing plan shall, at a minimum, be subject to the following:
- a. If the development is constructed in more than one phase, all public and private streets shall be constructed as part of the first phase of development.
 - b. If construction of the development on Block 11 precedes Block 12, provide a temporary 10-foot wide asphalt sidewalk on the west side of Port Street between Dock Lane and Eisenhower Avenue at such point when certificates of occupancy have been issued for a minimum of 95 percent of the residential units on Block 11 and until construction on Block 12 commences.
 - c. If construction of the development on Block 11 precedes Block 12, provide a temporary 10-foot wide asphalt sidewalk on the north side of Dock Lane between Port and Anchor Streets at such point when certificates of occupancy have been issued for a minimum of 95 percent of the residential units on Block 11 and until construction on Block 12 commences.
 - d. If construction of the development on Block 11 precedes Block 12, provide a temporary 10-foot wide asphalt sidewalk on the east side of Anchor Street between Dock Lane and Eisenhower Avenue at such point when certificates of occupancy have been issued for a minimum of 95 percent of the residential units on Block 11 and until construction on Block 12 commences.
 - e. If construction of the development on Block 11 precedes Block 12, the interim parking lot use on Block 12 shall either be resurfaced, resurfaced and restriped for use as a parking lot, or seeded as an open grass area until commencement of construction on Block 12.
 - f. If construction of the development on Block 11 precedes the construction of Southern Street between Port Street and Mill Road, provide turning movement diagrams with the final site plan demonstrating access from/to the Block 11 loading zone can be accommodated with the available roadway network.
(P&Z)(T&ES)
74. Submit a construction phasing plan to the satisfaction of the Director of T&ES, for review, approval and partial release of Erosion and Sediment Control for the final site plan. 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 Director of T&ES.* (T&ES)
75. Submit a construction management plan for review and approval by the Directors of P&Z, T&ES and Code Administration prior to final site plan release. The plan shall:
- a. Include a plan for temporary pedestrian and vehicular circulation;

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- b. Include the overall schedule for construction and the hauling route;
 - c. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work;
 - d. If the plan is found to be violated during the course of construction, citations will be issued for each infraction and a correction notice will be forwarded to the applicant. If the violation is not corrected within five (5) calendar days, a "stop work order" will be issued, with construction halted until the violation has been corrected. * (P&Z)(T&ES)(Code Administration)
76. Provide off-street parking for all construction workers without charge to the workers. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall cause a minimum subsidy of 50% of the fees for mass transit. Compliance with this condition shall be a component of the construction management plan, which shall be submitted to the Department of P&Z and T&ES prior to final site plan release. This plan shall:
- a. Establish the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and that the availability of transit fare above will be posted immediately outside of the construction trailer.
 - b. Metro schedules and routes, bus schedules and routes for Eisenhower Avenue shall be posted immediately outside the construction trailer.
 - c. If the plan is found to be violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within five (5) days, a "stop work order" will be issued, with construction halted until the violation has been corrected.* (P&Z)(T&ES)
77. The sidewalk along Eisenhower Avenue shall remain open during construction or pedestrian access shall be maintained to the satisfaction of the Director of T&ES throughout the construction of the project. (T&ES)
78. No major construction staging shall be allowed within the right of way along Eisenhower Avenue; provided, however, that the area dedicated for a third east bound lane by applicant may, at the discretion of the Director of T&ES, be the subject of a staging/lane closure agreement if pre-cast concrete is employed in the construction of Block 12 . The applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. The construction schedule for the Eisenhower Avenue Improvements shall take precedence over any closures proposed by the applicant adjacent to Eisenhower Avenue.** (T&ES)
79. Any structural elements that extend into the public right of way, including but not limited to footings, foundations, etc., must be approved by the Director of T&ES as a part of the Sheeting and Shoring Permit. (T&ES)

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80. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of Construction & Inspection prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)
81. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)(T&ES)
82. Identify a person who will serve as a liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, RP&CA and T&ES. (P&Z)(RP&CA)(T&ES)
83. Implement a waste and refuse control program during the construction phase of this development. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of T&ES and Code Administration. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)
84. Temporary construction and/or on-site sales trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a final certificate of occupancy permit.*** (P&Z)
85. Submit a wall check prior to the commencement of construction of the first floor above grade framing for the building(s). The wall check shall include the building footprint, as depicted in the approved final site plan, the top-of-slab elevation and the first floor elevation. The wall check shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the P&Z prior to commencement of framing. (P&Z)
86. Submit a height certification and a location survey for all site improvements to the Department of P&Z as part of the request for a certificate of occupancy permit. The height certification and the location survey shall be prepared and sealed by a registered architect, engineer, or surveyor. The height certification shall state that the height was calculated based on all applicable provisions of the Zoning Ordinance.*** (P&Z)

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M. WASTEWATER / SANITARY SEWERS

87. Discharge from pool(s) shall be connected to the sanitary sewer. (T&ES)
88. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall submit a letter to the director of T&ES that acknowledges that ~~future blocks within the Hoffman CDD~~ properties within the Stage 1 DSUP approval will participate if the City adopts a plan in the future to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed. The letter must be submitted prior to release of the final site plan. (PC)

N. SOLID WASTE

89. Provide \$1,150 per receptacle to the Director of T&ES for purchase and installation of eight (8) City standard Iron Site Bethesda Series, Model SD-42 decorative black metal trash cans with domed lid by Victor Stanley. The receptacle(s) shall be placed in the public right of way. Receptacles shall be generally located along the property frontage and at strategic locations as approved by the Director of T&ES. * (T&ES)

O. STREETS / TRAFFIC

90. **CONDITION DELETED BY PLANNING COMMISSION:** ~~Subject to the maximum right of way dedication specified in CDD#2005-0002 Condition #22 which states: "67' south of the centerline shown on DSUP98-0042 shall be provided by Applicant," coordinate Site Plan with Eisenhower Avenue Widening plan (VDOT# U000-100-135) prior to the first and with each final site plan submission.* (T&ES)~~
91. Anchor Street shall be right in and right out only at the Eisenhower Avenue intersection. (T&ES)
92. If the City's existing public infrastructure is damaged during construction, or patch work required for utility installation then the applicant shall be responsible for construction/ installation or repair of the same as per the City of Alexandria standards and specifications and to the satisfaction of Director of T&ES. (T&ES)
93. A pre-construction walk/survey of the site shall occur with T&ES Construction and Inspection staff to document existing conditions prior to any land disturbing activities. (T&ES)
94. Submit a Traffic Control Plan as part of the final site plan, for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes,

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and storage and staging shall be provided for informational purposes. In addition, the Traffic Control Plan, shall be amended as necessary and submitted to the Director of T&ES along with the Building and other Permit Applications as required. The final site plan shall include a statement "FOR INFORMATION ONLY" on the Traffic Control Plan Sheets. (T&ES)

95. Mark all private street signs that intersect a public street with a fluorescent green strip to notify the plowing crews, both City and contractor, that they are not to plow those streets. (T&ES)
96. 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)
97. The slope on parking ramp to garage entrance shall not exceed 12 percent. In case the slope varies between 10% and 12% then the applicant shall provide trench drain connected to a storm sewer to eliminate or diminish the possibility of ice forming. (T&ES)

P. UTILITIES

98. Locate all private utilities without a franchise agreement or encroachment outside of the public right-of-way and public utility easements. (T&ES)
99. Transformer vaults located in the right-of-way shall have covers that are flush and match the material and design of the surrounding sidewalks or driveway aprons. (T&ES)
100. No BMPs shall be installed within the public right-of-way. Location of BMPs in private utility easements will only be allowed with written permission from the easement owner or demonstrate that such permission is not required.* (T&ES)

Q. WATERSHED, WETLANDS, & RPAs

101. The storm water collection system is located within the Timber Branch watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)
102. The project is located within an existing RPA or mapped wetland area, therefore the applicant shall prepare a Water Quality Impact Assessment in accordance with the provisions of Article XIII of the City of Alexandria Zoning Ordinance to the satisfaction of the Director of T&ES. (T&ES)

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103. Mitigate any impacts on water quality of the development by encroachment into and/or destruction of an existing resource protection area (RPA) by the following methods to the satisfaction of the Director of T&ES:

Resource Protection Area encroachments of 1,375 square feet (or that acreage shown on the final site plan) shall be mitigated according to the guidelines suggested in the "Riparian Buffers Modification & Mitigation Guidance manual" by the Chesapeake Bay Local Assistance Department. Plantings shall be placed on Block 19 north of the run according to final site plan approval. All invasive species within the same area on the north side of the run shall be removed prior to RPA replanting. This replanting shall be coordinated with the Eisenhower Avenue widening and shall occur within 6 months of completion of the widening project. (T&ES)

R. BMP FACILITIES

104. The City of Alexandria's storm water management regulations regarding water quality are two-fold: first, phosphorus removal requirement and second, water quality volume default. Compliance with the phosphorus requirement does not relieve the applicant from the water quality default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
105. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMPs and a completed Worksheet A or B and Worksheet C, as applicable. (T&ES)
106. 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)
107. Submit two originals of the storm water quality BMP Maintenance Agreement with the City to be reviewed as part of the final #2 Plan. The agreement must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to approval of the final site plan.* (T&ES)

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108. 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)
109. 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 Owners Operation and Maintenance Manual for all Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City.
 - 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 Homeowners Association (HOA) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners.

Otherwise the following condition applies:

110. 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)
111. Submit a copy of the Operation and Maintenance Manual to the Office of Environmental Quality on digital media prior to release of the performance bond.****(T&ES)
112. 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

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are functioning as designed and are unaffected by construction activities. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed.****(T&ES)

S. CONTAMINATED LAND

113. Indicate whether or not there is any known soil and groundwater contamination present. 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, Office of Environmental Quality. (T&ES)
114. Design and install a vapor barrier and ventilation system for buildings and parking areas in order to prevent the migration or accumulation of methane or other gases, or conduct a study and provide a report signed by a professional engineer showing that such measures are not required to the satisfaction of Directors of T&ES and Code Administration. (T&ES)
115. The final site plan shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
- a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
 - b. Submit a Risk Assessment indicating any risks associated with the contamination.
 - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. Utility corridors in contaminated soil shall be over excavated by 2 feet and backfilled with "clean" soil.
 - d. 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.
 - e. Applicant shall submit 5 copies of the above. The remediation plan must be included in the final site plan.* (T&ES)

T. NOISE

116. 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). If necessary, as a result of this study, identify options to minimize noise exposure to future residents at the site, particularly in those units closest to the interstate highway, metro tracks and Eisenhower Avenue traffic, including triple-glazing for

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windows, additional wall/roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES. (T&ES)

117. The noise study shall be submitted and approved prior to final site plan approval.* (T&ES)
118. All exterior building mounted loudspeakers are prohibited and no amplified sound should be audible at the property line. (T&ES)
119. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 6:00am. (T&ES)
120. If a restaurant use is proposed, the use of loudspeakers or musicians outside is prohibited. (T&ES)

U. AIR POLLUTION

121. If fireplaces are utilized in the development, the Applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
122. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)
123. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)
124. No material may be disposed of by venting into the atmosphere. (T&ES)
125. Control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of T&ES. (T&ES)

V. ARCHAEOLOGY

126. Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. The language noted above

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shall be included on all final site plan sheets involving any ground disturbing activities.
(Archaeology)

127. The applicant shall not allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology. Failure to comply shall result in project delays. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
128. The final certificates of occupancy for each phase shall not be issued until the applicable interpretive elements have been constructed and interpretive markers have been erected.*** (Archaeology)

W. DISCLOSURE REQUIREMENTS

129. Present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:
 - a. That Eisenhower Avenue is a major arterial and that future traffic is expected to increase significantly as development along Eisenhower Avenue continues.
 - b. The Metro tracks exist today and there is no expectation that they will be removed. Metro traffic along said tracks may increase.
 - c. I-495 is a major interstate highway with traffic expected to increase over time.
(P&Z)(T&ES)
130. All condominium association covenants shall be reviewed by the Director of P&Z and the City Attorney to ensure inclusion of all the conditions of this DSUP prior to applying for the first certificate of occupancy permit for the project. The association covenants shall include the conditions listed below, which shall be clearly expressed in a separate section of the covenants. The language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this development special use permit approved by City Council.
 - a. The principal use of the garages and parking spaces shall be for passenger vehicle parking only; storage which interferes with the use of a parking space for a motor vehicle is not permitted.
 - b. The designated visitor parking spaces shall be reserved for the use of the condominium guests.
 - c. No more than two parking spaces shall be assigned to a specific condominium unit until all settlement on the units are complete; all unassigned spaces in the garage shall be made generally available to residents and/or visitors.
 - d. All landscaping and open space areas within the development shall be maintained by the Homeowners' and/or Condominium Owners' Association.
 - e. Exterior building improvements or changes by future residents shall require the approval of the City Council, as determined by the Director of P&Z.

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- f. 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)

131. **AMENDMENT ACCEPTED BY PLANNING COMMISSION:** The applicant shall present a disclosure statement to all renters, and condominium owners signed prior to signing any lease or contract of purchase. The statement shall disclose the following:
- a. That retail uses including but not limited to restaurants, bakeries, banks bookstores, clothing, clothing accessories, department stores, drugstores, dry cleaners, florists, groceries, jewelry, restaurants and any similar use deemed by the Director of P&Z 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 public and internal streets surrounding the project and ~~may~~ will have extended hours of operation.
 - b. The specific language of the disclosure statement to be utilized shall be provided to the City for approval by the Director of P&Z and City Attorney, prior to release of any certificates of occupancy for residential units.*** (P&Z)
132. Notify prospective tenants/buyers in lease agreements and/or disclosure documents that Dock Lane is a private street and that storm sewers located within the site are privately owned and maintained. (T&ES)
133. Notify prospective tenants/buyers in lease agreements and/or disclosure documents, that the mid-block crossing street is a private street with public access easement and shall not be maintained by the City of Alexandria; and that the sanitary and storm sewers located within the site are private and shall be maintained privately. (T&ES)
134. The applicant or its agent shall furnish each prospective tenant/buyer with a statement disclosing the prior history of the site, including previous environmental conditions and on-going remediation measures. Disclosures shall be made to the satisfaction of the Director of T&ES. (T&ES)

X. ENCROACHMENTS

135. The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his /her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
136. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or

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replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)

CITY DEPARTMENT CODE COMMENTS

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

Planning and Zoning

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

Transportation and Environmental Services

F - 1 The site is located within the 1000-foot “zone of potential contamination” adjacent to a historic landfill and within the boundaries of a historic methane gas producing swamp. Contamination issues have been documented at three adjacent properties including a section of Eisenhower Avenue along the northern property line of Block 12. These reports are available for review in the OEQ office. (T&ES)

F - 2 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 Site 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 - 3 The plan shall show sanitary and storm sewer, and water line in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label the sanitary and storm sewer, or water line plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of all the existing and proposed sanitary and storm sewer at manholes, and water line piping at gate wells on the respective profiles. Use distinctive stationing for various sanitary and storm sewers (if applicable or required by the plan), and water line in plan and use the corresponding stationing in respective profiles. (T&ES)

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- F - 4 The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F - 5 Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F - 6 All storm sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter for storm sewers shall be 18" in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead is 15". The acceptable pipe materials will be AWWA C-151 (ANSI A21.51) Class 52 or Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. For roof drainage system, Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.0 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES)
- F - 7 All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter of sanitary sewers shall be 10" in the public Right of Way and sanitary lateral 6" for all commercial and institutional developments; however, a 4" sanitary lateral will be acceptable for single-family residential. The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12" or larger diameters); Class III may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Laterals shall be connected to the sanitary sewer through a manufactured "Y" or "T" or approved sewer saddle. Where the laterals are being connected to existing Terracotta pipes, replace the section of main and provide manufactured "Y" or "T", or else install a manhole. (T&ES)
- F - 8 Lateral Separation of Sewers and Water Mains: A horizontal separation of 10' (edge to edge) shall be provided between a storm or sanitary sewer and a water line; however, if this horizontal separation cannot be achieved then the sewer and water main shall be installed in separate trenches and the bottom of the water main shall be at least 18" above of the top of the sanitary/storm sewer. If both the horizontal and vertical separations cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place without leakage prior to installation. (T&ES)
- F - 9 Crossing Water Main Over and Under a Sanitary or Storm Sewer: When a water main over crosses or under crosses a sanitary/storm sewer then the vertical separation between the bottom of one (i.e., sanitary/storm sewer or water main) to the top of the other (water

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main or sanitary/storm sewer) shall be at least 18" for sanitary and 12" for storm sewer; however, if this cannot be achieved then both the water main and the sanitary/storm sewer shall be constructed of Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 with joints that are equivalent to water main standards for a distance of 10 feet on each side of the point of crossing. A section of water main pipe shall be centered at the point of crossing and the pipes shall be pressure tested in place without leakage prior to installation. Sewers crossing over the water main shall have adequate structural support (concrete pier support and/or concrete encasement) to prevent damage to the water main. Sanitary sewers under creeks and storm sewer pipe crossings with less than 6" clearance shall be encased in concrete. (T&ES)

- F - 10 No water main pipe shall pass through or come in contact with any part of sanitary/storm sewer manhole. Manholes shall be placed at least 10 feet horizontally from the water main whenever possible. When local conditions prohibit this horizontal separation, the manhole shall be of watertight construction and tested in place. (T&ES)
- F - 11 Crossing Existing or Proposed Utilities: Underground telephone, cable T.V., gas, and electrical duct banks shall be crossed maintaining a minimum of 12" of separation or clearance with water main, sanitary, or storm sewers. If this separation cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 for a distance of 10 feet on each side of the point of crossing and pressure tested in place without leakage prior to installation. Sanitary/storm sewers and water main crossing over the utilities shall have adequate structural support (pier support and/or concrete encasement) to prevent damage to the utilities. (T&ES)
- F - 12 The rip rap shall be designed as per the requirements of Virginia Erosion and Sediment Control Handbook, Latest Edition. (T&ES)
- F - 13 Dimensions of parking spaces, aisle widths, etc. within the parking garage shall be provided on the plan. Note that dimensions shall not include column widths. (T&ES)
- F - 14 Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)
- F - 15 Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F - 16 All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided. (T&ES)
- F - 17 The Traffic Control Plan shall replicate the existing vehicular and pedestrian routes as nearly as practical and the pedestrian pathway shall not be severed or moved for non-construction activities such as parking for vehicles or the storage of materials or

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equipment. Proposed traffic control plans shall provide continual, safe and accessible pedestrian pathways for the duration of the project. (T&ES)

- F - 18 The maximum right-of-way dedication from the applicant for the Eisenhower Avenue improvements (including sidewalks and/or pedestrian/bicyclist paths) contemplated by the City is addressed in CDD#2005-0002 Condition #22 states: "67' south of the centerline shown on DSUP98-0042 shall be provided by Applicant." The City and applicant specifically understand that any sidewalk on the south side of Eisenhower Avenue and/or pedestrian/bicyclist shared-use path with a minimum unobstructed width of 10 feet, shall be located within 67' south of the centerline shown on DSUP #98-0042.
- C - 1 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 site. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development storm water flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C - 2 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, the applicant shall comply with the peak flow requirements and prepare a Stormwater Management Plan so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. If the project site lies within the Braddock-West watershed then the applicant shall provide an additional 10% storage of the pre-development flows in this watershed to meet detention requirements. (T&ES)
- C - 3 Per the requirements of Article 13-113 (d) of AZO, all stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and storm water flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. (T&ES)
- C - 4 Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer per the requirements of Memorandum to the industry on Downspouts, Foundation Drains, and Sump Pumps, Dated June 18, 2004 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the

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storm sewer outfall, where applicable after treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO). (T&ES)

- C - 5 In compliance with the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a sanitary sewer adequate outfall analysis as per the requirements of Memorandum to Industry No. 02-07 New Sanitary Sewer Connection and Adequate Outfall Analysis dated June 1, 2007. (T&ES)
- C - 6 Per the requirements of Title 4, Chapter 2, Article B, Section 4-2-21, Appendix A Section A 106(6), Figure A 106.1 Minimum Standards for Emergency Vehicle Access; provide a total turning radius of 25 feet to the satisfaction of Directors of T&ES and Office of Building and Fire Code Administration and show turning movements of standard vehicles in the parking lot as per the latest AASHTO vehicular guidelines. (T&ES)
- C - 7 In the event that Section 5-1-2(12b) of the City Charter and Code is amended to designate multi-family dwellings in general, or multi-family dwellings when so provided by SUP, as Required User Property [as defined in 5-1-2(12b) of the City Charter and Code], then refuse collection shall be provided by the City for the condominium portion of this plan. (T&ES)
- C - 8 Americans with Disability Act (ADA) ramps shall comply with the requirements of Memorandum to Industry No. 03-07 on Accessible Curb Ramps dated August 2, 2007 with truncated domes on the end of the ramp with contrasting color from the rest of the ramp. A copy of this Memorandum is available on the City of Alexandria website. (T&ES)
- C - 9 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The plan shall show the turning movements of a trash truck and the trash truck shall not back up to collect trash. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- C - 10 The applicant shall be responsible to deliver the solid waste, as defined by the City Charter and Code of the City of Alexandria, to the Covanta Energy Waste Facility located at 5301 Eisenhower Avenue. A note to that effect shall be included on the plan. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. (T&ES)
- C - 11 The applicants will be required to submit a Recycling Implementation Plan form to the Solid Waste Division, as outlined in Article H to Title 5 (Ordinance Number 4438), which requires all commercial properties to recycle. (T&ES)

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- C - 12 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys. (T&ES)
- C - 13 Bond for the public improvements must be posted prior to release of the site plan.* (T&ES)
- C - 14 The sewer tap fee must be paid prior to release of the site plan.* (T&ES)
- C - 15 All easements and/or dedications must be recorded prior to release of the site plan.* (T&ES)
- C - 16 Underground all secondary utilities serving the site.***(T&ES)
- C - 17 Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan.* (T&ES)
- C - 18 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C - 19 Per the Memorandum to Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (T&ES)
- C - 20 The thickness of sub-base, base, and wearing course shall be designed using "California Method" as set forth on page 3-76 of the second edition of a book entitled, "Data Book for Civil Engineers, Volume One, Design" written by Elwyn E. Seelye. Values of California Bearing Ratios used in the design shall be determined by field and/or laboratory tests. An alternate pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading designed using California Bearing Ratio (CBR) determined through geotechnical investigation and using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications designed to the satisfaction of the Director of T&ES will be acceptable. (T&ES)
- C - 21 All pedestrian, traffic, and way finding signage shall be provided in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)

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- C - 22 No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code. (T&ES)
- C - 23 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C - 24 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C - 25 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. (T&ES)
- C - 26 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. (T&ES)
- C - 27 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)
- C - 28 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. (T&ES)

Code Administration:

- C - 1 Provide two Siamese connections per building located to the satisfaction of the Director of Code Administration. Code requirement met.
- C - 2 A separate tap is required for the building fire service connection. Code requirement met.
- C - 3 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. The applicant expects to have the building code analysis completed by next submission since the building needs to be completely designed. **Code requirement met, see sheet A-0.**
- C - 4 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

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building, one on each side/end of the building; c) fire hydrants located between forty (40) and 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 width of eighteen (18) feet (one way) and twenty-two (22) feet for two-way traffic; f) all Fire Service Plan elements are subject to the approval of the Director of Code Administration. The Fire Service Plan shall be completed by Preliminary Plan Submission. **The two FDC's located along Port Street do not have any fire hydrants serving them. The two fire hydrants located along Southern Street can be relocated to serve the FDC's located along Port Street for compliance.**

- C - 5 Fire Department ladder truck access is required for 48% of the perimeter 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. **Code requirement met.**
- C - 6 Building is over 50 feet in height and as such is required to have ladder truck access to a 48% perimeter of the buildings by public roads or recorded emergency vehicle easements (eve). For a building face to be considered accessible by a ladder truck the curb line shall be at least 15 feet and no more than 30 feet from the face of the building. The face of the building may not articulate back into the mass of the building more than 7 feet horizontally in the first 75 feet of vertical dimension of the building. Alternatives that demonstrate equivalency to this requirement will be considered on a case by case basis. **Code requirement met.**
- C - 7 The final site plans shall show placement of fire easement signs. See attached guidelines for sign details and placement requirements. **Code requirement met.**
- C - 8 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided. Acknowledged by applicant.
- C - 9 **Prior to submission of the final site plan #3, the developer shall provide three wet stamped copies of the fire flow analysis performed by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. The three copies shall be submitted to the Site Plan Coordinator of Code Administration, 301 King Street, Suite 4200, Alexandria, VA 22314.**
- C - 10 **A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1.**
- C - 11 **Provide Stairway Identification. A sign shall be provided at each floor landing in interior vertical exit enclosures connecting more than three stories designating the**

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floor level, the terminus of the top and bottom of the stair enclosure and the identification of the stair. The signage shall also state the story of, and the direction to the exit discharge and the availability of roof access from the stairway for the fire Department, in accordance with USBC 1020.1.6.

C - 12 This structure contains mixed use groups [S-2 Storage, R-2 Residential, M-Mercantile], and is subject to the mixed use and occupancy requirements of USBC 508.

Police

Parking Garage Recommendations

- R - 2 It is recommended that the section of the parking garage dedicated to the residents is gated off from the retail section and is controlled by electronic means. This should help alleviate unwanted persons tampering with resident's vehicles and other crimes.
- R - 3 It is recommended that the doors in the garage (garage level only) leading into the stairwell have controlled electronic access.
- R - 4 Only residents with proper electronic access cards should be able to enter into the stairwells from the underground parking garage. This makes the stairwells safer for residents.
- R - 5 The controlled electronic access should not interfere with the emergency push-bar release located on the inside of the stairwell door that allows for emergency exit of the building.

Landscape Recommendations

- R - 6 The proposed shrubbery should have a natural growth height of no more than 2 ½ to 3 feet with a maximum height of 36 inches when it matures and should not hinder the unobstructed view of patrolling law enforcement vehicles.

Parks

- R - 7 It is recommended that the applicant choose a style bench that has an armrest in the middle of the bench to deter unwanted sleeping and skateboarding on the benches.

Miscellaneous

- R - 8 It is recommended that the buildings have an address number which is contrasting in color to the background, at least 3 inches high, reflective, and visible from the street placed on the front and back of each home. It is strongly suggested that no brass or gold

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colored numbers are used. This aids in a timely response from emergency personnel should they be needed.

- R - 9 It is recommended that all of the ground floor level windows be equipped with a device or hardware that allows windows to be secured in a partially open position. This is to negate a “breaking and entering” when the windows are open for air.
- R - 10 It is recommended that a “door-viewer” (commonly known as a peep-hole) be installed on all doors on the ground level that lead directly into an apartment. This is for the security of the occupant.

Archaeology

F - 19 Archaeological investigations conducted on the Hoffman properties to date have located the eighteenth-century West family cemetery, remnants of an eighteenth through nineteenth-century mill race, and the foundations of Cameron Mills and of several historic residential structures, one of which may have served as an early tavern. A pier buried under deep fill was found in the northeastern section of Block 12. However, a recent geomorphological study along Eisenhower Avenue just to the north of this property has indicated that Blocks 11 and 12 were floodplain areas not conducive to human occupation. Based on this information, there is low potential for the recovery of additional significant archaeological resources, but this area is suitable for interpretation of the previous discoveries. No additional archaeological work is needed prior to construction, but statements on the plans are required to insure that information is recovered in the event that new finds are unearthed during construction.

F - 20 If this project is a federal undertaking or involves the use of any federal funding, the applicant shall comply with federal preservation laws, in particular Section 106 of the National Historic Preservation Act of 1966. The applicant will coordinate with the Virginia Department of Historic Resources and the federal agency involved in the project, as well as with Alexandria Archaeology.

C - 29 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

Alexandria Sanitation Authority

C - 30 Ensure all discharges are in accordance with City of Alexandria Code 4035. (ASA)

C - 31 Provide sanitary flow computations. (ASA)

C - 32 Follow the sanitary sewer connection and Adequate Outfall Analysis as stated in the July 1, 2007 Memorandum. (ASA)

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IX. STAFF RECOMMENDATION for CDD#2005-0002, DSUP#2005-0031 thru 0035 and SUP(TMP)#2005-0115

Staff recommends approval of the amended Concept plan and the amended Transportation Management Plan subject to compliance with all applicable codes and ordinances.

Note: The following conditions are brought forward from CDD#2005-0002 and TMP-SUP#2005-0115; Conditions 14, 15, and 31 have been amended.

A. GENERAL:

1. **(DEFINITION)** The term "Settlement Agreement" means the "Hoffman Town Center Land Use and Parking Compromise" under original date of December 14, 2004, as amended under date of August 24, 2005. (P&Z)
2. **(DEFINITION)** The term "Hoffman Process Agreement" means that portion of the Settlement Agreement so denominated and setting forth the sequence of submissions/approvals governing the process for approval of the development permits for the Hoffman Property development blocks within the Eisenhower East area. A copy of the Hoffman Process Agreement is attached hereto as Addendum 1. (P&Z)
3. **(DEFINITION)** As used in this document, the phrase "Stage 1 preliminary development special use permit" means that preliminary development special use permit submitted pursuant to the Hoffman Process Agreement as "Preliminary Development Special Use Permit #1".(P&Z)
4. **(DEFINITION)** As used in this document, the phrase "Stage 2 preliminary development special use permit" means that preliminary development special use permit submitted pursuant to the Hoffman Process Agreement as "Preliminary Development Special Use Permit #2". (P&Z)
5. Notwithstanding any contrary provisions in the Zoning Ordinance, the amended CDD Concept Plan (CDD#05-02 - hereby referred to as the Concept Plan), the amended Transportation Management Plan Special Use Permit (TMP-SUP # 2005-0115), the Stage 1 Development Special Use Permits, (DSUP#2005-0031, DSUP#2005-0032, DSUP#2005-0033, DSUP#2005-0034 and DSUP#2005-0035) shall remain valid until December 31, 2020. (CDD#98-05; Cond. #12)
6. The review and approval of the Stage 1 and Stage 2 Development Special Use Permits shall be as follows:

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- a. The use, "Allowable Gross Floor Area" (AGFA), number of parking spaces, levels of underground parking, preliminary mass, and height shall be reviewed and approved as part of the Stage 1 development special use permit for each development block.
 - b. As part of its Stage 2 development special use permit application, the applicant shall submit the final massing, design, scale, articulation, and footprint of the building(s) and other related factors including the checklist items not previously provided as part of the Stage 1 development special use permit, and in accordance with the Eisenhower East Design Guidelines applicable to the site.
 - c. During the review of the Stage 2 development special use permit application, the scale, articulation, footprint, massing, and other architectural and/or design components will be reviewed for compliance with the Eisenhower East Design Guidelines and approved in accordance with the Eisenhower East Design Guidelines, subject to the Paragraph d below.
 - d. In the event that the application of the scale, articulation, footprint, massing, and other architectural and/or design components of Eisenhower East Design Guidelines as part of the review of a Stage 2 development special use permit results in the loss of AGFA on the block(s) under review, the applicant shall be permitted to consider an administrative transfer of an equivalent amount of AGFA to such other block(s) within the approved Concept Plan as the applicant proposes. If there is not agreement regarding the administrative transfer of the AGFA as requested, or the applicant chooses not to so request, the AGFA approved pursuant to the Concept Plan and Stage 1 development special use permit shall be permitted for that block and the City and applicant shall work together on the scale, articulation, footprint, massing, and other architectural and/or design components of Eisenhower East Design Guidelines to configure the final massing.
 - e. Any other requirement for conformance to the Eisenhower East Small Area Plan and/or the Eisenhower East Design Guidelines hereafter referred to in the conditions for this revised concept plan or any DSUP or TMP SUP approved therewith that affects the development rights approved with the Stage 1 Development Special Use Permit shall mean conformance to the extent not inconsistent with the Concept Plan, TMP SUP #2005-0115; DSUP # 2005-0031; #2005-0032; #2005-0033; #2005-0034; #2005-0035; and #2000-0028. (P&Z)(PC)
7. Each block within the Concept Plan (excluding Blocks # 1, 6, 7, 8 and 14 unless otherwise provided herein) shall obtain approval of a subsequent Stage 2 development special use permit in order to redevelop or develop the site pursuant to the Stage 1 DSUP. If the use, AGFA or number of parking spaces approved in

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the Stage 1 DSUP for a particular block are amended by a Stage 2 DSUP for that block, to the extent that the amended use, AGFA or number of parking spaces causes an increase in peak am or pm traffic generation in relation to the traffic study prepared by BMI-SG dated October 2005, the applicant shall submit an amendment to the Transportation Management Plan pertaining to the subject of the change to the Stage 1 DSUP. (P&Z)(PC)

8. Block 1 shall be limited to the building configuration existing on January 1, 2006, and any alteration to the existing building (except interior alterations and alterations to the exterior facade) shall be subject to the Eisenhower East Small Area Plan and the Eisenhower East Design Guidelines, except that a parking structure with a maximum of 215 parking spaces may be constructed by Virginia Department of Transportation (VDOT) if necessary for the replacement of those spaces taken for the Stovall ramp realignment. (P&Z) (PC)
9. Prior to submitting a Stage 2 preliminary development special use permit application, the applicant shall submit a conceptual site plan for review by the City at least 90 days prior to submission of the preliminary development special use permit application for each block(s). (P&Z)
10. Each Stage 2 development special use permit application shall be subject to review by the Eisenhower East Design Review Board or successors prior to consideration of the preliminary development special use permit by the Planning Commission and City Council. The applicant shall submit architectural elevations, massing studies and other applicable information deemed necessary by the Director of P&Z for such review as part of the submission materials for review. (P&Z)
11. The applicant may transfer Gross Floor Area (GSF) of a use approved in the Concept Plan and a pro rata share of the Gross Floor Area (GSF) of the parking from that block from one block to another block as part of a Stage 2 development special use permit, subject to approval by the Director of P&Z and subject to the following:
 - a. Change in the primary use of the property may be permitted within each CDD during the development approval process provided that the change is consistent with the principles and intent of the EESAP
 - b. A change of use that results in the transfer of an equal amount of square footage from one parcel to another may be done administratively. A change that increases the amount of building area on a parcel shall be made as an amendment to the Master Plan. (P&Z)

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12. All proposed and existing above grade utility lines for each block within the Concept Plan (excluding the VEPCO transmission lines) shall be placed below grade with the development and/or redevelopment of each block(s). The cost of locating the utility lines below grade shall be the sole responsibility of the applicant and/or its successors. All proposed and existing above-grade utility lines(excluding the VEPCO transmission lines) shall be located below grade prior to the certificate of occupancy permit for each building or structure. (P&Z) (T&ES)
13. The names of each public street dedicated for public use or a street with a public access easement within the Concept Plan shall require subsequent approval by the Planning Commission. (P&Z)
14. **[CONDITION AMENDED BY STAFF]** The number of parking spaces within the CDD at all times shall be limited and/or conditioned as follows:
 - a. Structured parking on all development blocks except Block 1 is limited to a maximum of 11,585 parking spaces, unless otherwise defined in this Paragraph.
 - b. New surface parking on all development blocks except Block 1 is limited to a maximum of ~~150~~¹⁶⁰ parking spaces on Block 11 and only in conjunction with a grocery store tenant on that Block.
 - c. Surface and structured parking on Block 1 shall not exceed the surface parking existing on January 1, 2006, plus a maximum of 215 additional structured parking spaces to replace those taken by the construction of Ramp A-1 of the Telegraph Road Interchange.
 - d. Except for those blocks that are governed by DSUP #2000-0028 and Block 1, Block 2, Block 3, Block 24 and Block 25A, all parking structures shall have a minimum of two levels of parking below grade.
 - e. The number of off-street parking spaces within the Concept Plan shall be limited to a maximum number of 12,060 parking spaces (including during interim development).
 - f. On street parking, including the Town Center circle, is excluded from the foregoing maximum number of parking spaces. (P&Z) (PC)

B. BUILDINGS - USES:

15. **[CONDITION AMENDED BY STAFF]** The Allowable Gross Floor Area (AGFA), height, parking and use shall be governed by the following table, which shall also be reflected in the Concept Plan.

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CDD #2005-0002 and SUP TMP #2005-0115
Eisenhower East Blocks 11 & 12

Block	RETAIL	OFFICE	RESIDENTIAL	HOTEL	SUBTOTAL	GFA Exclusion	USE GFA	PARKING GFA	AGFA TOTAL (Note 2)	Structured Parking	Surface Parking	Height (Feet)
1	0	0	0	101,000	101,000	0	101,000	0	101,000	215	100	Existing
2	0	470,000	0	0	470,000	15,548	454,452	--**	454,452	1,058	0	210
3	0	300,000	0	0	300,000	9,633	290,367	--**	290,367	675	0	210
4	36,950	436,000	0	0	472,950	13,442	459,508	225,570	685,078	2,281	0	220
5	24,050	0	260,000	0	284,050	9,282	274,768	55,073	329,841	Shared with Block 4	0	220
6*	33,500	1,002,000	0	0	1,035,500	0	1,035,500	0	1,035,500	0	0	Note 3
7*	136,000	0	0	0	136,000	0	136,000	0	136,000	0	0	Note 3
8*	31,000	461,430	0	0	492,430	0	492,430	0	492,430	375	0	Note 3
9A	0	0	0	170,000	170,000	8,190	161,810	389,396	551,206	2,172	0	220
9B	30,000	800,000	0	0	830,000	34,658	795,342	67,800	863,142	Shared with Block 9A	0	250
11	54,000 50,000	0	660,000 430,000	0	714,000 480,000	48,000 19,968	666,000 460,032	11,000 166,424	677,000 626,456	723 924	150 160***	370 250
12	18,000 15,000	0	595,000 445,000	0	613,000 460,000	35,000 16,536	578,000 443,464	71,000 102,298	649,000 545,762	782 238	0	339 250
14*	0	0	0	0	0	0	0	0	0	2,883	0	Note 3
22	0	0	0	0	0	0	0	0	0	0	0	0
24	0	180,000	230,000	0	410,000	9,074	400,926	--**	400,926	600	0	200
25A	0	0	180,000	0	180,000	4,160	175,840	--**	175,840	379	0	200
TOTALS	363,500	3,649,430	1,925,000	271,000	6,209,930	186,987	6,021,943	819,839	6,841,782	12,143	250	N/A

Note 1: Gross Floor Area (GFA) is defined as the sum of all gross horizontal areas under a roof or roofs. These areas are measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums and similar volumetric construction, not involving floor space are excluded.

Note 2: AGFA totals shall be applied in accordance with the EESAP.

Note 3: Per approved DSUP# 2000-0028

* This block is an existing use under approved DSUP# 2000-0028 and is not the subject of a Stage 1 DSUP. Any re-development of this block will require submission of an amended or new DSUP.

**GFA of the parking structure does not count towards AGFA.

*** - Surface parking on Block 11 is permitted solely in conjunction with a grocery store.

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Within 120 calendar days of approval, the applicant shall submit a revised Concept Plan, reflecting the table approved herein. (PC)

16. The Allowable Gross Floor Area (AGFA) is defined in the EESAP as the sum of all gross horizontal areas under a roof or roofs for all structures, including above-grade parking structures, which shall be measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums, and similar volumetric construction, not involving floor space are excluded. (P&Z)
17. The urban plazas and open space, shall be governed by the following table, which shall also be reflected in the Concept Plan. (P&Z) (PC)

URBAN PLAZA/OPEN SPACE					
Block	Type	Name	EESAP Site Area Square Footage	DSUPs Site Area Square Footage	Increase (Decrease) Square Footage
2/3	Neighborhood Square	West Side Gardens	34,800	34,800	0
4/5	Urban Square	Hotel Square	10,900	10,900	
6	Urban Square	Hoffman Town Center	Existing	Existing	
9B	Urban Square*	Eisenhower Station*	28,300	12,000	-16,300
22	Community Park	Eisenhower Park	116,000	116,000	
24/25A	RPA	Eisenhower Park/Meadows	75,000	75,000	
24/25A	Neighborhood Square	South Delaney Gardens	15,300	15,300	
Total			280,300	264,000	-16,300

* Note: 9,200 square feet of the square is located on the adjoining WMATA property; 9,000 square feet is located within the straightened Swamp Fox Rd.

C. PEDESTRIAN-STREETScape:

18. Within the right-of-way as required herein, a Sidewalk Area, which may consist of sidewalk, bike lane and/or tree wells/street tree areas and amenities, shall comply with the Eisenhower East Small Area Plan and the Eisenhower East Design Guidelines and including the following:

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Eisenhower Avenue

- a. A minimum 22 ft. wide brick Sidewalk Area on the northern and southern portion of Eisenhower Avenue except on Block 6 and Block 8.

Typical Street, Excluding Southern Road and Streets approved with DSUP 2000-0028.

- a. A 14 ft. wide brick Sidewalk Area on both sides, which shall consist of a tree well/street tree area and an unobstructed sidewalk.
 - b. On-street parking is encouraged.
 - c. Bulbouts with a 25 ft. radius shall also be provided at the intersections pursuant to the Eisenhower East Design Guidelines. (P&Z) (T&ES) (PC)
19. The sidewalk materials and sidewalk street furniture, amenities, lighting and pedestrian areas and streetscape design shall comply with the EESAP and Eisenhower East Design Guidelines. (P&Z)
 20. The applicant shall prepare a plan for sculpture and public art as part of the submission of the first Stage 2 development special use permit for review and approval by the Planning Commission and City Council. (P&Z)
 21. The urban plaza planned and/or approved for Block 8 shall be designed to connect to and be compatible with the adjoining Mill Race project. The Hoffman development team shall coordinate with the Mill Race development team and WMATA on the design of the areas between the two projects, including the connecting open space and the area under the Metrorail tracks. (P&Z)(CDD #98-05; Cond. 10)

D. STREETS - PUBLIC RIGHTS-OF-WAY:

22. All improvements for Eisenhower Avenue shall be public, and shall consist of the following.
 - a. The following dimensions shall apply to the right of way for Eisenhower Avenue.

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Eisenhower Avenue					
		Hoffman Right of Way (Feet)		Hoffman Median Width Without Turn Lanes (Feet)****	
Stoval Street to Metro Underpass		122-125*		17-19	
Metro Underpass to Mill Race Lane/Port Street		134**		19-26	
Mill Race Lane/Port Street to Mill Road		134**		26	
Mill Road to Hooff's Run Drive		146 ***		38	
* 55' north of the centerline shown on DSUP 98-0042 (as previously dedicated as part of the requirements therein). 67'-70' south of the centerline shown in DSUP 98-0042 shall be provided by the Applicant.					
** 67' south of the centerline shown on DSUP 98-0042 shall be provided by Applicant; north side owned by others					
*** 73' south of the centerline shown in the survey titled Boundary and Topographical Survey of Parcel 079.00-01-02 produced by christopher consultants and dated 8/21/05 shall be provided by Applicant; north side owned by others					
**** The median size is subject to final engineering, however, in no event shall the Applicant be required to provide more right of way than is shown above.					

	<u>NORTH SIDE OF EISENHOWER AVENUE</u>		<u>SOUTH SIDE OF EISENHOWER AVENUE</u>	
		Sidewalk Area (Feet)**		Sidewalk (Feet)**
Stoval Street to Metro Underpass		18		22

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CDD #2005-0002 and SUP TMP #2005-0115
Eisenhower East Blocks 11 & 12

Metro Underpass to Mill Race Road*		22			22	
Mill Race Road to Mill Road*		22			22	
Mill Road to Hooff's Run Drive*		22			22	
* North side owned by others						
** The sidewalk size is subject to final engineering, however, in no event shall the applicant be required to provide more right of way than is shown above.						
Note: Width of Sidewalk Area on WMATA property on North and South side to be coordinated with WMATA						

(P&Z) (T&ES) (PC)

23. The following table sets forth the dimensions and elements for all streets other than Eisenhower Avenue. Except as provided herein, all streets in the Concept Plan, except those approved in DSUP 2000-0028, shall be public or provide public access easement, and shall be consistent with the Eisenhower East Small Area Plan and the Eisenhower East Design Guidelines. Any changes to the Eisenhower East Design Guidelines shall require subsequent approval by the Planning Commission.

a. The following table sets forth the minimum right of way and other conditions that shall be provided for the streets listed, subject to the limitations set forth in the following table.

Street Right of Way, Except Eisenhower Avenue			
Block	Street/Location	ROW Width	Dedicated ROW, Private Road or Public Access Easement
Block 2	N/S interior street	54'	Public Access Easement
	Taylor Street	54'	Public Access

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	(existing)		Easement
	Around West Side Gardens	54'	Public Access Easement
Block 3	N/S-E/W interior streets	54'	Public Access Easement
	Around West Side Gardens	54'	Public Access Easement
Block 4/5	N/S interior street	54'	Public Access Easement
	Around Hotel Square	54'	Public Access Easement
Block 9A/9B	Interior street 9N	66'	Public Access Easement
	Interior street 9E	66'	Public Access Easement
	Interior street 9W	66'	Public Access Easement
	Service road on West side	40'	Public Access Easement
Block 11/12	Dock Street	66'	Public Access Easement
	Port Street	66'/54' *	To be dedicated
Block 24/25A	Dulaney Street	66'	To be dedicated
	Around South Carlyle Square	66'	To be dedicated
Block 22/24/25A	Park Road	66'	To be dedicated
Swamp Fox Road	South of Eisenhower Avenue	9'	To be dedicated
Southern Road	Service Road to Swamp Fox	40.5'	To be dedicated
Southern Road	Anchor Street to Port Street	42.5'	To be dedicated

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Anchor Street	All	40'	To be dedicated
Stovall Street	All	Existing	Dedicated
Pershing Avenue	All	Existing	Dedicated
Mandeville Lane	All	Existing	Private
Grist Mill Place	All	Private Service Road	Private
* Amount or right of way to be provided from Blocks 11 and 12 to be determined by agreement with adjoining property owner. Total dedication by both property owners must meet minimum street width of 54' - 66'.			

- b. Where a public access easement is provided, it shall be a perpetual public access easement for vehicles and pedestrians.
- c. Mandeville Lane shall be constructed, operational and open to the public for vehicular and pedestrian use at the time of the development of Block 4 or Block 5. In addition, Mandeville Lane shall be constructed, and operational, and open to the public for vehicular and pedestrian use as needed for acceptable traffic circulation as determined necessary by the Director of T&ES and P&Z as part of subsequent Stage 2 approvals except as may be precluded by a Federal Government tenant in block 6.
- d. Condition deleted
- e. Condition deleted
- f. The North /South interior street for Block 2 or Block 3, and the street around West Side Gardens shall be constructed, operational and the public access easement granted prior to the issuance of the first certificate of occupancy for such Block.

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- g. The North/South interior street and the street around the Hotel Square shall be constructed, operational and the public access easement granted prior to the issuance of the first certificate of occupancy for Block 4 or Block 5.
- h. In the event the City acquires the necessary right of way from WMATA as contemplated herein, the three interior streets on Block 9 (denominated 9N, 9E and 9W in the Table) and the service road on the West side of Block 9 immediately adjacent to each building on block 9 shall be constructed, operational and the public access easement granted prior to the issuance of the certificate of occupancy for the adjacent building.
- i. In the event the City acquires the necessary right of way from WMATA as contemplated herein, the East/West interior street between Block 11 and Block 12 (denominated Dock Street on the Concept Plan) shall be constructed, operational and the public access easement granted prior to the issuance of the first certificate of occupancy for Block 11 or Block 12
- j. The North/South street to the East of Block 9A and Block 9B (adjoining WMATA and denominated Swamp Fox Road in the Concept Plan) shall be constructed, operational and dedicated prior to the issuance of the first certificate of occupancy for Block 9A or Block 9B. The applicant shall dedicate 9 ft. of right of way to this street. The City shall acquire the remaining 57' for the right of way from WMATA. In the event that WMATA does not provide to the City all or part of the 57' of right of way, the applicant and the City shall revise the Stage 1 DSUP as necessary to reconfigure the surrounding streets and massing on each block to maintain the same use, AGFA, number of parking spaces and levels of underground parking reviewed and approved as part of the Stage 1 development special use permit
- k. The North/South street to the West of Block 11 and Block 12 (adjoining WMATA and denominated Anchor Road in the Concept Plan) shall be constructed, operational and dedicated prior to the issuance of the first certificate of occupancy for Block 11 or Block 12. The applicant shall dedicate 40 ft. of right of way to this street. The City shall acquire the remaining 26 feet of right of way from WMATA. In the event that WMATA does not provide to the City all or part of the 26' of right of way, the applicant and the City shall revise the Stage 1 DSUP as necessary to reconfigure the surrounding streets and massing on each block to maintain the same use, AGFA, number of parking spaces and levels of underground

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parking reviewed and approved as part of the Stage 1 development special use permit.

- l. In the event the City acquires the necessary right of way from WMATA as contemplated herein, the North/South street East of Block 11 and Block 12 (denominated Port Road in the Concept Plan) shall be constructed, operational prior to a certificate of occupancy for Block 11 or Block 12. The street shall be 66 ft. from Eisenhower Avenue to Dock Lane and 54 feet from Dock Lane to Southern Street.
- m. The North/South interior street and the street around South Dulaney Gardens shall be constructed, operational prior to the issuance of the first certificate of occupancy for Block 24 or Block 25A.
- n. Southern Road from Port Street to the service drive at the West side of Block 9A shall be constructed, operational and dedicated prior to the issuance of the first certificate of occupancy for Block 9A or 9B, provided the City acquires the necessary right-of-way from WMATA. Southern Road from Port Street to Swamp Fox Road shall be constructed, operational and dedicated prior to the issuance of the first certificate of occupancy for Block 11 or 12, provided the City acquires the necessary right-of-way from WMATA. The applicant shall dedicate 40.5 ft. of right-of-way for this street between the service drive at the West side of Block 9A and the Metro underpass. The applicant shall dedicate 42.6 ft. of right-of-way for this street between the Metro underpass East to Port Street. The City and the Applicant shall negotiate with VDOT for the dedication of the remaining right-of-way to achieve a full right of way width of not less than 50 ft. The surface parking lot on block 11 shall comply with the surface parking lot landscaping requirements in Section 11-410(cc)(6) of the Zoning Ordinance, except as may be modified by the Planning Commission or City Council in the Stage 2 DSUP for Blocks 11 and 12. If the landscape or right-of-way requirements in the Stage 2 DSUP result in fewer than 160 surface parking spaces on Block 11, the applicant may convert up to 35,000 square feet of retail space to residential use on Block 11. As part of the construction of Southern Road, the applicant shall be required to coordinate with VDOT to provide plantings and landscaping within the adjoining VDOT right-of-way. If approved by VDOT, the applicant shall be required to prepared a landscape plan and install landscape screening as approved by the City and VDOT. The landscape plan shall accompany the block withing the CDD which requires the construction of Southern Road and shall be reviewed and approved by the Planning Commission and City Council as part of the Stage 2 development special use permit process for the applicable block.

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- o. Park Road shall be constructed, operational and dedicated from Eisenhower Avenue to the East end of Block 25A prior to the issuance of the first certificate of occupancy for Block 24 or 25A.
 - p. All other road shall be constructed, operational and dedicated (or a public access easement granted) prior to the issuance of the first certificate of occupancy for the block adjoining the road.
 - q. Dimensions of Mill Road shall be as shown on DSUP 2000-0028. (P&Z) (T&ES) (PC)
24. The preliminary subdivision plats included in the Stage 1 development special use permit application shall be revised to include all sidewalk and streets areas within the area shall be a dedicated for public right-of-way, unless otherwise specified herein. The validity of the subdivision plats shall be concurrent with the Stage 1 development special use permit in compliance with the subdivision regulations of the Zoning Ordinance. (P&Z)

E. PHASING:

25. The applicant shall dedicate the necessary public right-of-way as set forth in Condition 22 and construct all necessary improvements for Eisenhower Avenue at the time of the redevelopment of each block adjacent to Eisenhower Avenue, subject to the following:
- a. Upon formal request from the City, the applicant shall dedicate the right-of-way required by Condition 22 from Blocks 9, 12 and 19 and shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property by the City within 60 days.
 - b. Dedication of the right-of-way required to provide the full right-of-way at Blocks 22 and 24 shall be made at time of redevelopment of Block 24 and the applicant shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property.
 - c. Dedication of the right-of-way required to provide the full right-of-way at Block 25A shall be made at the time of redevelopment of Block 25 and the applicant shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property.
 - d. (T&ES) (P&Z) (PC)

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26. If the Eisenhower Avenue improvements including but not limited to the Sidewalk Area, travel lanes and median are funded by the City and constructed by the City or a designee, the applicant shall, as a condition to approval of stage 2 preliminary development special use permit for Block 9B, Block 12, Block 24 and/or Block 25A , the applicant shall provide a payment to the City equivalent to the actual cost of construction of the improvements that would have been the responsibility of the applicant at the cost incurred at the time of construction. (P&Z) (T&ES) (PC)

27. As part of the submission of the first Stage 2 development special use permit for Blocks 9A, Block 9B, Block 11 or Block 12, whichever occurs first, the applicant shall prepare a plan for the construction of the improvements for the vehicle and bus loop and the eastern portion of Eisenhower Station Park improvements described in Condition #31C. ("Bus Loop Plan"),. The applicant shall coordinate with the City and WMATA in that design and to explore the possibility of eliminating and/or relocating the "Kiss and Ride" surface parking lot as part of the Bus Loop Plan. The final design and configuration of the streets, plaza and pedestrian circulation in the Bus Loop Plan shall be approved as part of the Stage 2 development special use permit for either block 9 or blocks 11 and 12.. Provided that the City acquires all necessary rights of way from WMATA , the Bus Loop Plan improvements shall be constructed by the applicant, operational and dedicated prior to the issuance of the first certificate of occupancy permit for Blocks 9A, Block 9B, Block 11 or Block 12, whichever occurs first. (P&Z)(T&ES) (PC)

28. As part of the submission of the first Stage 2 development special use permit for Block 9A or 9B, the applicant shall submit a design for the construction of the Southern Street connection along the southern portion of the Block 9A and Block 11, including a connection to Eisenhower Avenue on the East side of Block 11 and Block 12 (denominated Port Street on the Concept Plan). The applicant shall also coordinate with the adjoining property owner for Block 20 to explore the possibility of connecting the Southern Road to Mill Road at the time Southern Street is required to be constructed by the applicant. The connection to Eisenhower Avenue shall be constructed prior to a certificate of occupancy permit is issued either for, Block 11 or Block 12. (P&Z) (T&ES) (PC)

29. The first Stage 2 development special use permit application pursuant to the Concept Plan shall be accompanied by an Infrastructure and Open Space Phasing Plan (Phasing Plan), which shall be revised, updated and resubmitted with each subsequent Stage 2 development special use permit application. The Phasing Plan is intended to inform the City regarding the applicant's projected timing and nature of infrastructure and open space construction activities, and to ensure that

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the construction of the infrastructure and open space is completed in a comprehensive manner for the entire Concept Plan. Each Phasing Plan shall include the following:

- a. A general outline for each block, infrastructure and open space element, including the most up-to-date projection of the times when construction of the different blocks, uses (i.e., office, retail, hotel and residential), open space and infrastructure are likely to commence.
- b. An outline of the events required to coordinate, design and manage the implementation of the infrastructure shown in the CDD Phasing Plan in a comprehensive manner.
- c. Notwithstanding the foregoing, the applicant shall not be bound by the order or phasing in the Phasing Plan. (P&Z)
- d. Condition deleted. (City Council)

F. OPEN SPACE AND LANDSCAPE

30. The portions of Eisenhower Park located on property owned by the applicant shall be improved and dedicated to the City consistent with the Eisenhower East Small Area Plan and with the following:
 - a. Eisenhower Park - The Meadows (Block 22 and Block 31), shall consist of amenities such as a recreational trail and a meadow for active sports and passive recreation in conformance with the Eisenhower East Small Area Plan and the Eisenhower East Design Guidelines.
 - b. All improvements shall be installed and completed by the applicant and accepted by the City, prior to the space being dedicated to the City.
 - c. Relocate Park Drive to the north consistent with the EESAP alignment.
 - d. Dedication of the land required for Eisenhower Park from Block 22 shall take place at the same time as required in these conditions for dedication of the land required for Eisenhower Park from Block 24.
 - e. Dedication and construction of Eisenhower Park shall occur in conjunction with the development of each of the adjoining blocks (Block 24, Block 25A), pursuant to the following:
 - i. The Stage 2 development special use permit application for Block 24 and/or Block 25A shall be accompanied by a design plan for Eisenhower Park, which shall be reviewed and approved as part of the Stage 2 DSUP. The approval of a Stage 2 DSUP for either block 24 or 25A shall also require the construction and dedication of that portion of the land for Eisenhower Park adjacent to that block and the construction of a pedestrian connection from Eisenhower Avenue to that portion of the Park, consistent with the Eisenhower Park design plan.

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- ii. The applicant shall be required to submit, as part of the first Stage 2 DSUP for any block approved hereunder, a permanent easement to the City for parks, open space and playgrounds, on that portion of Tax Map Parcel 079.00-01-01, beginning at a point which is five feet (5') south of the back of the existing curb line of the surface parking lot behind the buildings located on such parcel, to the christopher consultants, ltd., dated February 24, 2006, titled Proposed Open Space Easement Area Exhibit. Such easement shall contain conditions expressly reserving to the grantor, its successors and/or assigns, all development rights, density (whether floor area, AGFA, or otherwise) and/or any other appurtenant rights that would otherwise be associated with or derived from the land area falling within the bounds of such easement consistent with Condition #87A (12).
 - iii. Construction of the applicable portion of the park shall be completed prior to the certificate of occupancy permit for any development within block 24 and/or 25A, whichever occurs first, provided that construction of the entire park shall be completed before the issuance of a certificate of occupancy permit for any development within the second block to be constructed. (P&Z) (RP&CA) (PC)
31. **[CONDITION AMENDED BY STAFF]** The applicant shall dedicate land or a perpetual public access easement to the City, on property that is owned by the applicant, which shall provide public access to open space (including, where appropriate, access for bicycle purposes), for the following open spaces and urban squares within the Concept Plan area for Blocks 2, 3, 4, 5, 9A, 9B, 10, 24 and 25A and along the RPA, consistent with the following:
- a. West Side Gardens shall be two rectangular shaped urban squares with a minimum of 34,800 sq.ft. located on blocks 2 and 3 . The primary purpose of this park-open space is to provide a passive open space area lined with street trees, a combination of grassy and hardscape areas and a focal element such as a fountain, monument or statue. The design of the park shall be submitted as part of the Stage 2 development special use permit for Blocks 2 and/or 3. The design of the park shall be prepared and sealed by a Landscape Architect who is certified and licensed to practice in the Commonwealth of Virginia. Construction shall occur in conjunction with the development of Blocks 2 and/or 3, and shall be completed prior to the certificate of occupancy for Blocks 2 and/or 3.
 - b. Block 4 and 5 Square shall be a rectangular shaped urban square with a minimum of 10,900 sq.ft. At least 30% of the area should be designed to accommodate informal community gatherings. Construction shall occur in

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- conjunction with the development of Blocks 4 and/or 5, and shall be completed prior to the certificate of occupancy for Blocks 4 and/or 5. A structure such as a pavilion may be permitted within the space if approved by the City. The design of the park shall be submitted as part of the Stage 2 development special use permit for Blocks 4 and 5. The design of the park shall be prepared and sealed by a Landscape Architect who is certified and licensed to practice in the Commonwealth of Virginia. OK
- c. Eisenhower Station - shall be an urban plaza and open space area at the Eisenhower Metrorail Station, divided by Swamp Fox Road, with a minimum area of 12,000 sq.ft. on the western portion of the street and 9,200 sq.ft. on the eastern portion of Swamp Fox Road. This space shall be designed as a civic center, with at least 50% of the area suitable to accommodate informal community gatherings and events. As one of the principal focal areas of Eisenhower East, the Eisenhower Station plaza shall be created with the highest quality materials, paving, design and amenities. **With the Stage 2 development special use permit application for Blocks 9A and 9B,** Consideration shall be given to providing a decorative paving material for Swamp Fox Road to visually connect the two areas of open space. The eastern portion of the park shall be constructed with the metro bus loop road which is required to be constructed as part of the first Stage 2 development special use permit for **Blocks 11 and 12 or 9A and 9B, whichever occurs first. Final design and construction of the western plaza shall be in conjunction with a Stage 2 development special use permit for Blocks 9A and 9B.** The western portion of the park shall be constructed with Block 9B.
- d. South Dulany Gardens - shall be a rectangular shaped urban square with a minimum of 15,300 sq.ft. and surrounded by Dulaney Street and Park Drive. The primary purpose of this park- open space is to provide a passive open space area lined with street trees, a combination of grassy and hardscape areas and a focal element such as a fountain, monuments, or statue. The design of the park shall be submitted as part of the Stage 2 development special use permit for Blocks 24 and/or 25A. Construction, will occur in conjunction with the development of Blocks 24 and/or 25A, and shall be completed prior to the certificate of occupancy for Blocks 24 and/or 25A. (P&Z) (RP&CA) (PC)

G. AFFORDABLE HOUSING:

32. The applicant shall make a voluntary monetary housing contribution in accordance with the conclusions of the Report of the Developer Housing Contribution Policy Work Group accepted by the City Council on June 8, 2005. (Housing)(PC)

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H. TRANSPORTATION MANAGEMENT PLAN:

33. 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:
- a. A TMP coordinator with experience in this occupation shall be designated for the project. 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 at that time, and the City will be notified at the time of any changes. 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 biannual reports to the Office of Transit and Programs in the Department of T&ES. The biannual reports will include an assessment of the effects of the previous six month's TMP activities on carpooling, vanpooling, and transit ridership; an accounting of receipts and disbursements for any TMP accounts, and a work program for the subsequent six months.. The TMP coordinator shall be provided for the individual project until the overall TMP for Eisenhower East is implemented.
 - b. 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.
 - c. Transit, ridesharing, staggered work hours/compressed work weeks, parking restrictions, the elements of the parking management plan and the other program elements shall be promoted to prospective tenants, residents and to employers.
 - d. 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.
 - e. A ridesharing program shall be established that includes not only participation in the regional Metropolitan Washington Council of

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Governments Commuter Connections Program, but also site-specific matching efforts.

- f. A Guaranteed Ride Home Program shall be established and promoted as part of the ridesharing and transit marketing efforts.
- g. A share car program shall be established and marketed as part of the ridesharing and transit marketing efforts for all blocks and buildings. These spaces should be in a convenient location for tenants and residents and the TMP Coordinator will 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.
- h. 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 system fare media requested by employees and/or the Office of Transit Services and Programs. The availability of this fare media will be prominently advertised.
- i. The project shall have an overall goal of a 30% non single-occupant-vehicle travel. Individual parcel goals shall be 10% to 40%, depending on specific use and proximity to the Eisenhower Metro Rail Station. The project shall have a goal of a minimum of 32 % of the employees using transportation other than single-occupancy vehicles during the peak time periods.
- j. At full occupancy of each building, a 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. This survey will be conducted annually.
- k. The applicant shall provide annual reports to OTS&P, including an assessment of the effects of TMP activities on carpooling, vanpooling, transit ridership and peak hour traffic, the results of the annual survey, and a work program for the following year. The initial report shall be

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submitted one year from the time of initial occupancy of any new building.

- l. The applicant and/or building tenants shall encourage use of a staggered work hour program for office workers including the promotion of the program among existing and prospective employees, the registration of staggered work hour participants, issuing stickers and/or electronic cards to verify vehicles participating in the program and monitoring the program.
- m. 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.
- n. The applicant shall fund at an annual rate of \$.15 per occupied square foot of commercial space and \$60 per residential unit use, with an annual increase consistent with the CPI Index, a transportation management account to be used exclusively for the transportation activities listed above. As determined by the Director of T&ES and P&Z, any unencumbered funds remaining in the TMP account at the end of each reporting year may be either reprogrammed for TMP activities during the ensuing year or paid to the City for similar uses.
- o. The applicant shall be 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.
- p. The applicant will provide semi-annual reports to the Office of Transit Services and Programs on the TMP fund. 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.
- q. 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 Programs.
- r. Bicycle racks shall be provided in quantities sufficient to meet demand . Personal amenities (showers, lockers etc.) shall be provided for those who wish to walk, run, or bike to work.

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- s. That the shall applicant 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.
 - t. Modifications to approved TMP activities shall be permitted upon approval by the Director of T&ES, provided that any changes are consistent with the goals of the TMP.
 - u. If the use, AGFA or number of parking spaces approved in the Stage 1 DSUP for a particular block are amended by a Stage 2 DSUP for that block, to the extent that the amended use, AGFA or number of parking spaces causes an increase in peak am or pm traffic generation in relation to the traffic study prepared by BMI-SG dated October 2005, the applicant shall submit an amendment to the Transportation Management Plan pertaining to the subject of the change to the Stage 1 DSUP. (P&Z) (T&ES) (PC) (City Council)
34. The applicant shall prepare a parking management plan with each stage 2 preliminary development special use permit to the satisfaction of the Director of P&Z and T&ES, which shall at a minimum include the following:
- a. Each building shall contribute to and participate in the management of parking assets within the development, as appropriate for the use of the building.
 - b. Depicts the reallocation of surface parking spaces and the resulting impacts on the adjoining blocks.
 - c. Single occupancy vehicle (SOV) parking at fair market rates.
 - d. Reserved, conveniently located, and free vanpool parking spaces
 - e. Reserved, conveniently located, and discounted carpool parking spaces.
 - f. Planning and implementation of special strategies related to major event parking relating to the requirements of any hotels or community activities within the concept plan.
 - g. Parking rates for the parking within the parking structure shall be consistent with market rates of comparable buildings located in adjoining developments within the City of Alexandria, except that free parking may be provided for retail patrons.
 - h. All office employees shall be required to pay market rates for parking; no parking may be provided free or at reduced rates or with costs reimbursed by the employer unless that employer provides an equivalent benefit to all employees who utilize transit options to commute; i.e., if an employer provides a \$100 parking space to an employee free of cost, that employer must also offer a pretax benefit for transit of \$100 to all transit users.

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- i. Spaces defined as “short-term” parking shall be solely utilized for use by visitors and retail use and shall include all appropriate signage. (P&Z)(PC) (CDD 98-02; Cond. #11)

34A. The following Legal/Procedural conditions shall apply to the TMP SUP:

1. The TMP SUP or any amendment thereto shall not include a requirement for the properties to be part of a special taxing district. (Settlement Agreement Condition #10)
2. The TMP SUP or any amendment thereto shall not include a requirement for vehicular connection between Grist Mill Place and Grist Mill Road (Settlement Agreement Condition #4)
3. Except as otherwise provided in conditions #23, #25, #27 and #28 of the Concept Design Plan (2005-0002), all property dedicated for right of way shall be dedicated as part of the physical redevelopment of the block where the property is located, shortly prior to the issuance of the certificate of occupancy for the first building on such block. (Settlement Agreement condition # 5)
4. Except as otherwise provided in condition #25 of the Concept Design Plan (2005-0002), the dedication and/or acquisition of right-of-way required to widen Eisenhower Avenue shall only be required of/from the applicant/land owner upon the physical redevelopment of each block adjacent to Eisenhower Avenue pursuant to the Stage 1 DSUP for each such block, prior to the issuance of a certificate of occupancy for the first building constructed on such block.
5. Notwithstanding anything to the contrary contained herein or in the Concept Plan or EESAP, no parking ratios shall apply.

I. CONCEPT PLAN CONDITIONS PROPOSED TO BE DELETED.

- 35. **CONDITION DELETED** (formerly cond. #4 of CDD 98-0002)
- 36. **CONDITION DELETED**
- 37. **CONDITION DELETED** (formerly cond. #5 of CDD 98-0002)
- 38. **CONDITION DELETED** (formerly cond. #6 of CDD 98-0002)
- 39. **CONDITION DELETED** (formerly cond. #7 of CDD 98-0002)

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- 40. **CONDITION DELETED** (formerly cond. #1 of CDD 98-0002)
- 41. **CONDITION DELETED** (formerly cond. #2 of CDD 98-0002)
- 42. **CONDITION DELETED** (formerly cond. #3 of CDD 98-0002)
- 43. **CONDITION DELETED** (formerly cond. #8 of CDD 98-0002)
- 44. **CONDITION DELETED** (formerly cond. #9 of CDD 98-0002)

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Note: The following are General Stage 1 DSUP Conditions and Blocks 11 and 12 Stage 1 DSUP Conditions included here for reference purposes. The table in Condition #45A has been amended by CDD#2009-0002.

I. General Stage 1 Preliminary Development Special Use Permit Conditions (DSUP # 2005-0031, 0032, 0033, 0034 and 0035)

45A. The Allowable Gross Floor Area (AGFA), height, parking and use shall be governed by the following table, which shall also be reflected in the Concept Plan.

Block	RETAIL (GFA)	OFFICE (GFA)	RESIDENTIAL (GFA)	HOTEL (GFA)	SUBTOTAL (GFA)	GFA Exclusion	TOTAL GFA	PARKING GFA	AGFA TOTAL (Note 2)	Structured Parking	Surface Parking	Height (Feet)
2	0	470,000	0	0	470,000	15,548	454,452	--*	454,452	1,058	0	210
3	0	300,000	0	0	300,000	9,633	290,367	--*	290,367	675	0	210
4	36,950	436,000	0	0	472,950	13,442	459,508	225,570	685,078	2,281	0	220
5	24,050	0	260,000	0	284,050	9,282	274,768	55,073	329,841	Shared with Block 4	0	220
9A	0	0	0	170,000	170,000	8,190	161,810	389,396	551,206	2,172	0	220
9B	30,000	800,000	0	0	830,000	34,658	795,342	67,800	863,142	Shared with Block 9A	0	250
11	50,000	0	430,000	0	480,000	19,968	460,032	166,424	626,456	924	160**	250
12	15,000	0	445,000	0	460,000	16,536	443,464	102,298	545,762	238	0	250
22	0	0	0	0	0	0	0	0	0	0	0	0
24	0	180,000	230,000	0	410,000	9,074	400,926	--*	400,926	600	0	200
25A	0	0	180,000	0	180,000	4,160	175,840	--*	175,840	379	0	200
TOTALS	156,000	2,186,000	1,545,000	170,000	4,057,000	140,491	3,916,509	1,006,561	4,923,070	8,327	0	N/A

Note 1: Gross Floor Area (GFA) is defined as the sum of all gross horizontal areas under a roof or roofs. These areas are measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums and similar volumetric construction, not involving floor space are excluded.

Note 2: AGFA totals shall be applied in accordance with the EESAP.

***GFA of the parking structure do not count towards AGFA.**

**** Surface parking on Block 11 is permitted solely in conjunction with a grocery store.**

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- 45B. The Stage 1 Development Special Use Permits, (DSUP2005-0031, DSUP 2005-0032, DSUP 2005-0033, DSUP 2005-0034 and DSUP 2005-0035) shall remain valid until December 31, 2020. (PC)
45. Landscape plan(s) will be provided with each future submission for each block/development site and at a minimum, include the following:
- a. Landscape plan will be provided, designed, developed, detailed, executed and maintained to the satisfaction of the Directors of Planning & Zoning, Transportation & Environmental Services and Recreation, Parks & Cultural Activities.
 - b. Landscape plan shall be provided in accordance with Landscape Guidelines for the City of Alexandria, Virginia and shall include:
 - i. Reference Standards and Specifications/Notes
 - ii. Protection and Preservation of Existing Vegetation
 - iii. Specification and Location of All Plant Material
 - iv. Street Trees and Plantings in Parking Areas
 - v. Crown Coverage Calculations
 - vi. Bioretention Plantings
 - vii. Maintenance Standards and Requirements
 - c. Landscape plan shall comply with the most current and up to date edition of the Eisenhower East Small Area Plan and Design Guidelines for Eisenhower East as produced by the City of Alexandria, Virginia.
 - d. Landscape plan shall be prepared and sealed by a Landscape Architect who is certified and licensed to practice in the Commonwealth of Virginia.
 - e. Specification and Grading of all plant material shall be in accordance with The American Standard for Nursery Stock (ANSI Z60.1)-latest and most current edition as produced by the American Association of Nurserymen; Washington, DC.
 - f. In the absence of more strenuous specifications, plantings shall be installed in accordance with Landscape Specification Guidelines as produced by the Landscape Contractors Association of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland.
 - g. Proposed plantings shall be coordinated with on-site utilities. Horizontal and vertical location of all site utilities including storm and sanitary sewer, water, electrical, gas, and associated appurtenances shall be adjusted to maximize accommodation of street and on-site plantings.
 - h. Project elements associated with pedestrian areas including sidewalks, crosswalks, depressed curbs, street and site lighting, site furnishings, signals and signs shall be located and coordinated so as maximize accommodation of street and on-site plantings. Horizontal and vertical location of all associated service, footings and foundations shall be adjusted to maximize accommodation of street and on-site plantings.

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- i. All planted areas, with exception of roof areas, shall have fully external on-site building access for maintenance equipment, personnel and associated materials.
 - j. All plantings associated with surface parking areas for development sites and those associated with the Eisenhower Metro Station shall comply with Landscape Guidelines for the City of Alexandria, Virginia.
 - k. All planted areas shall be served by an irrigation and water management system that is designed, developed, detailed, executed and maintained to the satisfaction of the Directors of Planning & Zoning, Transportation & Environmental Services and Recreation, Parks & Cultural Activities.
 - l. Irrigation and water management plans shall be prepared and sealed by an Irrigation Designer who is class certified for work of this complexity and licensed to practice in the Commonwealth of Virginia.
 - m. Every effort to retain existing trees and vegetation shall be made dependent upon development site and specific site conditions. Preservation methods and/or removal of all existing trees and vegetation shall be performed with prior approval by the City Arborist, and in accordance with Landscape Guidelines for the City of Alexandria, Virginia. (RP&CA)
46. The subdivision plat shall be revised to include all sidewalks within the area to be dedicated for public right-of-way as required by the EESAP not within a public access easement. (P&Z)
47. Underground parking shall not be permitted under areas to be dedicated for open space or areas to be dedicated for public streets. (P&Z)
48. As part of the Stage 2 development special use permits, install pedestrian crossing improvements at all intersections. (T&ES)
49. All open space and landscape information shall be prominently located in the General Notes and Tabulations Section of each submission, and referenced on appropriate drawing sheets as part of Stage 2 DSUP. (RP&CA)
50. Landscape plan shall comply with the most current and up to date edition of the Eisenhower East Small Area Plan (EESAP) to the extent the EESAP is not inconsistent with the Concept Plan or the Stage 1 DSUPs approved therewith and Design Guidelines for Eisenhower East as produced by the City of Alexandria, Virginia. Landscape plans shall be prepared and sealed by a Landscape Architect who is certified and licensed to practice in the Commonwealth of Virginia.(RP&CA)
51. Street and site lighting, site furnishings, signals and signs shall be located and coordinated to maximize accommodation of street and on-site plantings. Horizontal and vertical location of all associated service, footings and foundations shall be adjusted to maximize accommodation of street and on-site plantings.(RP&CA)

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52. All pedestrian facilities and public spaces shall comply with applicable ADA accessibility standards and guidelines. (T&ES)
53. Expand "Approval Process Note" on Cover Sheet to read as follows: "Utility layout, pipe sizes, BMP locations, etc, shown as part of DSUP #1 are approximate and for informational purposes only. Preliminary utility layout, pipe sizes, material, BMP location and size, etc., will be provided during the DSUP #2 and finalized during the Final Site Plan process. All items related to utilities will be reviewed and approved by the City during the DSUP #2 process." (T&ES)
54. Add a note to Drainage Area Map that states that "Storm sewer pipes and BMPs shown are preliminary and are for information only. Final location and design will be determined during DSUP #2 and Final Site Plan review and approval." (T&ES)
55. 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)
56. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of Article XIII of Alexandria Zoning Ordinance shall be met. (T&ES)
57. On future plan submissions, pertinent information from the TMP plan shall be incorporated into each of the preliminary plans for staff evaluation of transportation amenities and requirements. (T&ES)
58. Provide slopes for all ramps within the garage. Note that ramps shall not exceed 8%. Applicant shall provide bike racks in the garage. Quantity to be determined based on square footage of office, retail and/or residential space. (T&ES)
59. Provide a lighting plan with the future stages of the development site plan process 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. (T&ES)
60. All private utilities without a franchise agreement or encroachment are to be located outside of public right-of-way and public utility easements. (T&ES)
61. All private streets and alleys must comply with the City's Minimum Standards for Private Streets and Alleys. (T&ES)
62. Provide handicap ramps as needed across driveways entrances and all pedestrian thoroughfare. (T&ES)

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63. Provide bearings and distances on the new road alignment. (T&ES)
64. The submitted plan does not indicate whether or not there are any known areas of groundwater contamination associated with the project site as is required with all preliminary submissions. Should any unanticipated contamination or underground storage tanks, drums and containers be encountered at the site, the applicant shall immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)
65. The storm water collection system is part of the Taylor Run watershed. All on-site storm water curb inlets and public curb inlets located 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)
66. Provide BMP narrative and complete pre and post development drainage maps that include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A or B, as applicable. (T&ES)
67. Provide mechanisms to control water quality volume and runoff. 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. (T&ES)
68. The project site lies within the Timber Branch Watershed thus stormwater quantity controls shall be designed to demonstrate that post development stormwater runoff does not exceed 90 percent of the existing runoff quantities for both the 2-year and 10-year storm events. (T&ES)
69. Comply with the City of Alexandria's storm water management regulations regarding water quality including phosphorus removal requirement and water quality volume default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
70. Provide BMP narrative and complete pre and post development drainage maps that include areas that contribute surface runoff from beyond project boundaries and includes adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A

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or B and Worksheet C, as applicable. Submit this information with the Stage 2 DSUP. (T&ES)

71. 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)
72. Surface-installed storm water Best Management Practice (BMP) measures, i.e. Bio-Retention Filters, Vegetated Wwales, etc. that are employed for this site, require installation of descriptive signage to the satisfaction of the Director of T&ES. (T&ES)
73. The Applicant shall submit a storm water quality BMP Maintenance Agreement with the City to be reviewed as part of the final site 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)
74. 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)
75. Due to the close proximity of the site to the Metrorail and CSX tracks the following conditions shall be included in the development requirements:
 - a. Applicant shall prepare a noise study identifying the levels of noise that 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).
 - b. Identify available options to minimize noise exposure to future residents at the site, particularly in those units closest to the Metrorail and the CSX tracks, including: triple-glazing for windows, additional wall/roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to

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reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES.

- c. The noise study shall be submitted and approved prior to final site plan approval. (T&ES)

77. The Applicant shall present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:
 - a. That Metrorail tracks and other railway operations are located within the immediate vicinity of the project, are permitted to continue indefinitely, and will generate truck traffic, including empty garbage trucks emanating odors, on the public streets surrounding the project.
 - b. That Eisenhower Avenue is a major six-lane arterial and that future traffic is expected to increase significantly as development along Eisenhower Avenue continues. (T&ES)
78. All exterior building mounted loudspeakers are prohibited. If a restaurant use is proposed, the use of loudspeakers or musicians outside is prohibited. If fireplaces are utilized in the development, the Applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. No material may be disposed of by venting into the atmosphere. (T&ES)
79. 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)
80. Due to historic uses at the site and potential for contamination, the following condition shall be included:
 - a. The Applicant shall design and install a vapor barrier and ventilation system for buildings and parking areas in order to prevent the migration or accumulation of methane or other gases, or conduct a study and provide a report signed by a professional engineer showing that such measures are not required to the satisfaction of Directors of T&ES and Code Enforcement. (T&ES)
 - b. For firefighting reasons it is recommended that all stairs extend thru the roof so that door access to the roof is provided. (Code Enforcement)
 - c. The internal streets which are located over the underground parking structure shall conform to H-20 loading requirements. (Code Enforcement)
81. A "Certified Land Disturber" shall be named on all Erosion & Sedimentation Control sheets prior to the pre-construction meeting or commencement of demolition or

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construction activity in accordance with the Virginia Department of Conservation and Recreation guidelines. (T&ES)

82. 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)
83. 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 (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City.
 - 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)
 - c. Otherwise the following condition applies:
 - i. 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)
84. 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)

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85. 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)
86. The final site plan shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
- a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
 - b. Submit a Risk Assessment indicating any risks associated with the contamination.
 - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. "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.
87. Applicant shall submit 5 copies of the above. The remediation plan must be included in the Final Site Plan. (T&ES)

IA. Legal Procedural Matters:

- 87A: The following legal/procedural conditions apply to and be approved with all of the DSUPs as applicable:
1. Existing uses and approvals on the subject property shall be allowed to continue until the redevelopment of the block pursuant to the Stage 2 DSUP and such uses and approvals shall not be invalidated by the approval of this Stage 1 DSUP. Changes in use of existing buildings shall be permitted, subject to compliance with the underlying zoning district.
 2. Nothing in the Stage 1 DSUP, the Stage 2 DSUP or any amendments thereto shall affect the vested rights status of the existing approval on Block numbers 6, 7, 8 and 14 (DSUP #2000-0028) (Settlement Agreement Condition #8)
 3. The city and the applicant agree that the Stage 1 DSUP, the Stage 2 DSUP or any amendment thereto shall not include a requirement for the properties to be part of a special taxing district. (Settlement Agreement Condition #10)

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4. The city and the applicant agree that the Stage 1 DSUP, the Stage 2 DSUP or any amendment thereto shall not include a requirement for vehicular connection between Grist Mill Place and Grist Mill Road (Settlement Agreement Condition #4)
5. Except as otherwise provided in Conditions #23, #25, #27 and #28 of Concept Design Plan #2005-0002, the city and the applicant agree that the Stage 1 DSUP, the Stage 2 DSUP or any amendment thereto shall not include a requirement for dedication of right of way on property that is not the subject of the DSUP and all property dedicated for right of way shall be dedicated as part of the physical redevelopment of the block where the property is located and shortly prior to the issuance of the certificate of occupancy for the first building on such block. (Settlement Agreement condition # 5)
6. Except as otherwise provided in Conditions #27 and #30 of the Concept Design Plan (2005-0002), the city and the applicant agree that the Stage 1 DSUP, the Stage 2 DSUP or any amendment thereto shall not include a requirement for dedication of open space on property that is not the subject of the DSUP and all property dedicated for open space shall be dedicated as part of the redevelopment of the block where the property is located and prior to the issuance of the certificate of occupancy for the first building on such block.
7. The city and the applicant agree that changes in use or modifications to existing buildings (facades or interiors not increasing floor area) shall be authorized prior to the approval of the Stage 2 Development Special Use Permit and shall not require any dedication of right of way or open space. (Settlement Agreement Condition #5)
8. The city and the applicant agree that the Stage 1 DSUP, the Stage 2 DSUP or any amendment thereto shall not include a requirement for a monetary contribution to the Eisenhower East Open Space Fund. (Settlement Agreement Condition #10)
9. Except as otherwise provided in Conditions #25 of Concept Design Plan #2005-0002, the dedication and/or acquisition of all right-of-way required to widen Eisenhower Avenue shall only be required of/from the applicant/land owner at the time of the physical redevelopment of each block adjacent to Eisenhower Avenue pursuant to the Stage 1 DSUP, prior to the issuance of a certificate of occupancy for the first building constructed on such block.
10. Subject to the maximum parking limits contained in the Concept Plan, no parking ratios shall be applicable

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11. The city and the applicant agree that should the applicant need to locate a government tenant on blocks 2 and 3, such as DoD, in connection with responding to a market opportunity or relocating existing Hoffman tenants, the applicant and City will work in good faith to provide for an alternate development scheme on this site to accommodate the security needs of such tenant (Settlement Agreement Condition #7).

12. The city and the applicant agree that the underlying zoning on the 13.29 acre parcel owned by Hoffman Family, LLC., Tax Map #79.02-01-01, (Parcel 79.02) would provide for density at a 1.0 FAR with a site plan and exclusions from FAR for above grade parking. Development at the underlying zoning level would not require dedication or construction of areas shown as new parks and streets in the EESAP. Development at the underlying zoning level will be located so as not to preclude construction of areas shown in the EESAP as new parks and streets. Upon any adoption of a resolution by City Council authorizing the condemnation of land or buildings on Parcel 79.02 for parks or streets, this restriction precluding development on areas planned for streets and parks shall cease to be effective. Any such resolution condemning all or any portion of Parcel 79.02 and all valuation proceedings thereafter will consider Parcel 79.02 as having an underlying zoning of 1.25 FAR. Above grade parking built on this parcel would be appropriately screened by buildings or otherwise and meet any applicable design guidelines of the EESAP. (Settlement Agreement Condition #2) (PC)

M. Blocks 11 and 12 (DSUP # 2005-0034)

123. The design and type of screening on the southern portion of the surface parking lot on block 11 shall be submitted and approved as part of the Stage 2 development special use permit for Blocks 11 and 12. (P&Z)

124. The existing features shown on sheet 5 & 6 are not legible. Provide a clearer plans with future submissions. (T&ES)

125. The existing total site area is indicated as 6.42 Ac. and the proposed total site is depicted as 5.98 Ac. Provide information regarding inter parcel exchange of land and indicate where the deficit or surplus of land has been allocated. (T&ES)

126. The zoning tabulation provided on sheet 2 indicates that there is structured parking associated with the proposed buildings. Identify the location of such parking and if parking is contained within the buildings, provide information regarding how many levels of underground parking. (T&ES)

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127. Clearly indicate the treatment of existing sandfilter depicted on the existing conditions plan sheet #5, it appears that the vault would be removed. Clarify whether it will be relocated or a new one will be provided. (T&ES)

Block 11

128. Provide Emergency Vehicle Easements (EVE) on Dock, Port, Southern and Anchor Streets. (Code Enforcement)
129. Provide information on overhead power lines as to whether they will remain overhead or be undergrounded, Overhead lines in proximity to proposed location of Block 11 structure eliminates ladder truck access that cannot be considered for the South building face. (Code Enforcement)

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Note: The following are General Stage 1 DSUP Code Comments included here for reference purposes.

CITY DEPARTMENT CODE COMMENTS

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

Transportation and Environmental Services:

- C-1 A performance Bond to guarantee installation of the required public improvements must be posted prior to release of a development plan.
- C-2 All downspouts must be connected to a storm sewer by continuous underground pipe.
- C-3 The sanitary sewer tap fee must be paid prior to release of the plan. Sanitary sewer fee rate is determined by City Council authorized rates at time of first final site plan submission.
- C-4 All easements and/or dedications must be recorded prior to release of the plan.
- C-5 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-6 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-7 All utilities serving this site to be placed underground.
- C-8 Provide site lighting plan to meet minimum city standards.
- C-9 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-10 Provide a phased erosion and sediment control plan consistent with grading and construction per City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4.
- C-11 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.

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- C-12 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-13 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-14 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 type of ownership will affect parcels and fire separation requirements and shall be addressed as early as possible in Phase 2 of the DSP process. The applicant shall indicate whether ownership of the parking structure and office building will be a sole owner or a separate ownership for each structure proposed.
- F-2 The design of the parking structure shall include location of handicap parking spaces adjacent to elevator access and shall be addressed in Phase 2 of the DSP process. Handicap persons shall not be required to cross travel lanes to access elevator lobbies and shall be addressed in Phase 2 of the DSP Process.
- F-3 Submit the required Fire Access Study and general hydrant locations or general locations of Emergency Vehicle Easements shown as part of Phase 1 DSP requirements.
- F-4 Submit utility and infrastructure information as part of Phase 2 DSP. The existing total site area is indicated as 7.5 acres and the proposed total site area is depicted as 7.79 acres, clarify discrepancy or correct numbers. (T&ES)
- R-1 As part of Phase 2 DSP submission, 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.
- C-1 Provide two Siamese connections located to the satisfaction of the Director of Code Enforcement.

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- C-2 A separate tap is required for the building fire service connection. Show tap location and size of fire lines.
- C-3 Buildings over 50 feet in height are required to have ladder truck access to the front and the rear of the buildings by public roads or recorded emergency vehicle easements (eve). For a building face to be considered accessible by a ladder truck the curb line shall be at least 15 feet and no more than 30 feet from the face of the building. The face of the building may not articulate back into the mass of the building more than 7 feet horizontally in the first 75 feet of vertical dimension of the building. Alternatives that demonstrate equivalency to this requirement will be considered on a case by case basis.
- C-4 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.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Prior to submission of the Final Site Plan #1 and as part of Phase 2 of the DSP Process, 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.
- C-7 The final site plans shall show placement of fire easement signs.
- C-8 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 be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-9 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-10 These structures contain mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-11 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.

Asterisks denote the following:

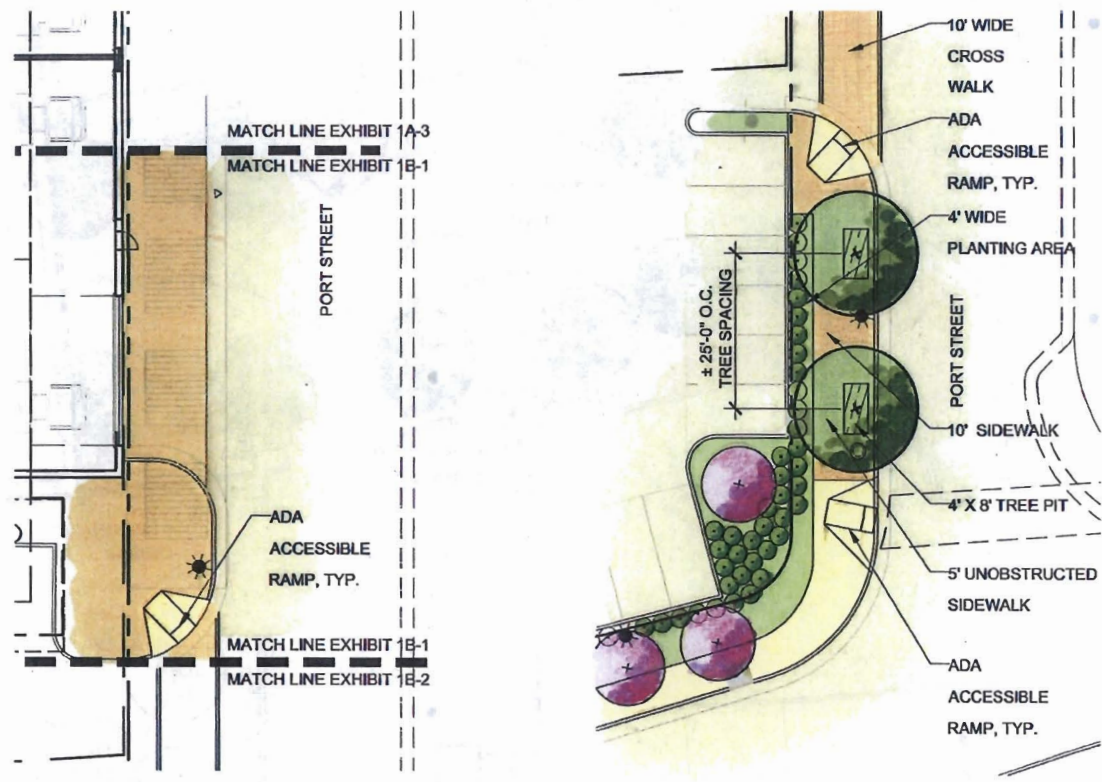
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- C-12 The public parking garage floor must comply with USBC 406.2.6 and drain through oil separators or traps to avoid accumulation of explosive vapors in building drains or sewers as provided for in the plumbing code (USBC 2901). This parking garage is classified as an S-2, Group 2, public garage.
- C-13 Enclosed parking garages must be ventilated in accordance with USBC 406.4.2.
- C-14 This underground garage is required to have an automatic sprinkler system throughout the structure in compliance with USBC406.4.1 and 903.2.11.
- C-15 The proposed buildings must comply with the requirements of HIGH-RISE building (USBC 403).
- C-16 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.
- C-17 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.

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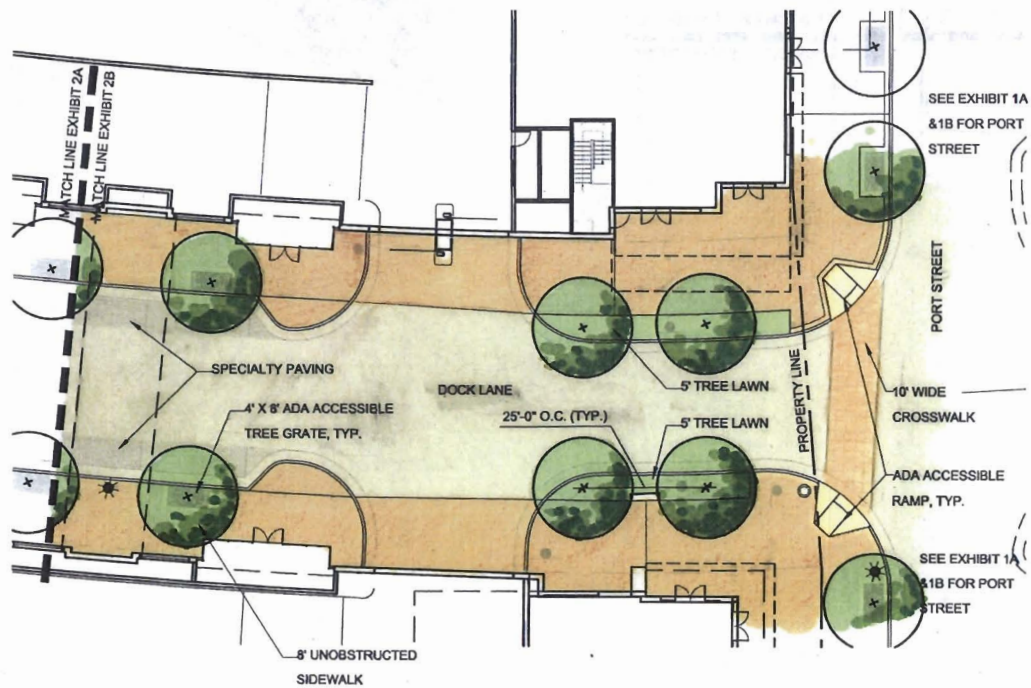
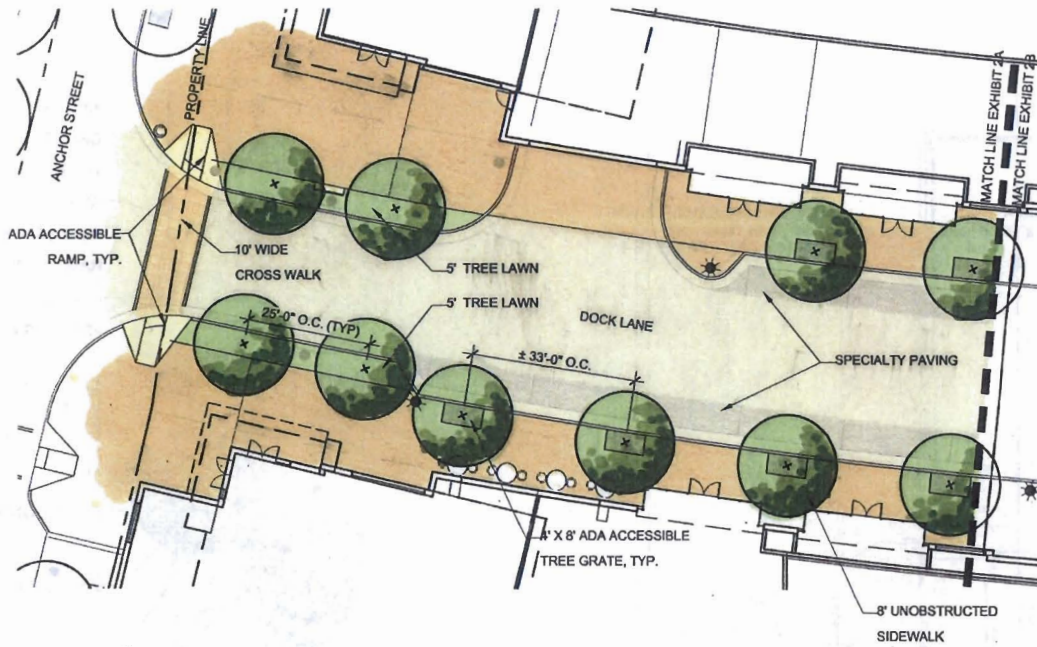
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ATTACHMENT A



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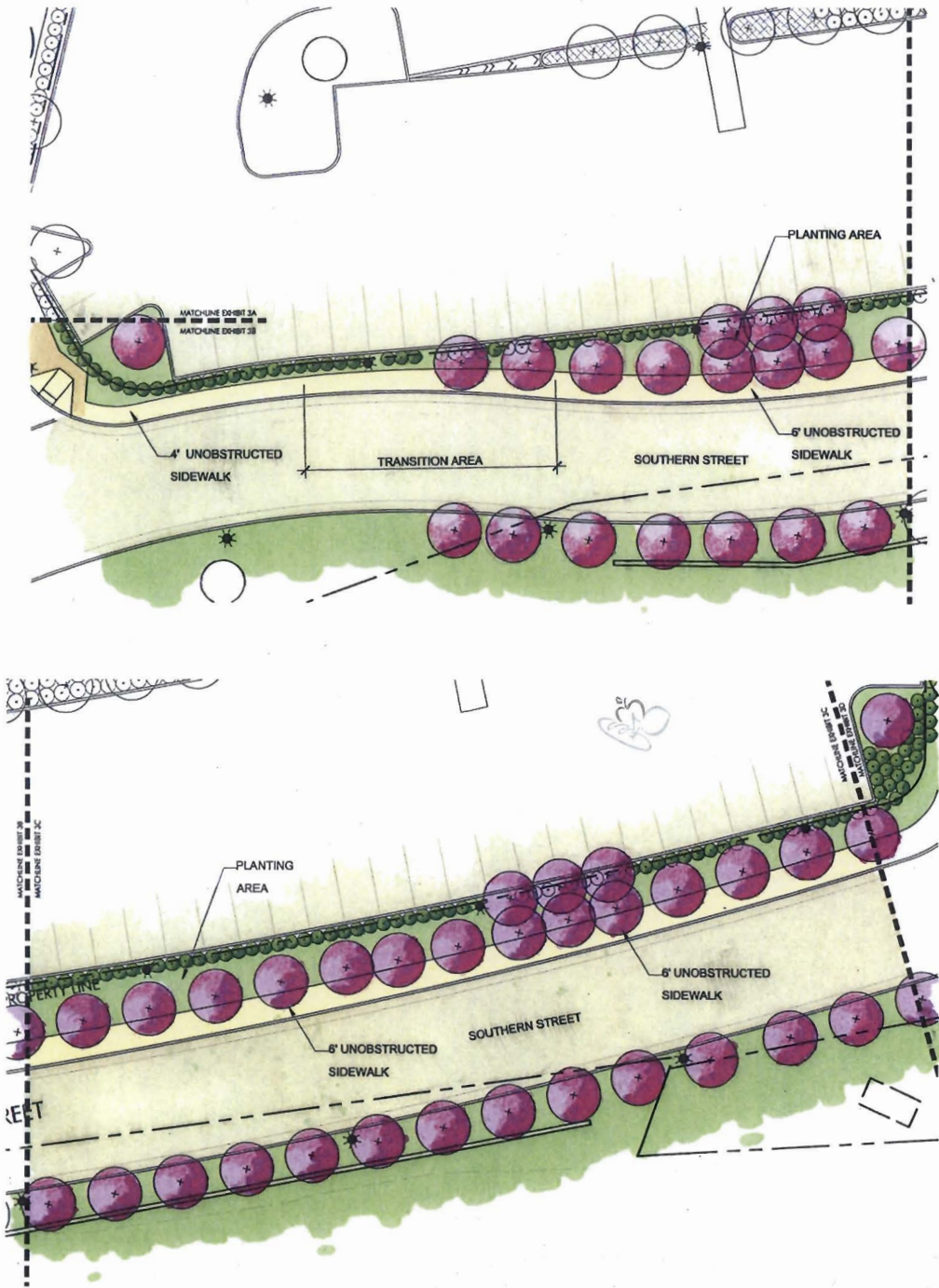
ATTACHMENT B



Asterisks denote the following:

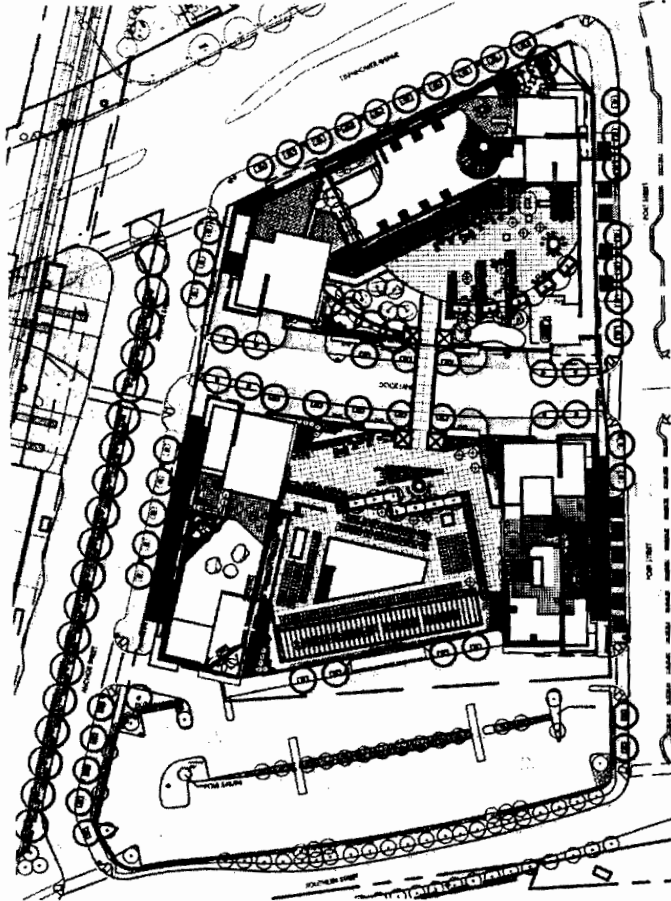
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ATTACHMENT C



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ATTACHMENT D



PROPOSED CROWN COVERAGE

PROPOSED LANDSCAPE - SITE GROUND LEVEL (ESTIMATE)	QUANTITY	CCA (SF)	TOTAL
(A) LARGE SHADE TREES	0	1290	0
(B) MEDIUM SHADE TREES	2	750	1500
(C) MEDIUM ORNAMENTAL/EVERGREEN TREES	0	500	0
(D) SMALL ORNAMENTAL/EVERGREEN TREES	11	250	2750
SHRUBS	5	2	10
TOTAL SF			4260
PROPOSED LANDSCAPE - 3RD FLOOR (80%) (ESTIMATE)			
(A) LARGE SHADE TREES	0	625	0
(B) MEDIUM SHADE TREES	4	375	1500
(C) MEDIUM ORNAMENTAL/EVERGREEN TREES	7	250	1750
(D) SMALL ORNAMENTAL/EVERGREEN TREES	15	125	1875
SHRUBS	438	1	438
TOTAL SF			5963
PROPOSED LANDSCAPE - OPTIONAL ROOF (80%)			
(A) LARGE SHADE TREES	0	525	0
(B) MEDIUM SHADE TREES	4	375	1500
(C) MEDIUM ORNAMENTAL/EVERGREEN TREES	0	200	0
(D) SMALL ORNAMENTAL/EVERGREEN TREES	11	125	1375
SHRUBS	38	1	38
TOTAL SF			2913
PROPOSED LANDSCAPE BIORETENTION			
(A) LARGE SHADE TREES	0	1250	0
(B) MEDIUM SHADE TREES	15	750	8750
(C) MEDIUM ORNAMENTAL/EVERGREEN TREES	0	500	0
(D) SMALL ORNAMENTAL/EVERGREEN TREES	0	250	0
SHRUBS	0	2	0
TOTAL SF			9750
PROPOSED STREET TREES - ALONG DOCK STREET AND BUS LOOP ON ANCHOR STREET			
(A) LARGE SHADE TREES	19	1290	23730
(B) MEDIUM SHADE TREES	10	750	12000
(C) MEDIUM ORNAMENTAL/EVERGREEN TREES	0	500	0
(D) SMALL ORNAMENTAL/EVERGREEN TREES	3	250	750
SHRUBS	0	2	0
TOTAL SF			36480
TOTAL			99883

TOTAL SITE AREA
REQUIRED CROWN COVERAGE (25%)
EXISTING CROWN COVERAGE

TOTAL: 162,836 SF (4.22 AC)
45,959 SF
0 SF

SCENARIO 1 PROPOSED CROWN COVERAGE W/O STREET TREES AND W/O OPTIONAL ROOF LANDSCAPING 19,571 SF

SCENARIO 2 PROPOSED CROWN COVERAGE W/ STREET TREES ALONG DOCK LANE AND LARGE SHADE TREES W/ W/ ANCHOR STREET BUS LOOP, AND W/O ROOF LANDSCAPING 56,071 SF

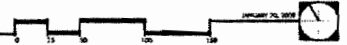
NOTE:
1. ALL SCENARIOS INCLUDE THE PROPOSED CROWN COVERAGE COUNTS FOR SITE GROUND LEVEL, 3RD FLOOR, AND BIORETENTION AREAS.

Studio39

HOFFMAN PROPERTIES BLOCK 11 AND 12 EXHIBIT 4

CITY OF ALEXANDRIA, VIRGINIA

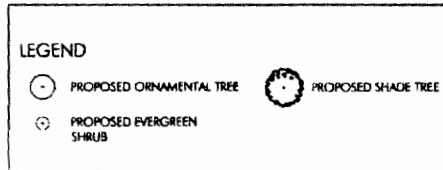
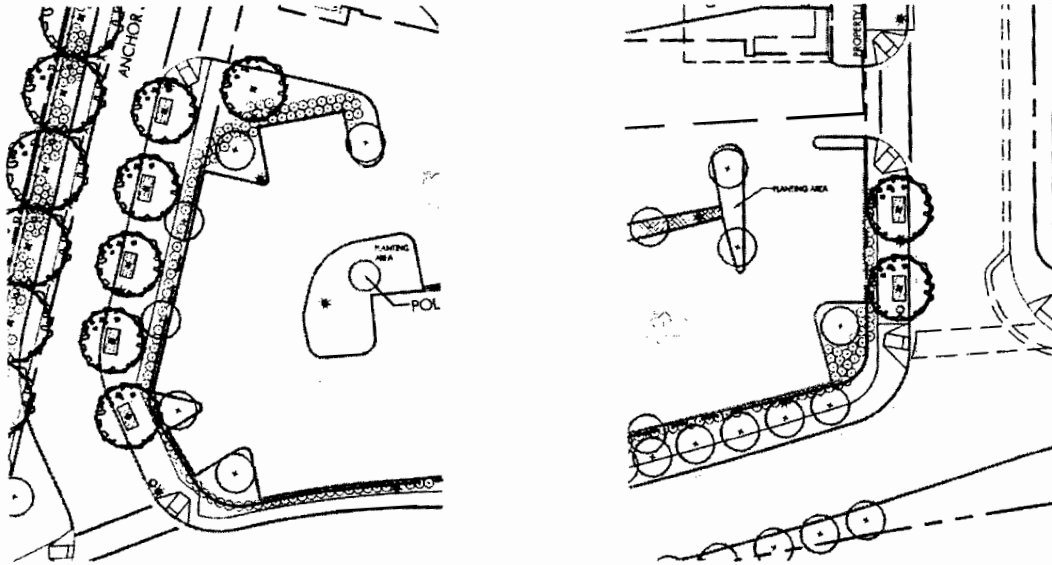
Prepared for HOFFMAN FAMILY LLC by STUDIO39



Asterisks denote the following:

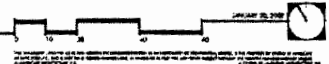
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ATTACHMENT E



HOFFMAN PROPERTIES BLOCK 11 AND 12 EXHIBIT 5 CITY OF ALEXANDRIA, VIRGINIA

Prepared for HOFFMAN FAMILY LLC by STUDIO39



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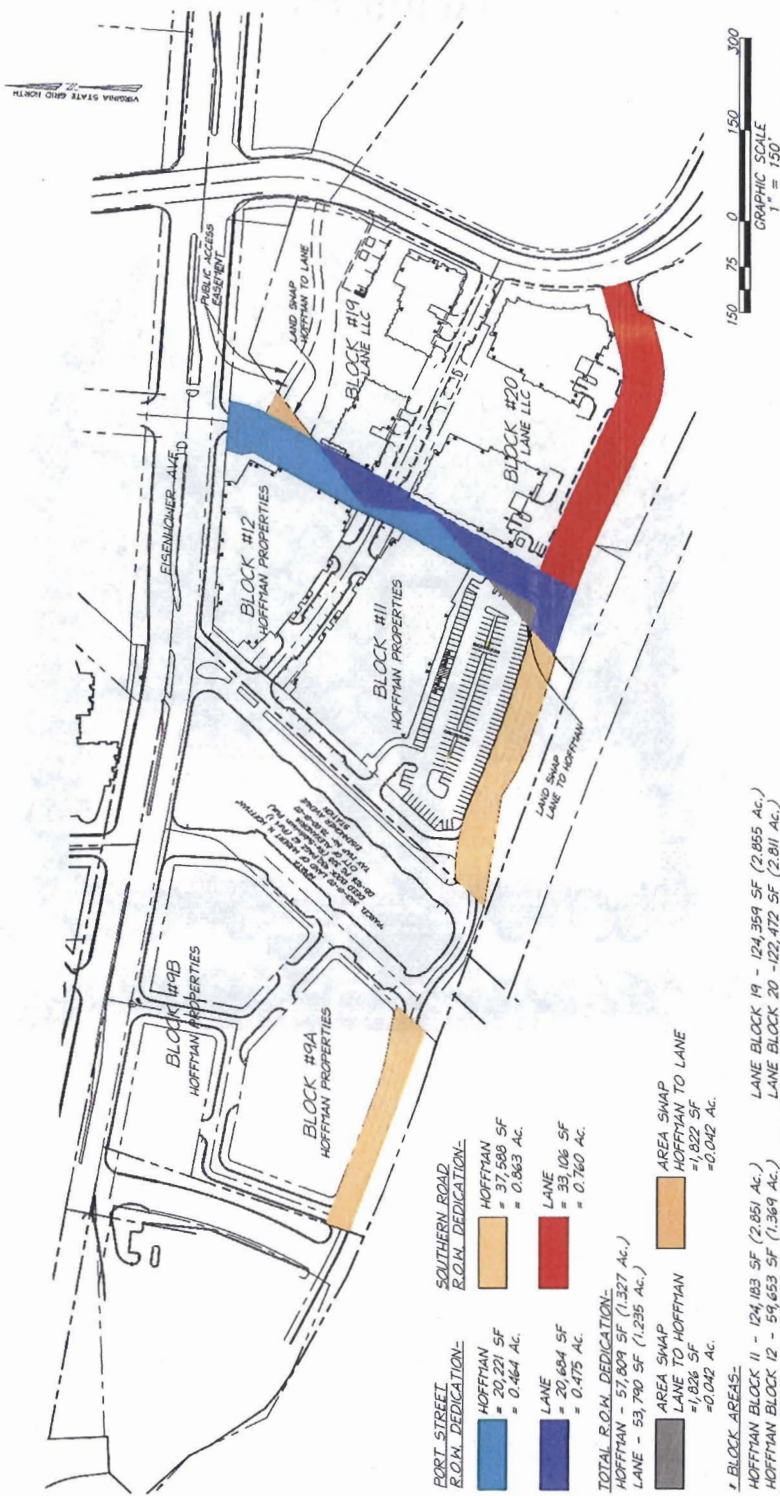
ATTACHMENT F



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Eisenhower East Blocks 11 & 12
 Attachments



PORT STREET R.O.W. DEDICATION-	SOUTHERN ROAD R.O.W. DEDICATION-
HOFFMAN = 20,221 SF = 0.464 Ac.	HOFFMAN = 37,588 SF = 0.863 Ac.
LANE = 20,684 SF = 0.475 Ac.	LANE = 33,106 SF = 0.760 Ac.
TOTAL R.O.W. DEDICATION:	
HOFFMAN - 57,809 SF (1.327 Ac.)	
LANE - 53,790 SF (1.235 Ac.)	
AREA SWAP LANE TO HOFFMAN = 1,826 SF = 0.042 Ac.	AREA SWAP HOFFMAN TO LANE = 1,822 SF = 0.042 Ac.
LANE BLOCK AREAS-	LANE BLOCK AREAS-
HOFFMAN BLOCK 11 - 124,183 SF (2.851 Ac.)	LANE BLOCK 19 - 124,359 SF (2.855 Ac.)
HOFFMAN BLOCK 12 - 59,653 SF (1.369 Ac.)	LANE BLOCK 20 - 122,472 SF (2.811 Ac.)

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ATTACHMENT G

Alexandria, VA Upland Meadow Mix

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

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ATTACHMENT H

C - 33
V10900040.1

Final Hoffman Public Art Plan March 15, 2010

The Hoffman Coordinated Development District (CDD) Concept Plan (2005-0002) creates an exciting opportunity to look at a community as a whole and integrate public art in strategic locations to create a pedestrian experience throughout the development and enhance the cultural fabric of the community. The Eisenhower East neighborhood is rich in history which can be celebrated through public art. In order to provide a cohesive plan for the location and type of public art that will be provided throughout the development, Hoffman proposes the following goals and implementation strategy, coupled with the Public Art Opportunity Exhibit showing the proposed location for public art within the development, as the Hoffman Public Art Plan.

Goals:

The purpose of the Hoffman Public Art Plan is to provide a roadmap for the inclusion of public art that will strengthen the design of the Eisenhower East neighborhood. Public art can define a community, create a sense of place, celebrate a site's unique history, serve as an economic catalyst, engage and inspire the public, and add beauty to a space that will be enjoyed for generations to come. The goals of the Hoffman Public Art Plan:

1. Enliven and enhance the public experience by integrating a broad range of public art into the public open spaces, urban design, and architecture at locations shown on the Public Art Opportunities Exhibit.
2. Integrate the Eisenhower East history, as appropriate, with public art by incorporating the historical findings discovered in the City's archaeological research.
3. Provide Alexandria's Eisenhower East with a sense of identity, community and a connection to the local history and culture of the area.
4. Promote and support artists from the Washington Metropolitan Area.
5. Promote the benefit of public art within urban development.
6. Promote the economic vitality of the area by creating a destination.
7. Engage the community by providing opportunities for participation in the art selection process.
8. Integrate the public art opportunities with the Historic Interpretive Plan to the extent appropriate, as determined by the Office of the Arts and the Office of Historic Alexandria.

Community Involvement:

Community involvement in the art that is chosen for this neighborhood is imperative to ensuring that the history and culture of the neighborhood is captured in the art. Therefore, the Hoffman Public Art Plan proposes to establish a relationship with the community that will continue throughout the construction of the CDD Concept Plan development. The applicant for the corresponding block will hold at least one community meeting to get feedback and input from

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the public and hear their concerns, goals and ideas for the implementation of each art project. Once the project begins, the applicant will hold additional community meetings and use electronic communications to periodically inform the public about the specific project.

Locations of Artwork:

The Hoffman Public Art Plan proposes general locations for public art opportunities shown in the Public Art Opportunities Exhibit. The location of such art is conceptual at this time and will be finalized with the approval of a stage 2 development special use permit for each block containing public art. Such opportunities could include integrating the art in the architecture, open space or public streetscape. Potential compositions could include but not be limited to the following:

- 1. Architectural Integration:** Public art can be integrated as part of the actual building façade construction or an appendage to the building itself. The artist, working closely with the project architect, would incorporate their design as necessary to ensure aesthetic and structural integrity with respect to the buildings architecture. The art must be visible to the public from the streetscape and/or associated plaza site areas.

- 2. Landscape/Site Integration:** Public art can be integrated within the landscape of the designed urban park sites. These urban parks would be publicly accessible and visible by the general public. The parameters of the artwork would be determined during the early design phases of the project to ensure proper integration.

- 3. Streetscape Integration:** With the approval of the Department of Transportation and Environmental Services and Office of the Arts, the artist would position the public art as part of the landscape/hardscape within the internal and/or perimeter streetscapes of the design area. The art would be fully accessible to the general public and contribute to the overall pedestrian experience of the development’s comprehensive street network. All art must be visible by the pedestrian and/or vehicular users of the streetscape.

Selection of Artist or Artwork:

The applicant is encouraged, but not required, to secure the services of a professional art consultant who will work with the project’s design team early in the design process.

The applicant may choose from the following methods of artist selection: direct selection, limited selection or open selection.

Direct Selection:

Direct Selection is the selection of one artist without review of others. Use of direct selection method shall be justified in writing to Office of the Arts staff and the chair of the Public Art

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Committee. Direct selection should only be used when a professional art consultant has been contracted.

Limited Selection:

Limited Selection involves the review of artwork and qualifications of a shortlist of artists. Artists are placed on the list by the art consultant or any member of the selection committee. The selection committee will select 3 to 5 artists from the list to invite to submit a concept design. Finalist artists will be provided an honoraria (currently \$2,000 per artist) to produce a maquette of the concept and present their proposal at an interview with the selection committee. The artist would be selected on the basis of artistic quality of proposal, ability to respond to project site and context, ability to work collaboratively with a design team, artistic quality of past work, health and safety considerations, and durability and maintenance of proposed artwork.

Open Selection:

Open Selection is when the selection committee solicits artists for their work examples to review. Portfolios would be critiqued on the basis of artistic quality of previous work, artist's ability to respond to project site and context, and ability to work collaboratively with a design team. Upon review of the portfolios, the committee would invite 3 to 5 artists to produce a concept design based on the established design criteria for the art area. Individual interview of the artist and review of their concepts would be conducted by the committee to determine the selected artists. The final artist would be selected on the basis of artistic quality of proposal, ability to respond to project site and context, ability to work collaboratively with a design team, artistic quality of past work, health and safety considerations, and durability and maintenance of proposed artwork. Open selection is encouraged for projects of major significance to the City.

With Limited or Open Selections, the applicant may use a committee to select the artist. The Selection Committee could be comprised of the owner, project's lead design architect, project's landscape architect, representatives from the Alexandria Commission for the Arts' Public Art Committee, tenant representatives (if applicable) and representatives from the City including the Office of the Arts and Office of Historic Alexandria.

The applicant will have the option to make a direct purchase of artwork taking into consideration feedback from the community, the history of the site, the goals and parameters outlined in this Hoffman Public Art Plan, and recommendations of a public art consultant. Direct Purchase of artwork should only be used when a professional art consultant has been contracted.

Funding:

The applicant will fund this public art plan to the extent necessary to ensure that the quality of the art (as described within) is commensurate with the quality of the art commensurate with other Class A development in Eisenhower East.

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Maintenance:

Artwork can require specialized maintenance and periodic conservation to preserve its integrity and visual appearance. The artists will be required to provide a comprehensive maintenance plan to the applicant and the Office of Arts.

If the artwork provided as part of this plan is placed on or integrated within private property, it will be maintained by the applicant. If the artwork provided as part of this plan is placed on or integrated within public property, it will be maintained by the City.

The art dedicated as part of this public art plan shall not be considered a donation of art pursuant to the City's established art donation policy. All artwork provided in or for the public property pursuant to this plan shall be commissioned directly for the City and the application will not hold title or ownership to the same at any point in time.

Conclusion:

With each stage 2 development special use permit for the blocks within the Hoffman CDD, the applicant and the staff will use the Hoffman Public Art Plan as a mechanism to determine the specific locations and type of public art to be incorporated into the design, select the artist, identify the theme of the artwork, and commission the artwork to be provided.

Definitions:

Public art, as defined by this policy, is an original or limited edition work of art created by an artist or team of artists that is physically accessible to the public and which may possess functional as well as aesthetic qualities. Public art must be located in places where public life occurs, and may include plazas, open space, lobbies, or publicly viewable building façades.

A work of art may be functional and may include benches, bike racks, grates, landscaping or other design elements if designed by an artist as a unique and prominent feature for the project. Interior elements of buildings, with the exception of lobbies, and commercial signage are excluded.

An **artist** is defined as an individual who: realizes income through the sale, performance, publication, or commission of works of art; has previously exhibited, presented, performed or published works of art in museums, galleries or other recognized art venues; has formal training or education in a field of art; or has received awards or other forms of recognition from recognized arts organizations for his/her artistic accomplishments.

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ATTACHMENT I



HOFFMAN COMPANY, LLC
2461 EISENHOWER AVE., LOBBY FLOOR
ALEXANDRIA, VIRGINIA 22331-0100
(703) 960-4700 • FAX: (703) 960-1754

March 24, 2010

VIA EMAIL TO gwen.wright@alexandriava.gov

Gwen Wright, Chief, Development Division
Planning and Zoning
301 King Street, Suite 2100
Alexandria, Virginia 22314

RE: Hoffman, Blocks 11 and 12

Dear Gwen:

The Hoffman Family, LLC ("Hoffman"), as the applicant for a Stage 2 Development Special Use Permit approval for Blocks 11 and 12 (the "Application"), is submitting this letter to the City to confirm the existence of a valid and binding lease between Hoffman and Harris Teeter, Inc. which was entered into in September 23, 2008 (the "Lease").

As you know, part of the Application is the provision of first floor retail space for Harris Teeter within the proposed residential building on Block 11 and a surface parking lot for that Grocer. Under the terms of the Lease, Hoffman is obligated to provide 50,000 square feet of retail space and no less than 150 surface parking spaces *by December 31, 2013 or Harris Teeter may walk away from the Lease without penalty. Any further delay in the docketing of the Application will imperil our ability to require Harris Teeter to open and operate.*

The provision of 65,000 square feet of retail in Blocks 11 and 12 is a key component of establishing the necessary critical mass in EESAP for a successful retail environment in this plan area and Hoffman is desirous of fulfilling that goal.

To the best of the Applicant's knowledge, no Lease default exists on either the part of the Landlord or the Tenant under the Lease and Harris Teeter is actively working with us to further the opening of this store subject of course to all of their applicable Urban Design Criteria.

We appreciate all the efforts you and your staff have put into reviewing the Application and look forward to its approval.

Sincerely,

Michael Perine
Executive Vice President

CC: Faroll Hamer, Director, Planning and Zoning (via email)

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ATTACHMENT J



CARLYLE/EISENHOWER EAST DESIGN REVIEW BOARD

March 24, 2010

MEMORANDUM

TO: Alexandria Planning Commission and Alexandria City Council
FROM: Carlyle/Eisenhower East Design Review Board
SUBJECT: Proposal for development of Hoffman Blocks 11 and 12 in the Eisenhower East Small Area Plan

The Carlyle/Eisenhower East Design Review Board (DRB) serves in an advisory capacity on projects within the Eisenhower East Small Area Plan boundaries and, in that role, has had four separate meetings on the proposal by the Hoffman Company LLC for redevelopment of Blocks 11 and 12. This has been a rigorous process, with much discussion and analysis throughout the course of the four meetings. The process has resulted in major progress on the design of this significant project.

We feel the current proposal is very good and would like to forward our strong recommendation in support of the project. We would also like to commend the applicant for making numerous studies, changes and improvements during the design review process.

Throughout the review, the members of the DRB have been cognizant of the fact that this is a critical project for the City of Alexandria from many perspectives and particularly in terms of design. It is directly adjacent to the Eisenhower Metro Station; it is highly visible from the Beltway; and it is at a critical location on Eisenhower Avenue, adjacent to the Resource Protection Area on Block 19. This project is an opportunity for the City to demonstrate its commitment to smart growth and to transit-oriented development. It will symbolize the evolution of the East Eisenhower area from a neighborhood of unsightly parking lots and semi-industrial uses to a modern, vital, mixed-use center serving thousands of Alexandria residents.

The current proposal has a number of very positive elements:

- At 370 feet to the tallest point, the building next to the Metro Station will be one of the tallest buildings in the entire region and will make a major contribution to the City's skyline, well outside the historic district. Lower than the Masonic Memorial, this building will appropriately "step up" from the existing buildings in Carlyle toward the Eisenhower Metro Station. The overall effect is to create a "tent," a skyline silhouette with the most density at Metro and diminishing density and height as one moves eastward and farther away from transit.
- The buildings are tall and slim, forming a harmonious ensemble. The sophisticated massing, facade design and color palette are crisp and visually dynamic. Varying in

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height, each of the three towers has a distinctive top, including lantern elements that will be a landmark in the skyline at night.

- There is a significant public open space being created at the Metro Station, as well as a renovation of the station itself to make it more urban and pedestrian friendly in character. The design of the public space – called Eisenhower Station Square – has come a long way through the design review process. It includes elements of Low Impact Development, interpretative materials, and a relocation of the statue of President Eisenhower. The applicant also has tied design of Eisenhower Station Square to design of the streetscape and open spaces within the project, including the grocery store parking lot adjacent to the Beltway.

There are a few minor design issues that will need to be worked out as this project progresses towards construction, but this is normal at this stage in the process. All in all, we believe that this project is one that should be approved, and we look forward to seeing it take its place on the Eisenhower Avenue corridor.

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**APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2009-0004**

REVISED 11/6/09

PROJECT NAME: Hoffman Blocks 11 and Block 12

PROPERTY LOCATION: 2210 Eisenhower Avenue

TAX MAP REFERENCE: 078.02-01-03 ZONE: CDD#2

APPLICANT Name: Hoffman Company, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

PROPERTY OWNER Name: Hoffman Family, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

SUMMARY OF PROPOSAL: Request for a secondary Development Special Use Permit pursuant to CDD Concept Design Plan #2005-0002 to complete the Development Special Use Permit 2005-0034 approved in February 2006 for Residential and Retail Uses and associated parking on Blocks 11 and 12 of the Eisenhower East Small Area Plan.

MODIFICATIONS REQUESTED: 1) Modification of Section 8-200(E) of the zoning ordinance that requires that only 30% of retail spaces may be compact as described in the application; 2) Modification of Section 11-410(CC) and the Alexandria Landscape Guidelines as described in the application; 3) Modification of the Eisenhower East Small Area Plan Design Guidelines as described in the application.

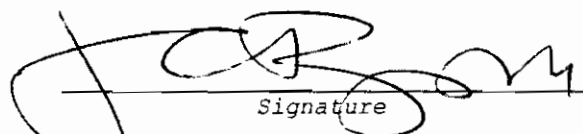
SUP's REQUESTED: 1) SUP for a density bonus pursuant to Section 7-700 as described in the application; 2) SUP for mechanical penthouses pursuant to Section 6-403(B)(2) as described in the application; 3) DSUP #2 pursuant to Hoffman CDD Concept Plan 2005-0002; 4) an amendment to TMP SUP 2005-0115 to incorporate increase AGFA and number of parking spaces; and 5) amendment to CDD 2005-0002 to include the revised AGFA, parking spaces and height for blocks 11 and 12.

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.

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


Signature

McGuireWoods LLP
1750 Tysons Blvd., Suite 1800
Mailing/Street Address
McLean, Virginia 22102
City and State Zip Code

(JGF) (703) 712-5349 (703) 712-5217
(JPR) (703) 712-5411 (703) 712-5231
Telephone # Fax #

===== **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) # 2009-0004

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: Developer

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.

Hubert N. Hoffman, III

Hubert N. Hoffman, Jr. Family Trust

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)*

On February 25, 2006 the City Council approved Coordinated Development District #2005-0002, Transportation Management Plan Special Use Permit 2005-0115 and five (5) preliminary Development Special Use Permits which approved the use, square footage, number of parking spaces, levels of below grade parking, preliminary mass, height and street network for the eleven (11) blocks of the Eisenhower East Small Area Plan that are owned by the Hoffman family. The DSUPs approved in 2006 required that the applicant get a secondary DSUP approved by the Planning Commission and City Council prior to construction that addresses the final massing, design, scale, articulation, and footprint of the buildings. Therefore, the applicant is requesting a secondary Development Special Use Permit for the final massing, design, scale, articulation, and footprint of the residential and retail buildings approved with DSUP 2005-034 for Blocks 11 and 12.

Blocks 11 and 12 of the Eisenhower East Plan are immediately adjacent to, and to the east of, the Eisenhower Avenue Metro Station. The proposal for block 11 includes two strategically placed residential towers with a shared base that houses an approximately 50,000 square foot retail space. The size of the block 11 retail space as well as the surface parking lot approved for the southern part of the block provides the ideal space for a grocery store that will serve the residents of the entire Eisenhower East community. Block 12, while smaller in size, provides the space for the important street wall along Eisenhower Avenue with approximately 15,000 square feet of retail along the street to animate this street, the focal point of the entire EESAP and help guide pedestrians along Eisenhower Avenue to the metro station. The proposal also includes an interior roof terrace above the base of the buildings that will provide an outdoor recreation area for the residents of the buildings.

In addition to the final design for these very important buildings, the proposal also includes the design for the Eisenhower Station Urban Square to be located outside of the entrance to the

metro station and across Swamp Fox Road to connect to Block 9. The Eisenhower Station Urban Square is one of several urban squares shown in the Eisenhower East Small Area Plan and constitutes a portion of the overall open space being provided to the community by the Applicant as part of the CDD Concept Plan. The urban square will provide a community gathering area that will provide an amenity for the whole community.

The applicant and the staff have spent a significant amount of time discussing the appropriate height for these buildings. The buildings are located close to the metro making this an ideal location for height in the City. The primary DSUP and the Eisenhower East Small Area Plan limit the height of these buildings to 250 feet. Recently, the City Council approved a height increase to allow the buildings to the West of this site to be 250 feet. Unless additional height is approved, the skyline leading up to the metro will appear flat rather than stepping up to the metro as was the original intention of the small area plan. Therefore, the applicant has requested an amendment to the Eisenhower East Small Area Plan to allow an increase in height over the current restrictions to allow the buildings to step up from the 250 feet approved for the adjacent buildings. The requested height increases are up to 295 feet for the east building on Block 11, 336 feet for the building on Block 12, and 388 feet for the building closest to the metro located on the west side of Block 11.

Special Use Permits and Modifications Requested:

In addition to the DSUP #2 being requested with this application, the proposal includes a request for bonus density on these two blocks in exchange for the provision of affordable housing. With this approach, the city will gain not only a more interesting skyline leading up to the metro station, but also much needed affordable housing units within the structure. We have included an Affordable Housing Plan with this submission that describes this request further. An SUP for mechanical penthouses above the maximum 15 feet in height and above the maximum number of mechanical penthouses is also being requested pursuant to Section 6-403(B)(2). The mechanical penthouse height and the number of mechanical penthouses are shown on the building sections. We have also submitted a request for an amendment to the TMP SUP 2005-0115 to incorporate the increased AGFA and number of parking spaces into the traffic analysis. Lastly, we have submitted an application for an amendment to CDD

2005-0002 to include the revised AFGA, parking spaces and height proposed for blocks 11 and 12.

The applicant requests modifications of the zoning ordinance including 1) modification of Section 8-200(E) that requires that only 30% of retail spaces may be compact to allow 32.6% of the surface parking lot spaces to be compact; 2) modification of Alexandria Landscape Guidelines, II. Landscape Plan Preparation, Crown Coverage A1 to allow the inclusion of street trees in the ROW to be included in the Crown Coverage Counts per section 11-410(CC)(2) of the Zoning Ordinance that allows 100% of the crown coverage requirement to be counted with trees in the right of way or on rooftops in a zone that allows 100% ground coverage; 3) modification of City of Alexandria's Landscape Guidelines, II. Landscape Preparation Landscape Breaks in Parking Area A1, A2, and A3 to allow LID practices with flow through parking islands in lieu of the parking island counts, location and dimensions; 4) Modification of City of Alexandria Landscape Guidelines, II. Landscape Plan Preparation, Specification of Plant Material, B2a to allow a parking lot screening buffer zone less than 6 feet in width and non-continuous, and 5) modification of Eisenhower East Small Area Plan (EESAP) design guidelines. The modifications of the EESAP design guidelines include a) modification of the 75% glazing requirement for retail as necessary to accommodate the Harris Teeter requirements; b) modification of the requirement for retail along certain frontages to include residential lobbies; c) modification of the requirement to extend retail 20' around the corner to allow for residential lobbies; d) modification of the guideline suggesting a 7'- 20' setback in the building facades at various heights in order to accommodate design principles agreed to by the staff and the applicant; and e) modification of the requirement for the building to articulate a clear base, middle and top in order to incorporate the City's goal of having the tower extend down to the ground.

We believe that the above described modifications are justified and necessary in order to provide the development that meets the goals of both the staff and the applicant for this important Eisenhower East location.

Conclusion

This application is the secondary application to complete the DSUP approved in 2005 for blocks 11 and 12. The proposals made by the applicant to conclude this DSUP will create

signature buildings for the City of Alexandria at an entrance to the city. The application represents smart growth that is an important step for the city to take.

Development Special Use Permit with Site Plan (DSUP) # 2009-0004

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

N/A

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

N/A

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

Day	Hours	Day	Hours
-----	-------	-----	-------

Residential 24/7

Retail TBD with specific tenants

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

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

The noise levels anticipated will be normal noise levels for residential and retail use and will comply with the City of Alexandria Noise Control Code. More specific information TBD at the time of specific tenants.

- B. How will the noise from patrons be controlled?

Any noise will be contained inside the buildings.

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

Specific information TBD at the time of specific tenants

Development Special Use Permit with Site Plan (DSUP) # 2009-0004

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

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

Specific information TBD at the time of specific tenants

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

Specific information TBD at the time of specific tenants

C. How often will trash be collected?

Specific information TBD at the time of specific tenants

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

Specific information TBD at the time of specific tenants

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:

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

Specific information TBD at the time of specific tenants

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.

Specific information TBD at the time of specific tenants

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?

Please see CDD Concept Plan 2005-0002

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

1,075 Standard spaces

398 Compact spaces

27 Handicapped accessible spaces.

150 Other. -- Surface parking spaces.

Development Special Use Permit with Site Plan (DSUP) # 2001-0004

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

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

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

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

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

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

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

- C. Where are off-street loading facilities located? See Plans _____

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

Specific information TBD at the time of specific tenants _____

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

Specific information TBD at the time of specific tenants _____

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

See DSUP _____



APPLICATION

MPAH 2009-0002

**MASTER PLAN AMENDMENT and/or
Zoning MAP AMENDMENT (REZONING)**

_____ **Filing Fee**

_____ **Filing Deadline**

_____ **Planning Commission Hearing**

_____ **City Council Hearing**

REQUIREMENTS FOR MAILING NOTICES

Applicants must send written notice of public hearings by certified or registered mail to all abutting property owners at least 10 days prior to the Planning Commission hearing and not more than 30 days prior to the City Council hearing. See detailed instructions on "Notice Requirements".

Mail certified or registered notice of hearings between _____ and _____.
Return notice materials to Department of Planning and Zoning by _____.

APPLICATION CHECKLIST

Check off below items submitted to Department of Planning and Zoning:

- Completed, signed application (in black ink) **Please see application for DSUP 2009-0004 for further information.**
- Filing fee
- Legal description of subject property
- Vicinity map (8 1/2" by 11")
- Metes and bounds map (8 1/2" by 11")
- Buildings and structures map
- Draft notice language

+ 158



APPLICATION

MPA# 2009-0002

Master Plan Amendment MPA # _____
 Zoning Map Amendment REZ # _____

REVISED: 11/6/09

PROPERTY LOCATION: 2210 Eisenhower Avenue, Alexandria, Virginia

APPLICANT

Name: Hoffman Company, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-000

PROPERTY OWNER:

Name: Hoffman Family, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

Interest in property:

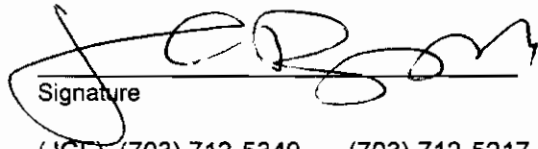
- Owner Contract Purchaser
 Developer Lessee Other _____

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.

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


Signature

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

(JCF) (703) 712-5349 (703) 712-5217
(JPR) (703) 712-5411 (703) 712-5231
Telephone # Fax #

McLean, VA 22102
City and State Zip Code

Date

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

3 159

MPA # 2009-0002
 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 – Block Lot	Land Use Existing - Proposed		Master Plan Designation Existing – Proposing		Zoning Designation Existing – Proposing		Frontage (ft.)
							Land Area (acres)
1. 078.02-01-03	Surface parking lot	Residential/ retail	Residential/ retail	Residential/ retail	CDD #2	CDD #2	See Plans. 6.42 acres
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.

- Name: Hubert N. Hoffman, Jr. Family Trust Extent of Interest: 21.78%
 Address: c/o Hoffman Family, LLC, 2461 Eisenhower Avenue, Alexandria, VA 22331-0100
- Name: Hubert N. Hoffmany, III Extent of Interest: 21.52%
 Address: c/o Hoffman Family, LLC, 2461 Eisenhower Avenue, Alexandria, VA 22331-0100
- Name: Nancy L. Conner Extent of Interest: 10.76%
 Address: c/o Hoffman Family, LLC, 2461 Eisenhower Avenue, Alexandria, VA 22331-0100
- Name: Holly L. Nolting Extent of Interest: 19.73%
 Address: c/o Hoffman Family, LLC, 2461 Eisenhower Avenue, Alexandria, VA 22331-0100
- Name: Thomas N. Hoffman Extent of Interest: 19.73%
 Address: c/o Hoffman Family, LLC, 2461 Eisenhower Avenue, Alexandria, VA 22331-0100

4 100

MPA # 2009-0002

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:

See attached.

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:

N/A

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.

N/A

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):

N/A

**Statement of Justification
Master Plan Amendment Application
Hoffman Blocks 11 and 12**

The applicant requests an amendment to the Eisenhower East Small Area Plan to amend Figure 4-9 to increase the Maximum Tower Height for blocks 11 and 12 to accommodate the Small Area Plan goal of the buildings stepping up to the Eisenhower Metro Station.

Recently, the City Council approved an increase in height for blocks 19 and 20 (to the east of blocks 11 and 12) that brought the maximum height on those blocks from 150 feet and 200 feet to 250 feet and 220 feet. The initial intention of the Eisenhower East Plan was to have the height of the buildings build up as you get closer to the metro station rather than having all of these buildings at the same height. Therefore, increasing the maximum height for blocks 11 and 12 would be consistent with the original plans laid out in the Eisenhower East Small Area Plan for the heights along Eisenhower Avenue to the metro station. The requested height increase is up to 295 feet for the east building on Block 11, up to 336 feet for the building on Block 12, and up to 388 feet for the building closest to the metro located on the west side of Block 11. This height increase would allow significant differences of height on this same block while still maintaining the level height of the buildings immediately adjacent to allow the gradual step up of the buildings as they approach the metro.

These blocks are located directly adjacent to the Eisenhower Metro Station which is the appropriate location to allow additional height. This is an opportunity for signature buildings in Alexandria and the height increase is necessary to provide appropriate building of this stature.



APPLICATION

CDD DEVELOPMENT CONCEPT PLAN

CDD # 2009-0002

[must use black ink or type]

PROPERTY LOCATION: 2210 Eisenhower Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 078.02-01-03 **ZONE:** CDD #2

APPLICANT'S NAME: Hoffman Company, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria Virginia 22331-0100

PROPERTY OWNER NAME: Hoffman Family, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100


REQUEST Request for an amendment to CDD 2005-0002 to incorporate the revised AGFA, height and number of parking spaces requested pursuant to a bonus density special use permit.

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.

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


Signature

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

(JCF) (703) 712-5349 (703) 712-5217
(JPR) (703) 712-5411 (703) 712-5231
Telephone # Fax #

McLean, VA
City and State

22102
Zip Code Date

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

2 163

APPLICATION for NEW STREET NAME
ST NAME # 2009-0009

[must use black ink or type]

LOCATION: West of Metro tracks North-South from Southern Street to Eisenhower Avenue (see attached map)

TAX MAP REFERENCE: 078.02 ZONE: CDD #2

APPLICANT'S NAME: Hoffman Company, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria, VA 22331-0100

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

Name Requested: Swamp Fox Road

Joanna C. Frizzell, Esq., Agent

Print Name of Applicant or Agent

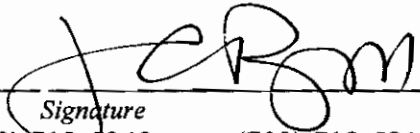
McGuireWoods LLP

1750 Tysons Boulevard, Suite 1800

Mailing/Street Address

McLean, VA

City and State


Signature

(703) 712-5349

Telephone #

(703) 712-5217

Fax #

22102

Zip Code

12/17/09

Date

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Application Received: _____ Legal Advertisement: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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164

APPLICATION for NEW STREET NAME
ST NAME # 2009-0002

[must use black ink or type]

LOCATION: East of Metro tracks North-South from Southern Street to Eisenhower Avenue (see attached map)

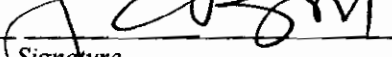
TAX MAP REFERENCE: 078.02 ZONE: CDD #2

APPLICANT'S NAME: Hoffman Company, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria, VA 22331-0100

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

Name Requested: Anchor Street

<u>Joanna C. Frizzell, Esq., Agent</u>		
<i>Print Name of Applicant or Agent</i>	<i>Signature</i>	
<u>McGuire Woods LLP</u>	<u>(703) 712-5349</u>	<u>(703) 712-5217</u>
<i>Mailing/Street Address</i>	<i>Telephone #</i>	<i>Fax #</i>
<u>1750 Tysons Boulevard, Suite 1800</u>		
<u>McLean, VA</u>	<u>22102</u>	<u>12/17/09</u>
<i>City and State</i>	<i>Zip Code</i>	<i>Date</i>

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Application Received: _____ Legal Advertisement: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

APPLICATION for ENCROACHMENT # 2010-0004

[must use black ink or type]

PROPERTY LOCATION: 2210 Eisenhower Avenue

TAX MAP REFERENCE: 078.02-01-03 ZONE: CDD#2

APPLICANT'S NAME: Hoffman Family LLC

ADDRESS: 2210 Eisenhower Avenue, Alexandria, Virginia

PROPERTY OWNER NAME: Same as above

ADDRESS: Same as above

ENCROACHMENT DESCRIPTION: Request for approval of an encroachment into the public right-of-way for underground electrical transformer vaults on site due to limited site area and utility easements.


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

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

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

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

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


Signature

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
Mailing/Street Address

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

McLean, Virginia 22102
City and State Zip Code

3/24/2010
Date

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ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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

Jonathan P. Rak
Direct: 703.712.5411

McGUIREWOODS

PC Docket Item #4
Hoffman BLOCKS 11 + 12

Land Use and Environmental
jrak@mcguirewoods.com

April 6, 2010

VIA EMAIL TO faroll.hamer@alexandriava.gov

John Komoroske, Chairman and Members of the Planning Commission
City Hall
301 King Street, Suite 2100
Alexandria, VA 22314

Re: Hoffman, Blocks 11 & 12

Dear Chairman Komoroske and Members of the Planning Commission:

On behalf of our client, the Hoffman Family, LLC ("Hoffman" or "Applicant") we are requesting certain revisions to the staff recommended conditions of approval for the Stage 2 Block 11 and 12 Development Special Use Permit 2009-0004 (the "Stage 2 DSUP") as we have not been able to reach an agreement with staff on certain issues.

The five main revisions to the staff recommended conditions relate to: 1) the alignment of Southern Street; 2) the calculation of the financial contributions for the Eisenhower Avenue widening and Eisenhower Station Square improvements; 3) the open space easement on Block 19; 4) the signage conditions; and 5) the future contributions towards a comprehensive City sewer policy. Each of these issues are either an expansion of the existing Stage 1 DSUP obligations or are precluded by the Hoffman Process Agreement.

Our requested revisions to the staff recommended conditions are set forth in Exhibit "A". For your reference, excerpts of the Stage 1 DSUP conditions and Process Agreement are attached as Exhibit "B".

We look forward to discussing the project and the conditions of approval with you at tonight's Planning Commission hearing.

Sincerely,


Jonathan P. Rak

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April 6, 2010
Page 2

cc: Michael Perine, Hoffman
Faroll Hamer, Director, Planning and Zoning
Gwen Wright, Chief, Development Division
Gary Wagner, Principle Planner

\\10996901.4

EXHIBIT "A"

Condition 3

The applicant is responsible for obtaining agreements for the dedication of all public right-of-way, exclusive of the WMATA right-of-way noted in Condition 1 and VDOT right-of-way noted in Condition 4, and must provide the City with verification of these agreements prior to the release of the final site plan. Agreements for the dedication of all public right-of-way must be reached prior to the release of the final site plan. The deeds of dedications shall be recorded prior to the release of the first certificate of occupancy for either Block 11 or 12.

PEDESTRIAN/STREETSCAPE

Condition 4 (v)

Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, construction of the sidewalk along the ~~east~~ west side of Port Street shall be per the approved construction phasing plan noted in Section L of this document.***

Condition 4 (ll)

Subject to the City successfully acquiring the necessary right-of-way from VDOT, WMATA and the Hoffman/WMATA/City joint agreement, prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Southern Street from Port Street to Swamp Fox Road shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.***

Condition 4 (nn)

Align Southern Street to the south as shown on the preliminary plan: provided that VDOT agrees to dedicate and/or release the necessary state held ROW to the City in order to accomplish this road alignment requested by the City which contravenes the approved alignment of Southern Street in the Stage 1 DSUP. If such ROW is not successfully obtained by the City, the Applicant shall be required to construct Southern Street in accordance with the Stage 1 DSUP.

Condition 8(f)

Provided that the City agrees to reimburse the applicant for the cost of designing the portion of the plaza that the applicant does not have the obligation to construct in the Stage 2 PDSUP Infrastructure Phasing Plan on Sheet 10 of the Preliminary Plan), ~~Final~~ the final design of the eastern plaza shall include the area under the metro platform and such design shall be completed prior to final site plan approval for the Stage 2 DSUP for Blocks 11 and 12. The plaza shall include at a minimum, hardscaping and landscaping to accommodate informal and formal outdoor events, shows and other activities for workers, retail patrons and visitors, as well as residents of the City. The square shall also include the following:

EXHIBIT "A"

Condition 9

Per Condition 27 of CDD#2005-0002, the applicant must plan and construct Eisenhower Station Square. In lieu of actually constructing the portion of the open space anticipated in this CDD Condition, ~~the application shall contribute \$350,000 to the City. the City and the applicant may mutually agree to the applicant making a monetary contribution which is equivalent to the cost of actual construction.~~

Condition 15

The applicant shall ~~enact~~ prepare and sign a land transfer agreement with the owner(s) of Block 19 to allow construction of Port Street and the improvements required by this condition, which entails an equal distribution of land area between the parties and a 50/50 cost sharing agreement for the construction of Port Street. An exhibit showing the required land transfer is shown on ATTACHMENT F. The agreement shall ensure compliance with the following requirements for the open space area on Block 19 owned by the applicant at the time of this DSUP application:

Condition 15 (f)

~~In addition to the above provisions, provide a perpetual public access easement over the remaining at grade privately owned open space area on Block 19. The perpetual open space easement shall enable the open space area to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be dedicated on the easement plat and shall be approved prior to the release of the final site plan.* (P&Z)(RP&CA)~~

BUILDING DESIGN

Condition 35(a)(iv)

~~Strengthen expression of the building tops through strategies including use of color, increased percentage of glass, and stronger vertical expression.~~

Condition 35 (b)

~~Through the wall HVAC vent grilles, and other vents, shall, wherever possible, be located so as not to directly face streets (for example, turned to face into adjacent private balcony spaces). All such vents shall also be designed with high quality grille work and of a color to match the material of the building and integrated into the facade design. Any HVAC vent grille which cannot be so relocated shall be integrated into the window systems, with all visible elements (such as louvers) to be manufactured and supplied by the window fabricator, and finished to match the window frames in material and color.~~

SIGNAGE

Condition 42.

~~In addition to the provisions of the Hoffman Coordinated Sign Program (SUP-0163), design and develop additional signage for Blocks 11&12, including, but not limited to~~

EXHIBIT "A"

~~site related signs, way finding graphics, business signs, and interpretive signage that highlights the history and archaeology of the site. The plan shall be included as part of the final site plan and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Directors of Archaeology, P&Z, RP&CA, and T&ES.*~~

- ~~a. — Business signs shall employ variety and creativity of design. Tenant designers shall bring a sculptural and dimensional quality to their signs.~~
- ~~b. — Highlight the identity of individual business tenants through signage and storefront design. Coordinate signage with the building design and with individual storefront designs, including but not limited to integration with any proposed awnings, canopies, etc.~~
- ~~c. — Pedestrian oriented signs (e.g. projecting signs, window signs, etc.) are encouraged. Tenants with main storefront entrances on Eisenhower Avenue, Anchor Street, and Dock Lane shall incorporate a projecting or under canopy sign.~~
- ~~d. — Signs applied to storefront windows shall cover no more than twenty (20) percent of the glass.~~
- ~~e. — The grocery store shall incorporate pedestrian and vehicular oriented signage that is visible from the following locations:
 - ~~i. — Port Street and Dock Lane intersection~~
 - ~~ii. — Eisenhower Avenue (eastbound) and Swamp Fox Road intersection~~
 - ~~iii. — Elevated Eisenhower Avenue Metro Station platform~~~~
- ~~f. — The grocery store façade along Southern Street shall incorporate specialty graphics at a scale visible from the Capital Beltway in addition to any corporate graphics or logos that are included on the building. These specialty graphics shall be included as part of the overall permitted sign area. (Arch)(P&Z)(RP&CA)(T&ES)~~

Condition 43.

~~Design business and identification signs to relate in material, color and scale to the building and the tenant bay on which the sign is displayed to the satisfaction of the Director of P&Z.~~

- ~~a. — The business and identification signs shall be designed of high quality materials and sign messages shall be limited to logos and names for all tenants other than the grocery store on Block 11.~~
- ~~b. — Installation of building mounted signage shall not damage the building and signage shall comply with all applicable codes and ordinances. (P&Z)~~

Condition 44.

~~A freestanding subdivision or identification sign shall be prohibited. (P&Z)~~

Condition 45

~~Install a temporary informational sign on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a contractor or real estate sign incorporating the required information; the sign shall~~

EXHIBIT "A"

~~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)~~

Condition 46.

~~Provide City standard park signage for Eisenhower Station Square. (P&Z)(RP&CA)~~

Condition 47

~~Provide City standard parking signage for the retail parking garage to the satisfaction of the Directors of P&Z and T&ES. The retail parking signage shall match the parking signs currently installed on the Block 14 Hoffman parking garage and the Block G parking garage located at 1925 Ballenger Avenue.~~

Condition 48

~~In the event that a City wayfinding program is implemented in the future, the applicant shall be required to participate in the program. (P&Z)(T&ES)(RP&CA)~~

CONSTRUCTION

Condition 72

The Applicant shall provide a payment of ~~\$795,882.00~~ \$745,000.00 to the City

WASTEWATER / SANITARY SEWERS

Condition 88

The applicant shall submit a letter to the director of T&ES that acknowledges that future blocks within the Hoffman CDD owned by the applicant will participate if the City adopts a plan in the future to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed by all existing, proposed and future users of the system. The letter must be submitted prior to release of the final site plan.

STREETS / TRAFFIC

Condition 90

~~Subject to~~ The applicant shall comply with the maximum right-of-way dedication specified in CDD#2005-0002 Condition #22 which states: "67' south of the centerline shown on DSUP98-0042 shall be provided by Applicant," prior to the release of the first final site plan. ~~coordinate Site Plan with Eisenhower Avenue Widening plan (VDOT# U000 100 135) prior to the first and with each final site plan submission.* (T&ES)~~

NOISE

Condition 119.

Except for the grocery store on Block 11, Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 6:00am.

Eisenhower East
 CDD#2005-0002
 DSUP#2005-0031 thru 0035
 SUP(TMP)#2005-0115

Within 120 calendar days of approval, the applicant shall submit a revised Concept Plan, reflecting the table approved herein. (PC)

16. The Allowable Gross Floor Area (AGFA) is defined in the EESAP as the sum of all gross horizontal areas under a roof or roofs for all structures, including above-grade parking structures, which shall be measured from the exterior faces of walls or from the center-line of party walls. Elevator and stair bulkheads, multi-story atriums, and similar volumetric construction, not involving floor space are excluded. (P&Z)
17. The urban plazas and open space, shall be governed by the following table, which shall also be reflected in the Concept Plan. (P&Z) (PC)

URBAN PLAZA/OPEN SPACE					
Block	Type	Name	EESAP Site Area Square Footage	DSUPs Site Area Square Footage	Increase (Decrease) Square Footage
2/3	Neighborhood Square	West Side Gardens	34,800	34,800	0
4/5	Urban Square	Hotel Square	10,900	10,900	
6	Urban Square	Hoffman Town Center	Existing	Existing	
9B	Urban Square*	Eisenhower Station*	28,300	12,000	-16,300
22	Community Park	Eisenhower Park	116,000	116,000	
24/25A	RPA	Eisenhower Park/Meadows	75,000	75,000	
24/25A	Neighborhood Square	South Delaney Gardens	15,300	15,300	
Total			280,300	264,000	-16,300

* Note: 9,200 square feet of the square is located on the adjoining WMATA property; 9,000 square feet is located within the straightened Swamp Fox Rd.

C. PEDESTRIAN-STREETScape:

18. Within the right-of-way as required herein, a Sidewalk Area, which may consist of sidewalk, bike lane and/or tree wells/street tree areas and amenities, shall

Eisenhower East
CDD#2005-0002
DSUP#2005-0031 thru 0035
SUP(TMP)#2005-0115

- a. Upon formal request from the City, the applicant shall dedicate the right-of-way required by Condition 22 from Blocks 9, 12 and 19 and shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property by the City within 60 days.
 - b. Dedication of the right-of-way required to provide the full right-of-way at Blocks 22 and 24 shall be made at time of redevelopment of Block 24 and the applicant shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property.
 - c. Dedication of the right-of-way required to provide the full right-of-way at Block 25A shall be made at the time of redevelopment of Block 25 and the applicant shall provide the necessary plats, and accompanying applicable documentation necessary for the City to accept dedication of the property.
 - d. (T&ES) (P&Z) (PC)
26. If the Eisenhower Avenue improvements including but not limited to the Sidewalk Area, travel lanes and median are funded by the City and constructed by the City or a designee, the applicant shall, as a condition to approval of stage 2 preliminary development special use permit for Block 9B, Block 12, Block 24 and/or Block 25A , the applicant shall provide a payment to the City equivalent to the actual cost of construction of the improvements that would have been the responsibility of the applicant at the cost incurred at the time of construction.
(P&Z) (T&ES) (PC)
27. As part of the submission of the first Stage 2 development special use permit for Blocks 9A, Block 9B, Block 11 or Block 12, whichever occurs first, the applicant shall prepare a plan for the construction of the improvements for the vehicle and bus loop and the eastern portion of Eisenhower Station Park improvements described in Condition #31C. ("Bus Loop Plan"). The applicant shall coordinate with the City and WMATA in that design and to explore the possibility of eliminating and/or relocating the "Kiss and Ride" surface parking lot as part of the Bus Loop Plan. The final design and configuration of the streets, plaza and pedestrian circulation in the Bus Loop Plan shall be approved as part of the Stage 2 development special use permit for either block 9 or blocks 11 and 12.. Provided that the City acquires all necessary rights of way from WMATA , the Bus Loop Plan improvements shall be constructed by the applicant, operational and dedicated prior to the issuance of the first certificate of occupancy permit for Blocks 9A, Block 9B, Block 11 or Block 12, whichever occurs first.
(P&Z)(T&ES) (PC)

HOFFMAN PROCESS AGREEMENT

The following sequence of submissions/approvals shall govern the process for approval of the development permits for the Hoffman Property development blocks within the Eisenhower East area pursuant to the Hoffman Town Center Land Use and Parking Compromise dated December 14, 2004, as amended.

Prior to January 21, 2006 (Amended Court imposed deadline):

- Applicant submits, City staff reviews and forwards recommendations to Planning Commission, Planning Commission reviews and forwards recommendations to City Council, and City Council approves a revised Conceptual Development Plan with the CDD for the overall site.
- Applicant submits, City staff reviews and forwards recommendations to Planning Commission, Planning Commission reviews and forwards recommendations to City Council, and City Council approves an amended Transportation Management Plan Special Use Permit for the overall site.
- Applicant submits, City staff reviews and forwards recommendations to Planning Commission, Planning Commission reviews and forwards recommendations to City Council, and City Council approves Preliminary Development Special Use Permit #1 for each Hoffman Property development block. The documents to be submitted with this initial filing are indicated by a "Y" on the attached City of Alexandria "Preliminary Development Special Use Permit (DSUP) and Development Site Plan (DSP) Submission Format and Requirements Checklist" ("Checklist").

When the applicant is ready to proceed with development for each block:

- Applicant submits, City staff reviews and forwards recommendations to Planning Commission, Planning Commission reviews and forwards recommendations to City Council, and City Council approves Preliminary Development Special Use Permit #2 for each particular development block. The remaining items indicated by an "N" on the attached City of Alexandria Department of Planning and Zoning Preliminary Development Special Use Permit Submission Format and Requirements Checklist will be submitted with Preliminary DSUP #2 so that Preliminary DSUP #1 and Preliminary DSUP #2 together will constitute all of the documents required by the complete checklist.
- City administratively reviews and approves final site plan for each development block.

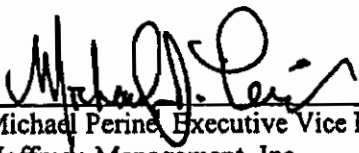
General Requirements

As part of the review and approval process for the Preliminary DSUP #1, the use, square footage, number of parking spaces, levels of underground parking, height and preliminary mass for each block will be reviewed and approved. The final design of the mass, scale, footprint, articulation and related factors including the checklist items not previously

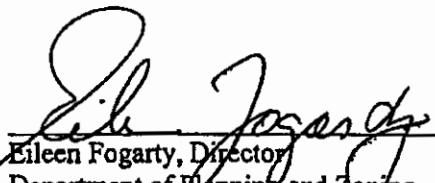
provided as part of DSUP #1 for each development block will be reviewed and approved in accordance with the Eisenhower East Small Area Plan Design Guidelines applicable to the site during the review and approval of the Preliminary DSUP #2 for each development block.

The approval under the Preliminary DSUP #1 will be subject to refinement during the approval process for Preliminary DSUP #2, as specified in this Agreement. Except 1) as required in the following paragraph, or 2) by mutual agreement, the terms and development conditions approved in Preliminary DSUP #1 will not be modified by Preliminary DSUP #2.


The Applicant will comply with all amendments to the Checklist and engineering standards, including standards pertaining to storm water management and Best Management Practices facilities applicable city-wide, which may be adopted between the submission of DSUP #1 and DSUP#2, to the extent possible without affecting the rights the Applicant has under DSUP #1 and provided such compliance does not result in the change in use or a reduction of floor area ratio, developable square footage, parking, or building height as approved in DSUP#1.



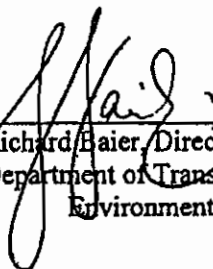
Michael Perine, Executive Vice President
Hoffman Management, Inc.



Eileen Fogarty, Director
Department of Planning and Zoning



Arthur Dahlberg, Director
Division of Code Enforcement



Richard Baier, Director
Department of Transportation and
Environmental Services

Effective date: August 24, 2005

City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2010

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR, DEPARTMENT OF PLANNING AND ZONING

SUBJECT: TECHNICAL CORRECTIONS TO CONDITIONS FOR DOCKET ITEM #4, 2210 EISENHOWER AVENUE/HOFFMAN BLOCKS 11 AND 12

There are technical corrections to three conditions in the staff report for the project at 2210 Eisenhower Avenue/Hoffman Blocks 11 and 12.

The purpose of these corrections is to assure that the accurate and most current submissions by the applicant are referenced appropriately. The three conditions that are being changed are listed below with the corrections shown with ~~Strikethrough~~ for deleted language and Underline for added language.

2. The final site plan shall be in substantial conformance with the preliminary plan originally submitted on ~~dated~~ 10/22/09, as amended by the applicant's replacement architectural and civil drawing sheets dated 11/05/09 and landscape drawing sheets dated 11/06/09 (the November 5, 2010 Preliminary Plan) with the changes to the building design reflected in the building design submission packages dated ~~February 16, March 16 and~~ March 23, 2010 and comply with the following conditions of approval. (P&Z)

7. Provide the following additional modifications to the proposed surface parking lot on Block 11 to the satisfaction of the Director of P&Z:
 - a. Additional screening of the surface parking lot from view of public streets, particularly along Port and Anchor Streets, per ATTACHMENT E.
 - b. A maintenance plan for the flow through islands in the parking area. The plan shall include information on daily and long-term care, cleaning, and maintenance.
 - c. Wheel stops for parking spaces adjacent to landscape areas.
 - d. Final details of the parking lot to be determined at Final Site Plan. (P&Z)

8. The plans for the Eisenhower Station Square, included as part of the November 5, 2009 preliminary plan submission ~~dated 10/22/09,~~ as amended by the Design Review Board submission dated ~~February 16, March 23,~~ 2010, are conceptual in nature and shall be revised prior to release of the final site plan to, at a minimum, include the following to the satisfaction of the Directors of T&ES, RP&CA, and P&Z: (There are no changes to the remainder of condition #8.)

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Kenneth W. Wire
Direct: 703.712.5362

McGUIREWOODS

Land Use and Environmental
kwire@mcguirewoods.com

PC Docket Item #4
Hoffman Blocks 11 + 12

April 6, 2010

VIA EMAIL TO gwen.wright@alexandriava.gov

Gwen Wright, Chief, Development Division
Planning and Zoning
301 King Street, Suite 2100
Alexandria, VA 22314

Re: Hoffman, Blocks 11 & 12

Dear Ms. Wright:

On behalf of our client, the Hoffman Family, LLC ("Hoffman"), we are submitting this list of agreed upon revisions to the recommended conditions of approval for Development Special Use Permit 2009-0004 (the "Stage 2 DSUP"). The ~~strikethrough~~ terms indicate deleted language and the underline terms indicate added language:

Condition 1

The ~~preliminary plan~~ final site plan for Blocks 11 & 12 shall not be released until the contingent ~~on the successful execution of a three-party agreement between Hoffman, the City and WMATA regarding the Eisenhower Station Improvements, Bus Loop Improvements, and Expanded Eisenhower Station Square, including the transfer of 63,905 sf (1.467 acres) of property from WMATA to the City for construction of necessary infrastructure. (P&Z)(T&ES)(RP&CA)~~

Condition 4 (ff)

The visual treatment of the parallel parking spaces and pick-up/drop-off zones along Dock Lane shall be designed to match the treatment of the surface lot parking spaces on Block 11 or shall have color concrete pavers at the election of the Director of P&Z.

OPEN SPACE AND LANDSCAPING

Condition 8(h)

The eastern portion of the park shall be dedicated to the City and constructed with the Metro bus loop road as ~~described~~ may be provided in the Memorandum of Understanding for the Eisenhower Station Improvements, Expanded Eisenhower Station Square, and Bus Loop Improvements, prior to release of the final site plan. prior to the issuance of the first certificate of occupancy for either Block 11 or 12.*** (P&Z)(RP&CA)(T&ES)

RETAIL AND RESTAURANT USES

Condition 26

The large retail space on Block 11 shall have entrances facing the surface parking lot to the south and Anchor Street to the west. ~~Both of these entrances shall be open and operational during all business hours for the retail use in this space.~~ The entrances facing the southern parking lot shall be open during normal business hours and the entrances on Anchor Street shall be open during peak business hours.

Condition 27

The first level floor-to-floor height of the retail space on Block 12 and the non-grocery store retail space on Block 11 shall be a minimum of 20 ft. and the depth of retail spaces shall be per the preliminary plan. Exceptions to these requirements may be approved by the Director of P&Z on a case by case basis for exceptional interior design. This requirement shall not apply to retail service, back of house, kitchen and bathroom space. (P&Z)

EISENHOWER METRO STATION IMPROVEMENTS

Condition 66

Subject to the City successfully acquiring the necessary right-of-way from WMATA and per the Hoffman/WMATA/City joint agreement or Memorandum of Understanding, the applicant shall: 1) undertake all improvements described in the MOU agreement as being the responsibility of the applicant; 2) All all such improvements shall be completed prior to issuance of the first certificate of occupancy permit for any building on Block 11 or Block 12. ~~In addition, the applicant shall; and 3) dedicate to the City any land in their ownership necessary for Eisenhower Station Square and the new bus loop prior to issuance of the first certificate of occupancy for any building on Block 11 or Block 12.~~*** (P&Z)(RP&CA)(T&ES)

Condition 67

Final negotiation and execution of the Hoffman/WMATA/City joint agreement or MOU on behalf of the City will be the responsibility of the City of Alexandria City Manager.

DISCLOSURE REQUIREMENTS

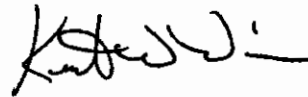
Condition 131(a)

That retail uses including but not limited to restaurants, bakeries, banks bookstores, clothing, clothing accessories, department stores, drugstores, dry cleaners, florists, groceries, jewelry, restaurants and any similar use deemed by the Director of P&Z 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 public and internal streets surrounding the project and ~~may~~ will have extended hours of operation.

April 6, 2010
Page 3

We request that this letter be included in the information packet provided to the Planning Commission by staff for tonight's hearing.

Sincerely,



Kenneth W. Wire

cc: Michael Perine, Hoffman
Faroll Hamer, Director, Planning and Zoning
Gary Wagner, Principle Planner

\\1058943.1

EXHIBIT "A"

Planning Commission Revised Conditions

April 6, 2010

Revised 4-9-10

Condition 3

The applicant is responsible for obtaining agreements for the dedication of all public rights-of-way, ~~exclusive of~~ except in regard to the WMATA right-of-way noted in Condition 1 and VDOT right-of-way noted in Condition 4. ~~and must provide the City with verification of these agreements prior to the release of the final site plan. In the first case, it shall be the responsibility of the City, and in the latter the City and the applicant will work jointly to obtain agreements for these dedications. Agreements for the dedication of all public rights-of-way must be reached prior to the release of the final site plan.~~ The deeds of dedications shall be recorded prior to the release of the first certificate of occupancy for either Block 11 or 12.

PEDESTRIAN/STREETSCAPE

Condition 4 (v)

~~Prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, construction of the sidewalk along the east west side of Port Street shall be per the approved construction phasing plan noted in Section L of this document.***~~

Condition 4 (ll)

Subject to the City and the applicant working jointly to successfully acquire ~~ing~~ the necessary rights-of-way from VDOT, and the City acquiring WMATA right-of-way and successfully executing the Hoffman/WMATA/City joint agreement, and prior to the issuance of the first certificate of occupancy for Block 11 or Block 12, Southern Street from Port Street to Swamp Fox Road shall be constructed, operational and dedicated to the City in accordance with CDD#2005-0002 Condition #23.***

Condition 4 (nn)

Align Southern Street to the south as shown on the preliminary plan: provided that the City and the applicant are successful in obtaining agreements for necessary right-of-way dedication from VDOT.

Condition 8(f) – NO CHANGE

Condition 9

Per Condition 27 of CDD#2005-0002, the applicant must plan and construct Eisenhower Station Square. In lieu of actually constructing the portion of the open space anticipated in this CDD Condition, the application shall contribute a maximum of \$350,000 to the

EXHIBIT "A"

City, and the City and the applicant shall mutually reconcile the actual construction costs after the completion of construction.

Condition 15

The applicant shall ~~enact~~ submit a land transfer agreement ~~to with~~ the owner(s) of Block 19 ~~that equitably to allows~~ the construction of Port Street and the improvements required by this condition. An exhibit showing the required land transfer is shown on ATTACHMENT F. ~~The agreement shall ensure compliance with the following requirements for the open space area on Block 19 owned by the applicant at the time of this DSUP application:~~ In the land transfer agreement between the applicant and the owner of Block 19, the following issues will be addressed:

Condition 15 (f) - NO CHANGE

BUILDING DESIGN

Condition 35(a)(iv)

The applicant will work with staff on S~~strengthening~~ the expression of the building tops through strategies including use of color, increased percentage of glass, and stronger vertical expression.

Condition 35 (b)

Through-the-wall HVAC vent grilles, and other vents, shall, wherever possible, be located so as not to directly face streets (for example, turned to face into adjacent private balcony spaces). All such vents shall also be designed with high-quality grille work and of a color to match the material of the building and integrated into the facade design. ~~Any HVAC vent grille which cannot be so relocated shall be integrated into the window systems, with all visible elements (such as louvers) to be manufactured and supplied by the window fabricator, and finished to match the window frames in material and color.~~ During Final Site Plan, the applicant will work with staff on the location, style, materials and detailing of vent grills.

SIGNAGE

Condition 42.

~~In addition to the provisions of the Hoffman Coordinated Sign Program (SUP-0163), design and develop additional signage for Blocks 11&12, including, but not limited to site related signs, way finding graphics, business signs, and interpretive signage that highlights the history and archaeology of the site. The~~ A more detailed signage plan shall be included as part of the final site plan and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Directors of Archaeology, P&Z, RP&CA, and T&ES.*

- a. ~~Business signs shall employ variety and creativity of design. Tenant designers shall bring a sculptural and dimensional quality to their signs.~~

EXHIBIT "A"

- ~~b. Highlight the identity of individual business tenants through signage and storefront design. Coordinate signage with the building design and with individual storefront designs, including but not limited to integration with any proposed awnings, canopies, etc.~~
- ~~e. Pedestrian-oriented signs (e.g. projecting signs, window signs, etc.) are encouraged. Tenants with main storefront entrances on Eisenhower Avenue, Anchor Street, and Dock Lane shall incorporate a projecting or under-canopy sign.~~
- ~~d. Signs applied to storefront windows shall cover no more than twenty (20) percent of the glass.~~
- ~~e. The grocery store shall incorporate pedestrian and vehicular-oriented signage that is visible from the following locations:
 - ~~i. Port Street and Dock Lane intersection~~
 - ~~ii. Eisenhower Avenue (eastbound) and Swamp Fox Road intersection~~
 - ~~iii. Elevated Eisenhower Avenue Metro Station platform~~~~
- ~~f. The grocery store façade along Southern Street shall incorporate specialty graphics at a scale visible from the Capital Beltway in addition to any corporate graphics or logos that are included on the building. These specialty graphics shall be included as part of the overall permitted sign area. (Arch)(P&Z)(RP&CA)(T&ES)~~

Condition 43.

~~Design business and identification signs to relate in material, color and scale to the building and the tenant bay on which the sign is displayed to the satisfaction of the Director of P&Z.~~

- ~~a. The business and identification signs shall be designed of high quality materials and sign messages shall be limited to logos and names for all tenants other than the grocery store on Block 11.~~
- ~~b. Installation of building-mounted signage shall not damage the building and signage shall comply with all applicable codes and ordinances. (P&Z)~~

Condition 44.

~~A freestanding subdivision or identification sign shall be prohibited. (P&Z)~~

Condition 45 - NO CHANGE

Condition 46 - NO CHANGE

Condition 47 - NO CHANGE

Condition 48 - NO CHANGE

CONSTRUCTION

Condition 72 - NO CHANGE

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EXHIBIT "A"

WASTEWATER / SANITARY SEWERS

Condition 88

The applicant shall submit a letter to the director of T&ES that acknowledges that ~~future blocks within the Hoffman CDD~~ properties within the Stage 1 DSUP approval will participate if the City adopts a plan in the future to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed. The letter must be submitted prior to release of the final site plan.

STREETS / TRAFFIC

Condition 90 - DELETED

NOISE

Condition 119. - NO CHANGE

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RESOLUTION NO. MPA 2009-0002

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

WHEREAS, an application for amendment to the Eisenhower East Small Area Plan chapter of the 1992 Master Plan was filed with the Department of Planning and Zoning on **11/6/09** for changes in the land use designations to the parcels at **2210 Eisenhower Avenue (EE Blocks 11 and 12)**; 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 **April 6, 2010** with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

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

RESOLUTION NO. MPA 2009-0002

Page 2

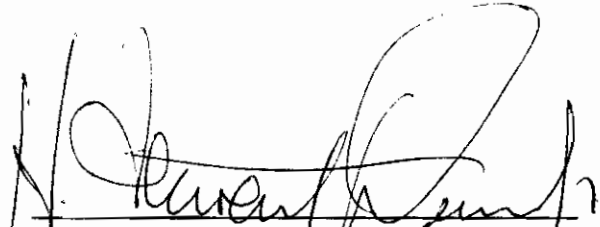
NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

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 maximum height at 2210 Eisenhower Avenue (Blocks 11 and 12) from 250 feet to 370 feet. The maximum height is 370 feet for Block 11 and 339 feet for Block 12.

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 April, 2010.**



H. Stewart Dunn, Vice Chairman
for John Komoroske, Chairman
Alexandria Planning Commission

ATTEST:

Faroll Hamer, Secretary

PC Docket Item # 4 AF
Hoffman Blocks 11 & 12

From: Nancy Jennings [mailto:nrjennings@comcast.net]
Sent: Monday, April 05, 2010 8:21 PM
To: Komoroske, John
Subject: Follow up to comments about Hoffman blocks

----- Original Message -----
Members of the Planning Commission,

Regret I cannot attend your meeting tomorrow night to speak about the plans for Hoffman blocks 11 & 12. I am opposed to the heights of these buildings and would rather they stay below the zoned level of 250' so the City's skyline is preserved along with a view of the Masonic Temple. I saw no pictures in the Staff's packages with views from the south. Also, I did not hear/see how much Hoffman will contribute to the renovation of the metro station or building of the park or other amenities. I did hear that they will not have to provide the minimum amount of parking. Just because people use the Metro to commute doesn't mean they won't own a car and need a place to park it. P&Z gave a number of reasons for granting increased density here that do not hold water.

- **Gateway to the City:** These buildings are NOT a gateway to Alexandria. They are located on a dead-end street next to the railroad tracks, metro, and Beltway.
- **Centerpiece of Development:** This sounds made up. The P&Z mantra on the North Potomac Yard Plan was to put all the commercial near the metro because the residential folks will walk further. This project is residential next to a metro. Which is true? The building need not make a statement or be the centerpiece; it's not like Northrop Grumman is planning to relocate their. It's just people who don't live in Alexandria who may move here.
- **Affordable Housing:** The project does not destroy any affordable housing and the 50 market-rate affordable units are not enough compensation for buildings six stories higher than the zoning agreed to reluctantly by citizens in the past.
- **Cost to the City:** This project will increase demand for City services, sewers, new roads, schools, etc.

I don't see why we need to allow all this increase in height and flashy lighting for just apartment buildings. Please make it more in keeping with the scale of the other planned buildings.

Nancy Jennings
2115 Marlboro Drive
Alexandria, VA



PERSPECTIVE

DAVID
CARTER
SCOTT

DESIGN

BLOCKS 11 & 12 - RESIDENTIAL

Aquatherm Vents on Building

APRIL 06, 2010

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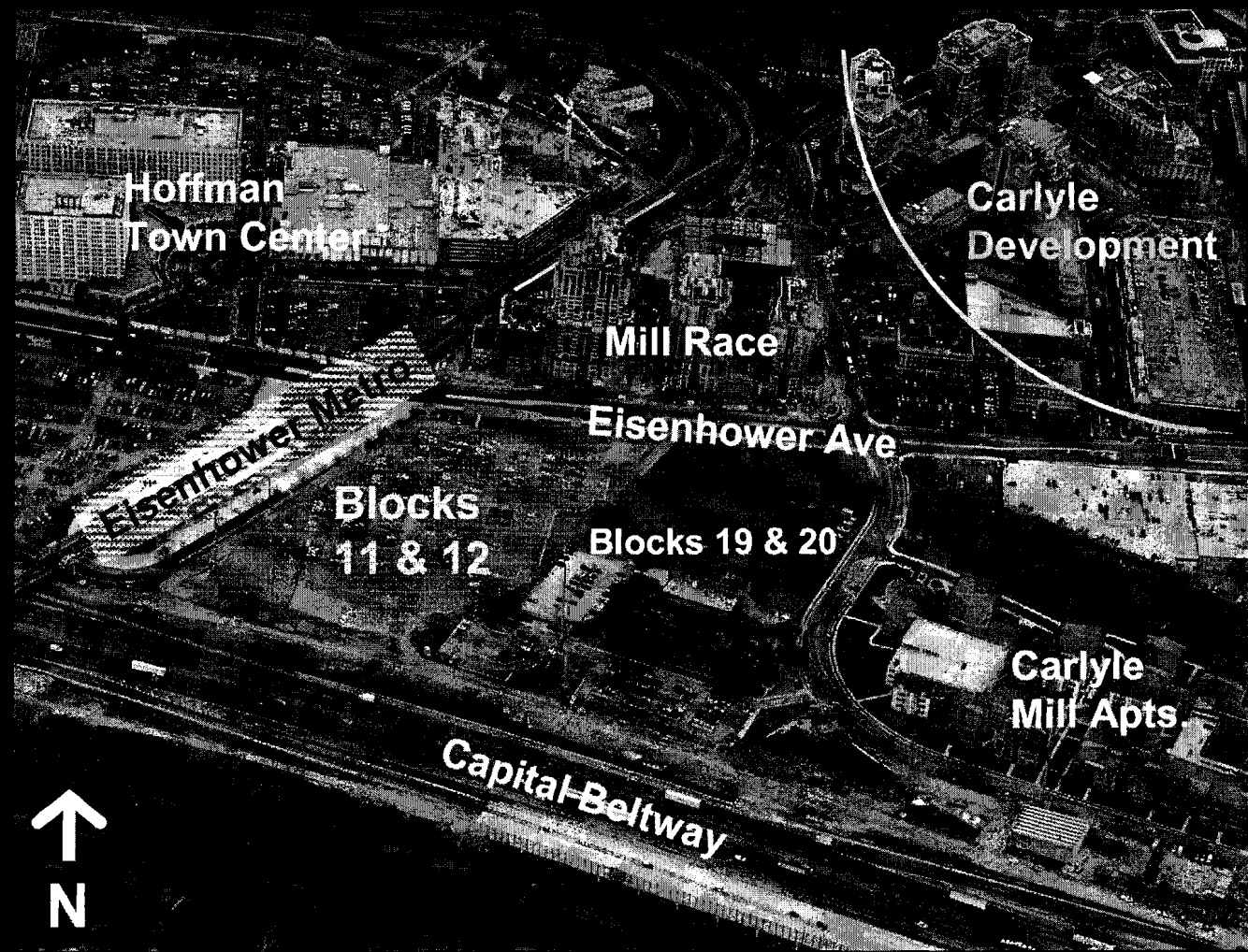
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Eisenhower East Blocks 11 & 12

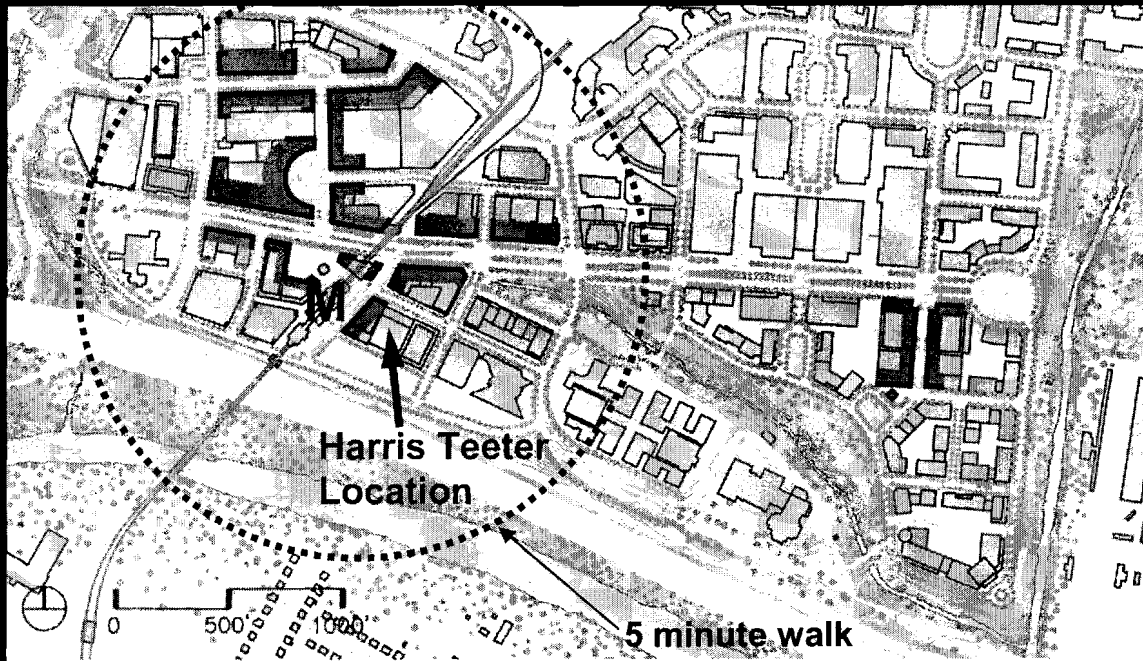
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Site Context





EESAP Context

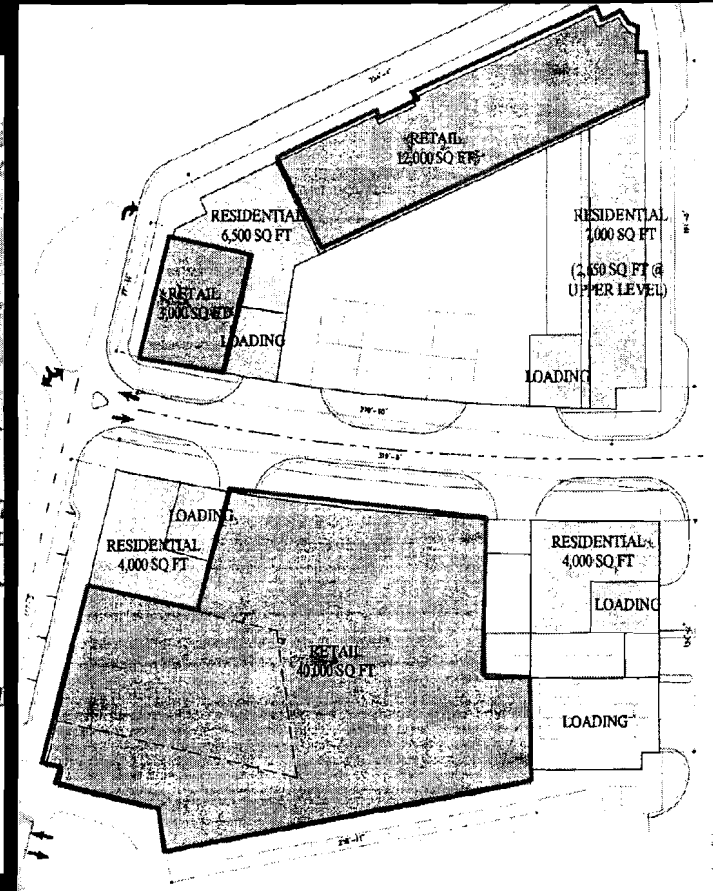


Harris Teeter
Location

5 minute walk

REQUIRED RETAIL LOCATION

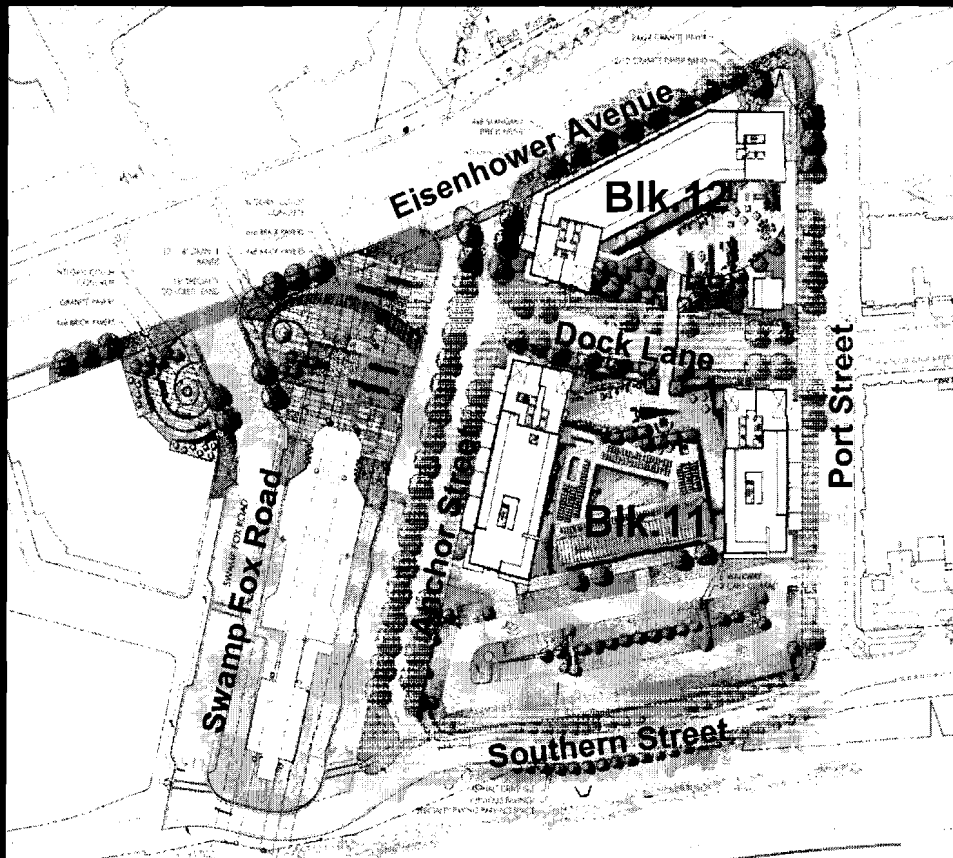
Note: Ground floor retail may be provided in other locations, though not required by the Plan, within the maximum allowable gross floor area.



Stage 1 DSUP
Approved Retail Location



Description



- 3 residential towers with ground floor retail.
- Zone: CDD#2
- Site Area: 185,663 sf (4.26 acres)
- 656,000 sf residential (Block 11)
- 50,000 sf Harris Teeter Grocery Store
- 588,000 sf residential (Block 12)
- 17,000 sf ground level retail
- 1,505 garage parking spaces
- 150 surface parking spaces
- Improvements to the Eisenhower Avenue Metro Station, including major new plaza
- Five new streets; Two to be named (Anchor Street & Swamp Fox Road)
- 50-55 affordable housing units
- Green Building compliance



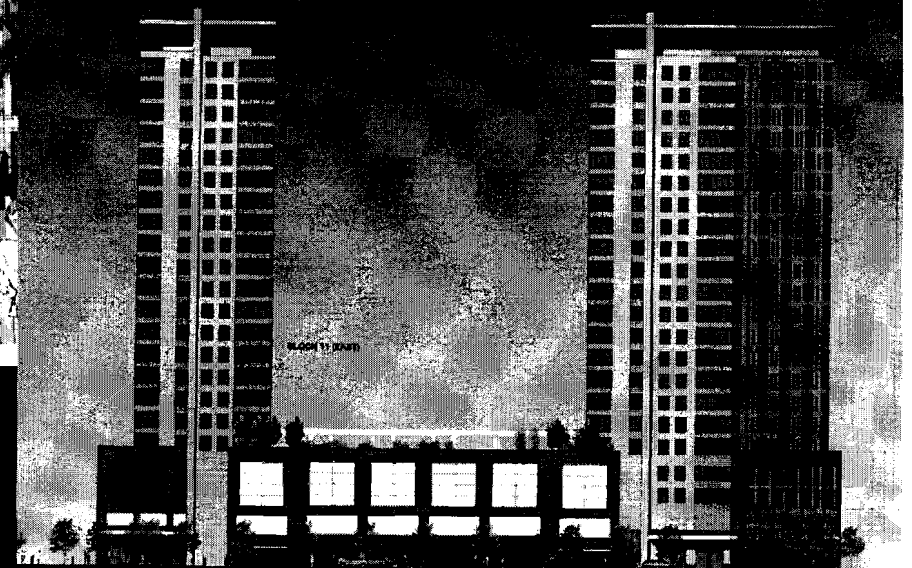
Key Topics Addressed by Staff

- Building design & environmental sustainability
- Improvements to the Eisenhower Metro Station
- Creation of public open space
- Pedestrian & streetscape improvements
- Affordable housing & associated density bonus
- Traffic, parking, & TMP
- Holmes Run Sewer



Eisenhower East Blocks 11 & 12

DSUP2009-0004



Initial Design

April 17, 2010

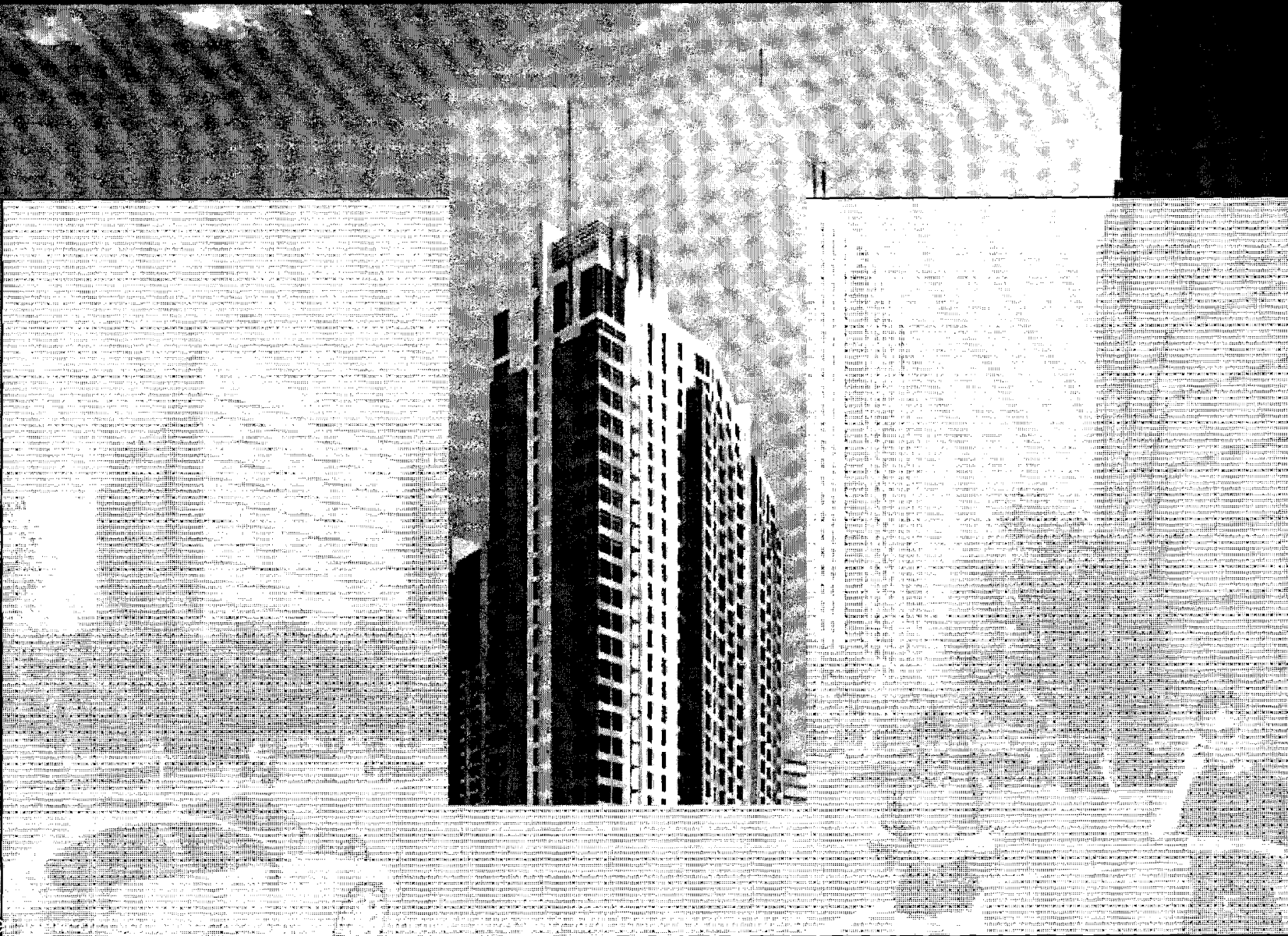
City Council

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Eisenhower East Blocks 11 & 12

DSUP2009-0004





Eisenhower East Blocks 11 & 12

DSUP2009-0004

Building Design



Street View of Blocks 11 & 12 from Eisenhower Avenue Metro Station



Eisenhower East Blocks 11 & 12

DSUP2009-0004

Building Design



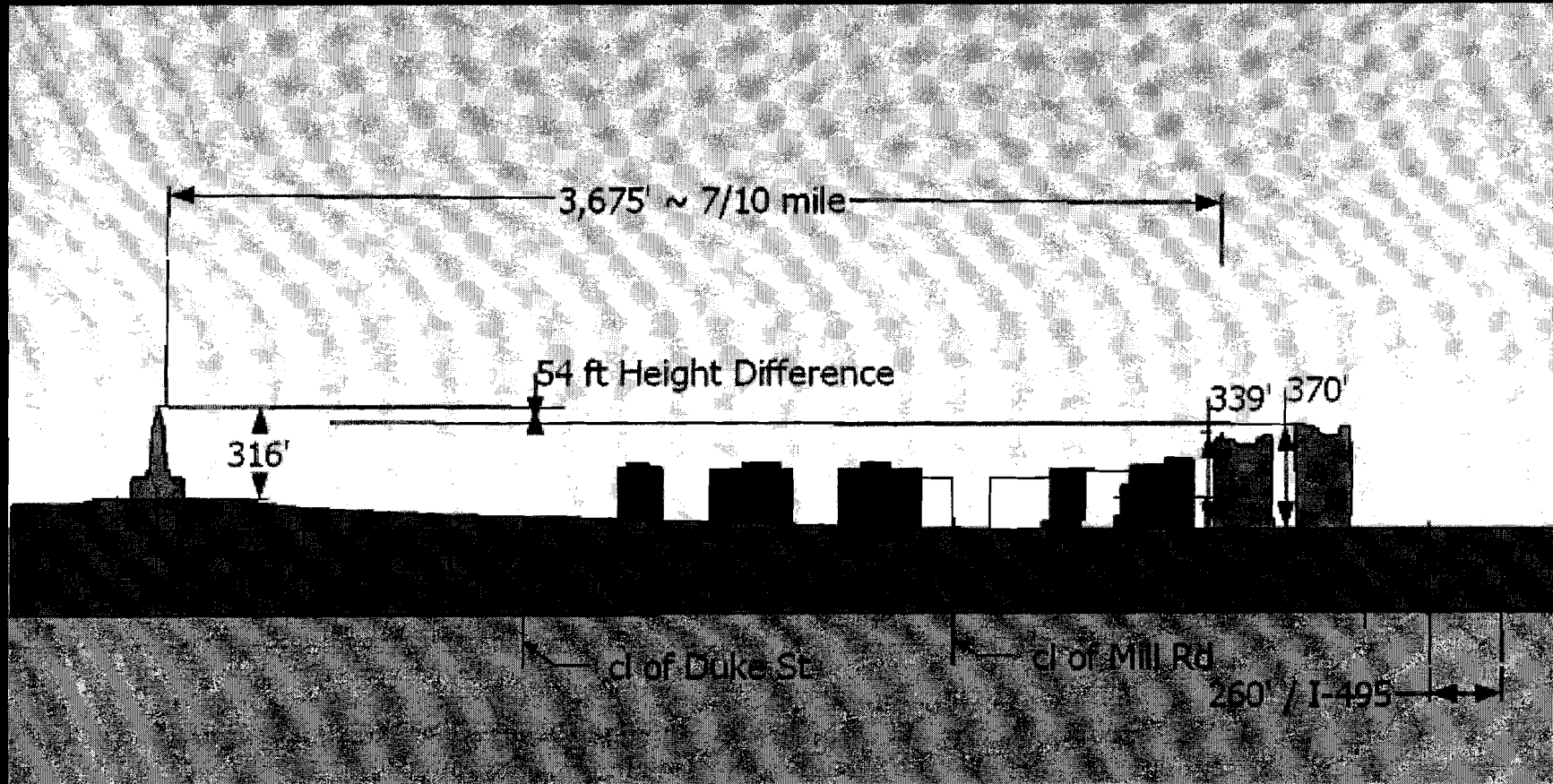
Perspective view from Capital Beltway

City Council

April 17, 2010



Building Design



Section – Residential Towers relationship with Masonic Temple



Eisenhower East Blocks 11 & 12

DSUP2009-0004

Building Design



View from Capital Beltway
City Council

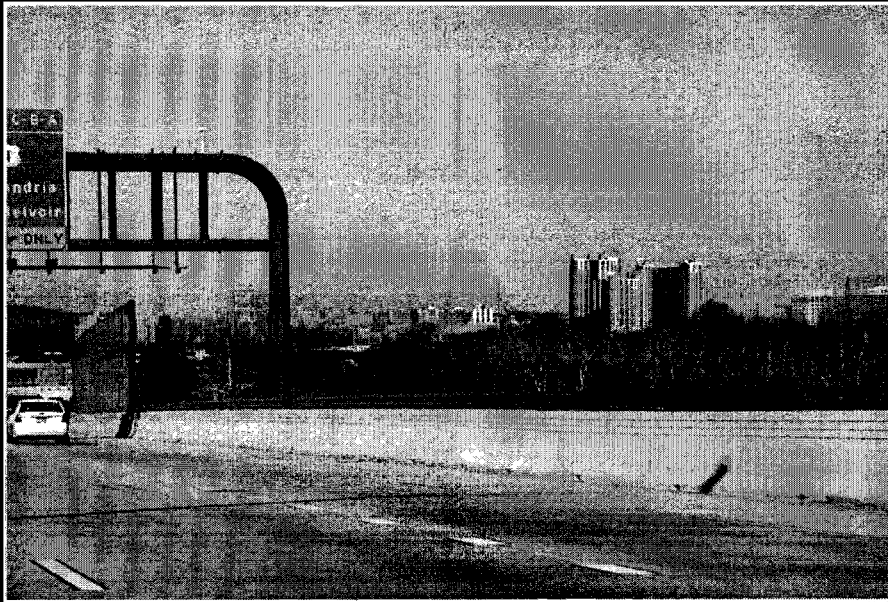
April 17, 2010

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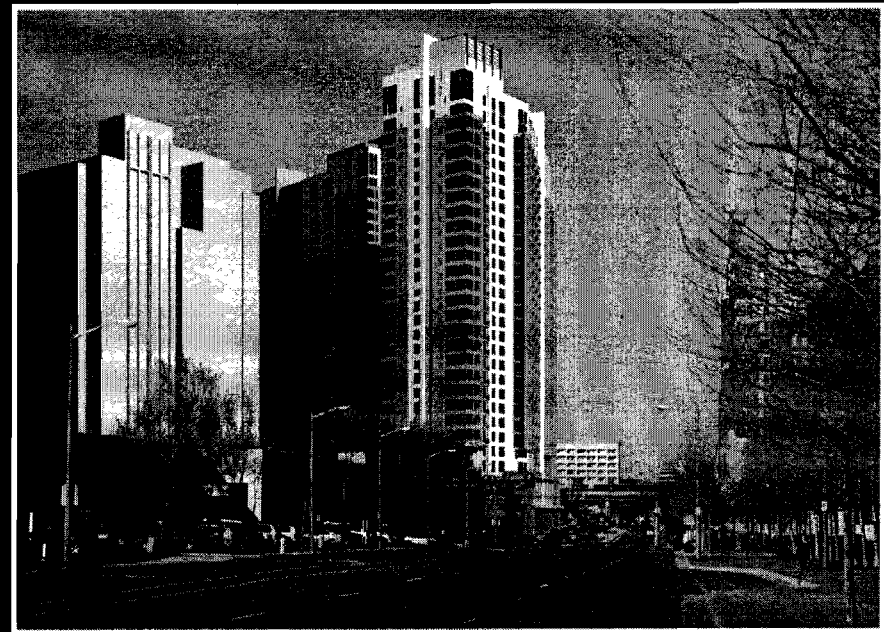


Eisenhower East Blocks 11 & 12

DSUP2009-0004



View from Capital Beltway



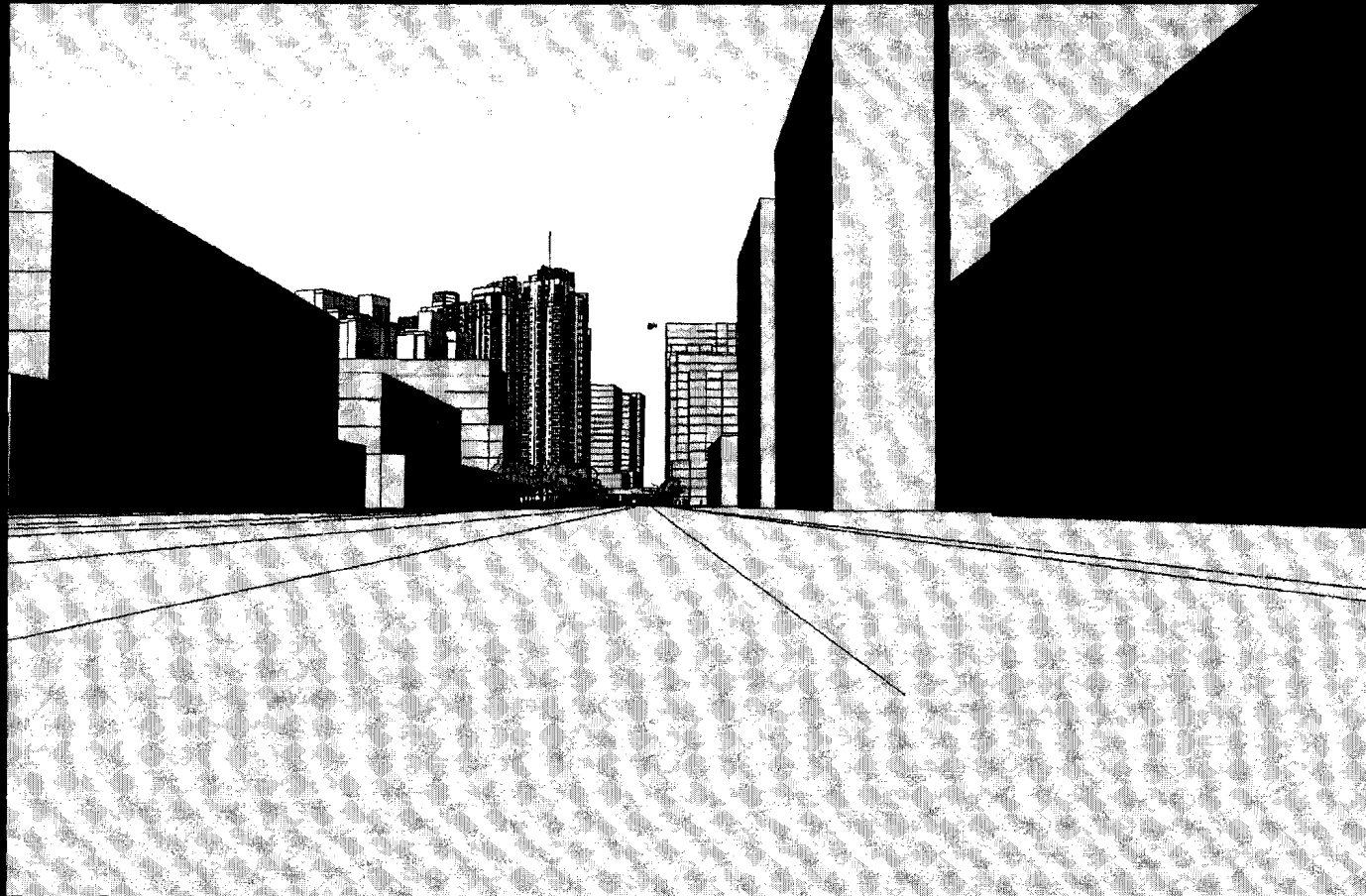
Street view from Eisenhower Ave



Eisenhower East Blocks 11 & 12

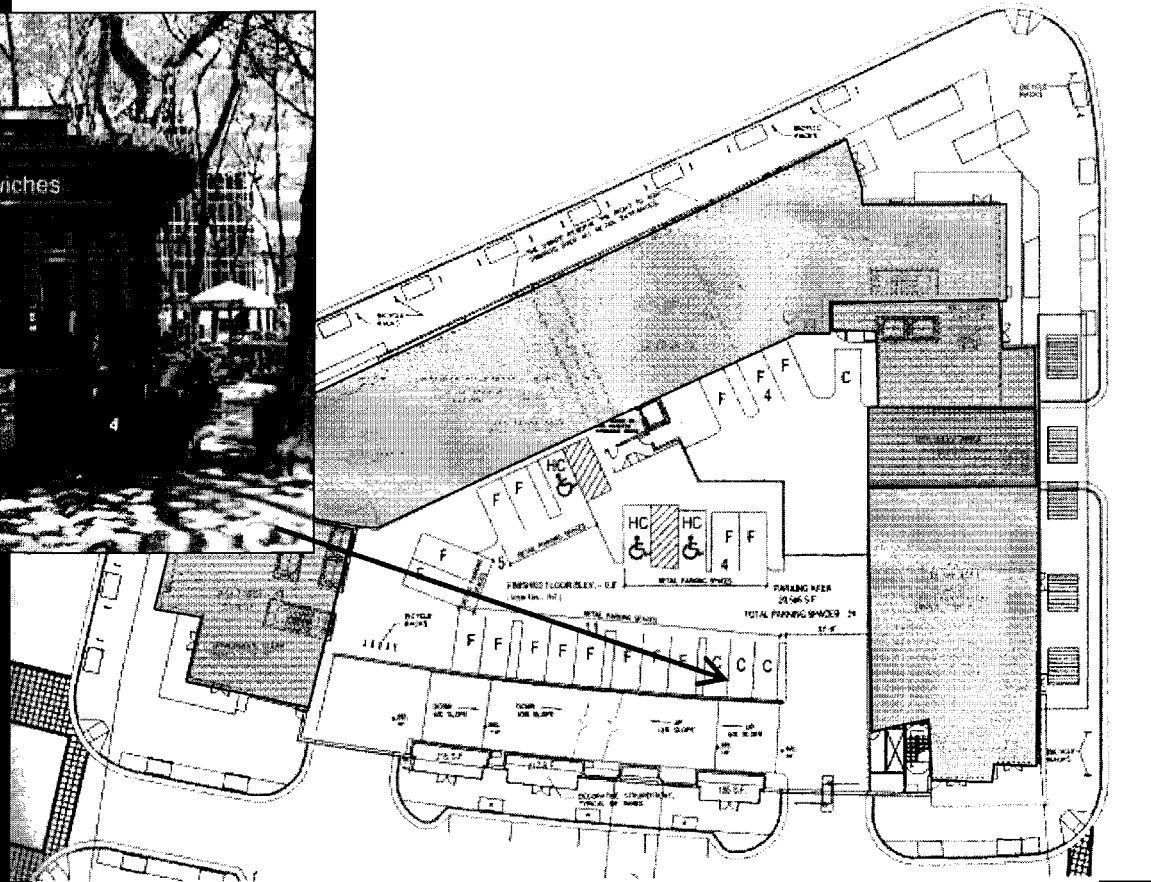
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Building Design





Building Design

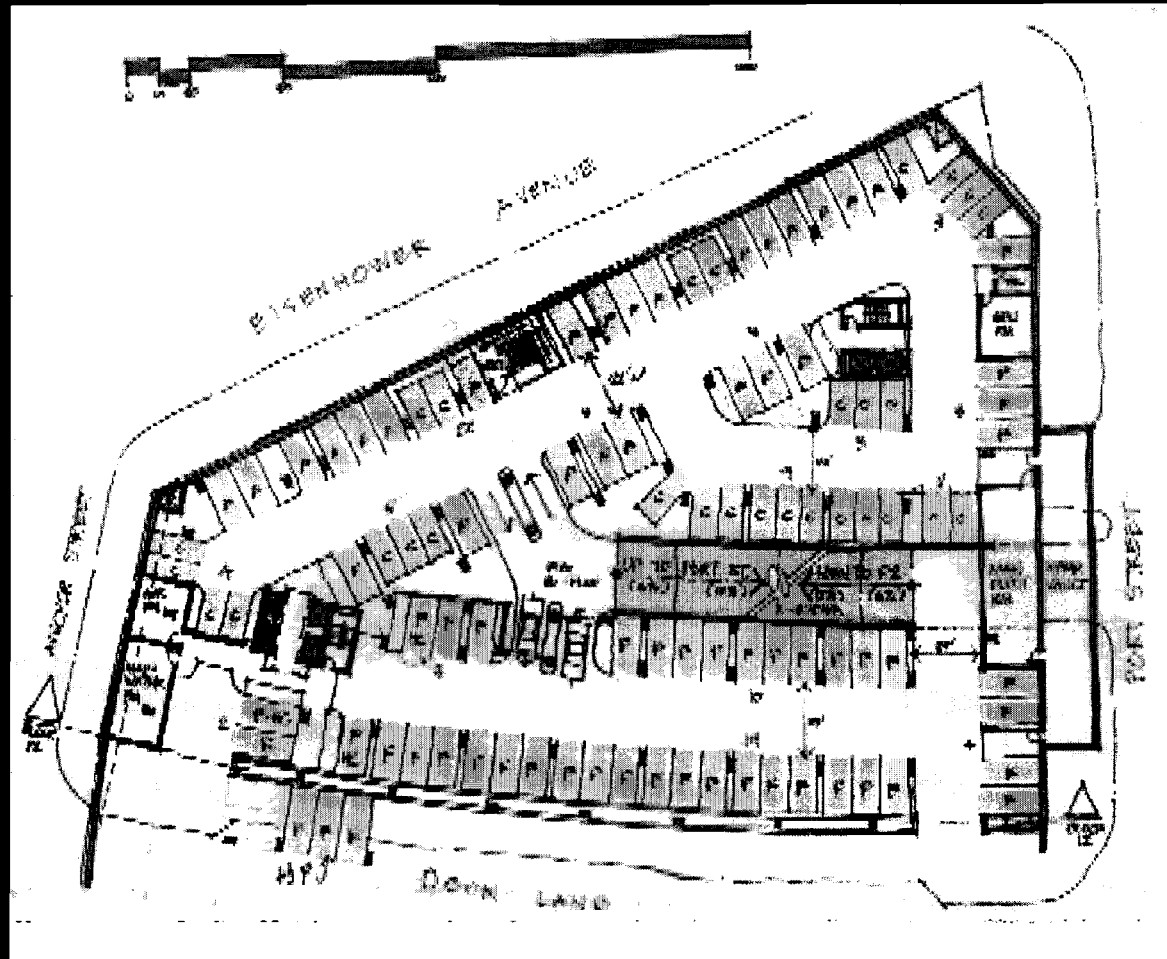


Staff Alternate Ground Floor Plan - Expanded Retail Space shown in blue
Applicant's Ground Floor Plan - Retail space shown in red



Eisenhower East Blocks 11 & 12

DSUP2009-0004

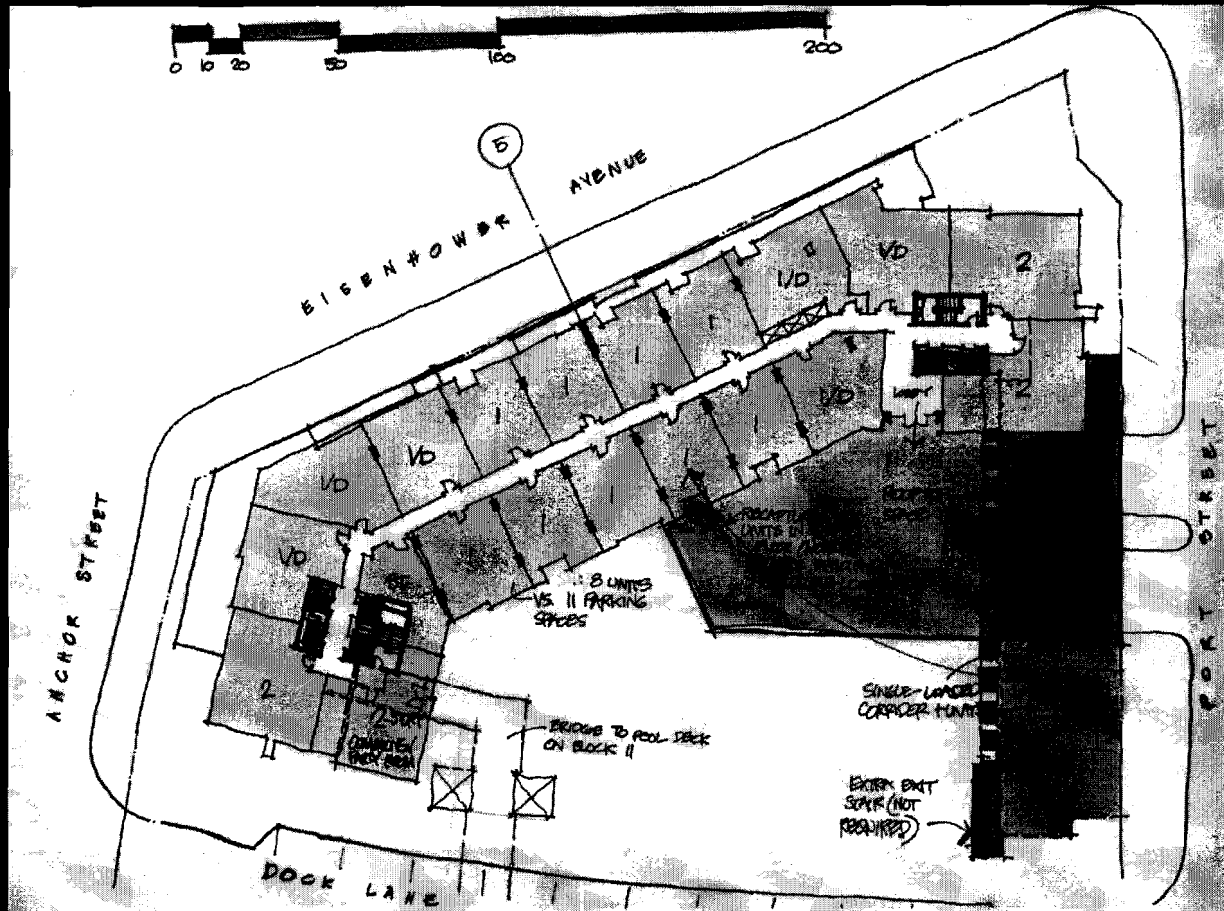


Staff Alternate First Garage Plan (P-1 Level) - Retail Parking is shown in blue



Eisenhower East Blocks 11 & 12

DSUP2009-0004



Staff Alternate Second Floor – Above-grade Amenity Deck shown in green



Green Building

■ Green Building Elements

- Native plantings to reduce potable water usage
- High albedo roof materials
- Locally sourced materials
- Low -e glazing
- Energy efficient lighting and HVAC systems
- EPA WaterSense low-flow plumbing fixtures

■ Green Globes vs. LEED certification

- LEED is City's preferred system
- Green Globes used heavily in Canada; used in a number of large projects in U.S.
- Both systems have similar building criteria/content
- Green Globes preferred by applicant as it is more simplified, accessible & user friendly
- Green Globes rating system different from LEED certification levels
 - 1 Green Globe = 35% of 1000 possible points
 - LEED Certification = 40% of 110 possible points

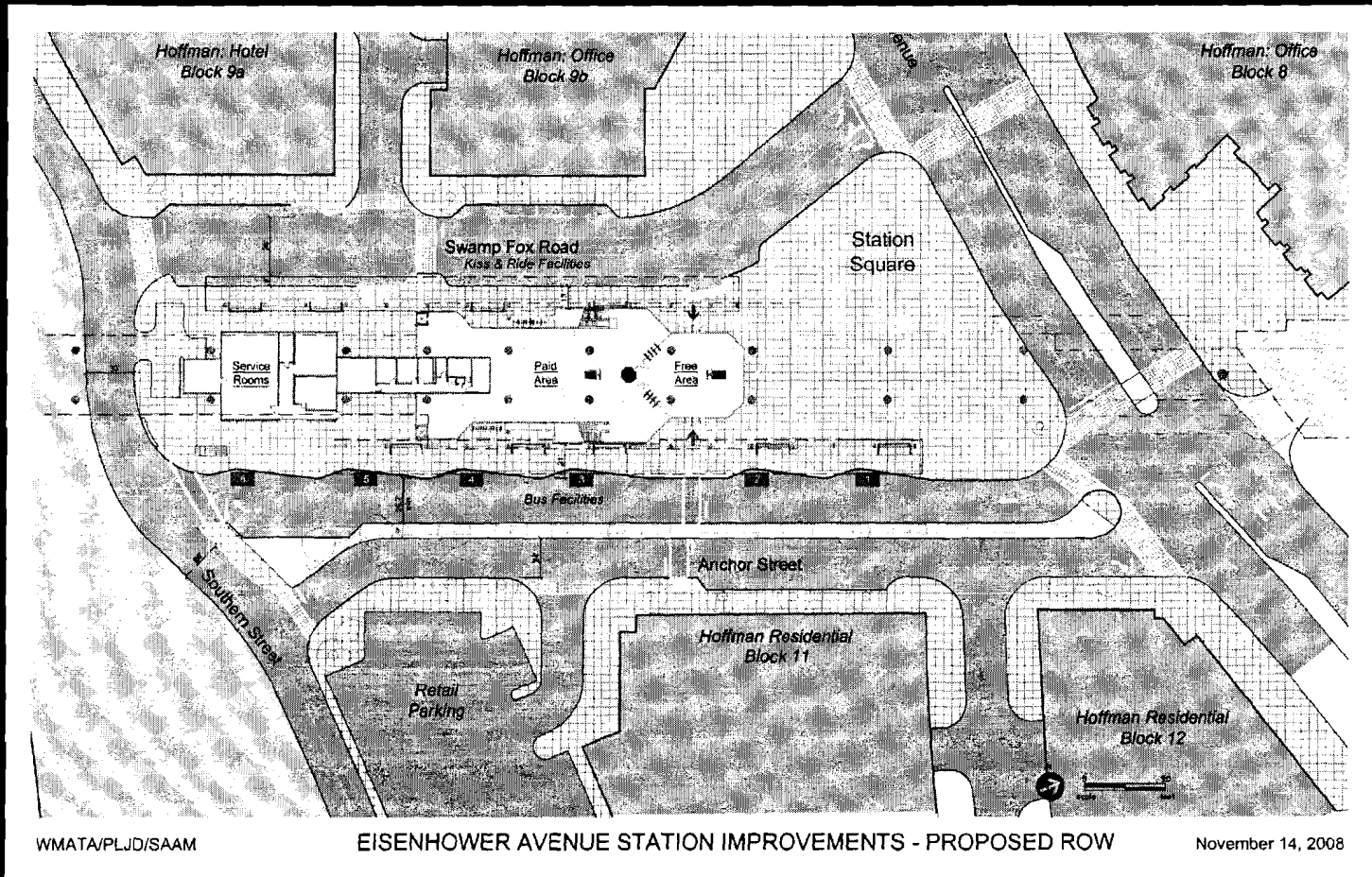
■ Recommendations if Green Globes used

- Achieve a minimum of 40% of possible Green Globes points (higher than the base 1 Green Globe)
- Third party assessment of Green Globes compliance
- Energy Star rating of 75 based on EPA's National Energy Performance Rating System



Eisenhower East Blocks 11 & 12

DSUP2009-0004



Eisenhower Metro Station Improvements Plan

April 17, 2010

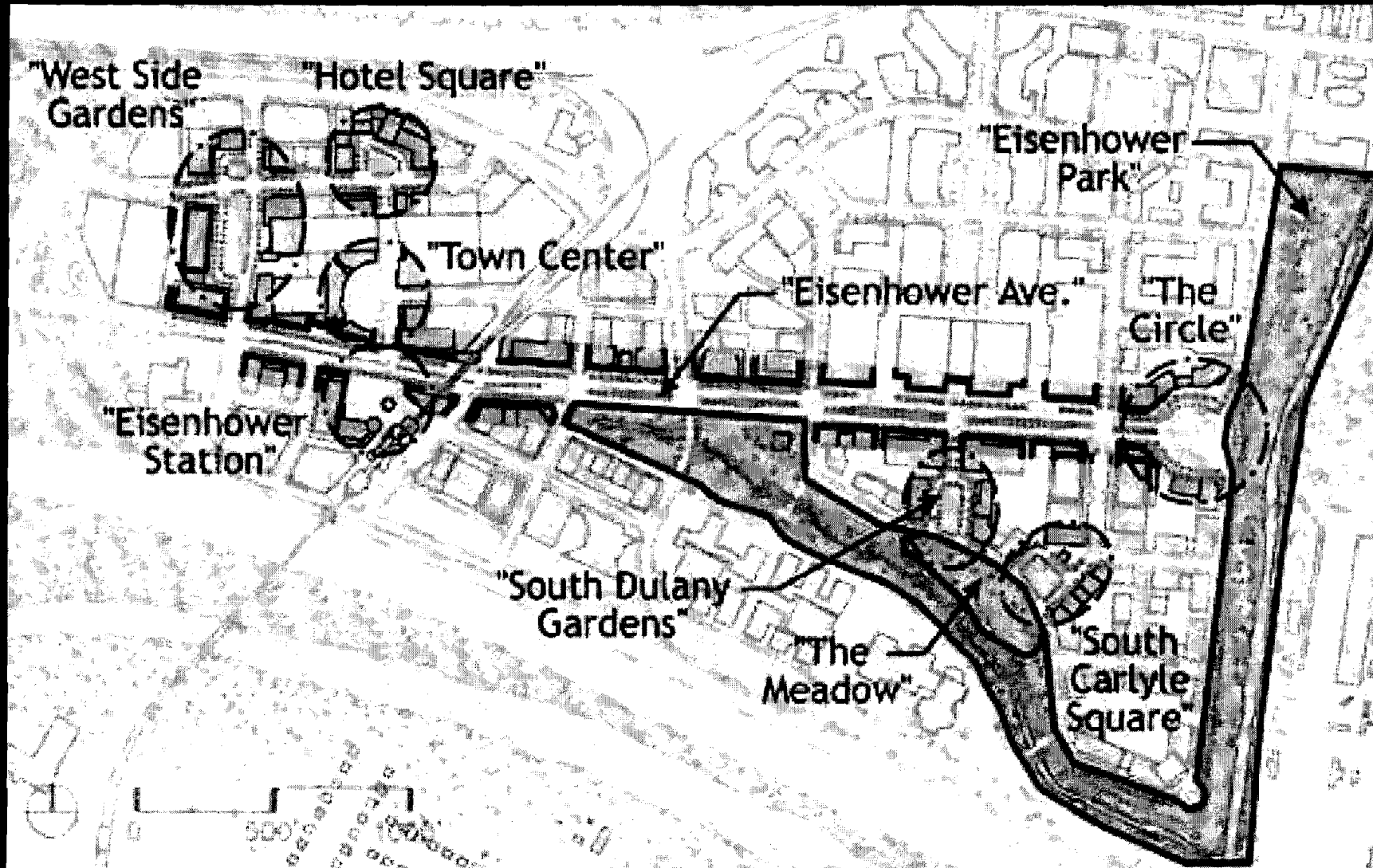
City Council

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Eisenhower East Blocks 11 & 12

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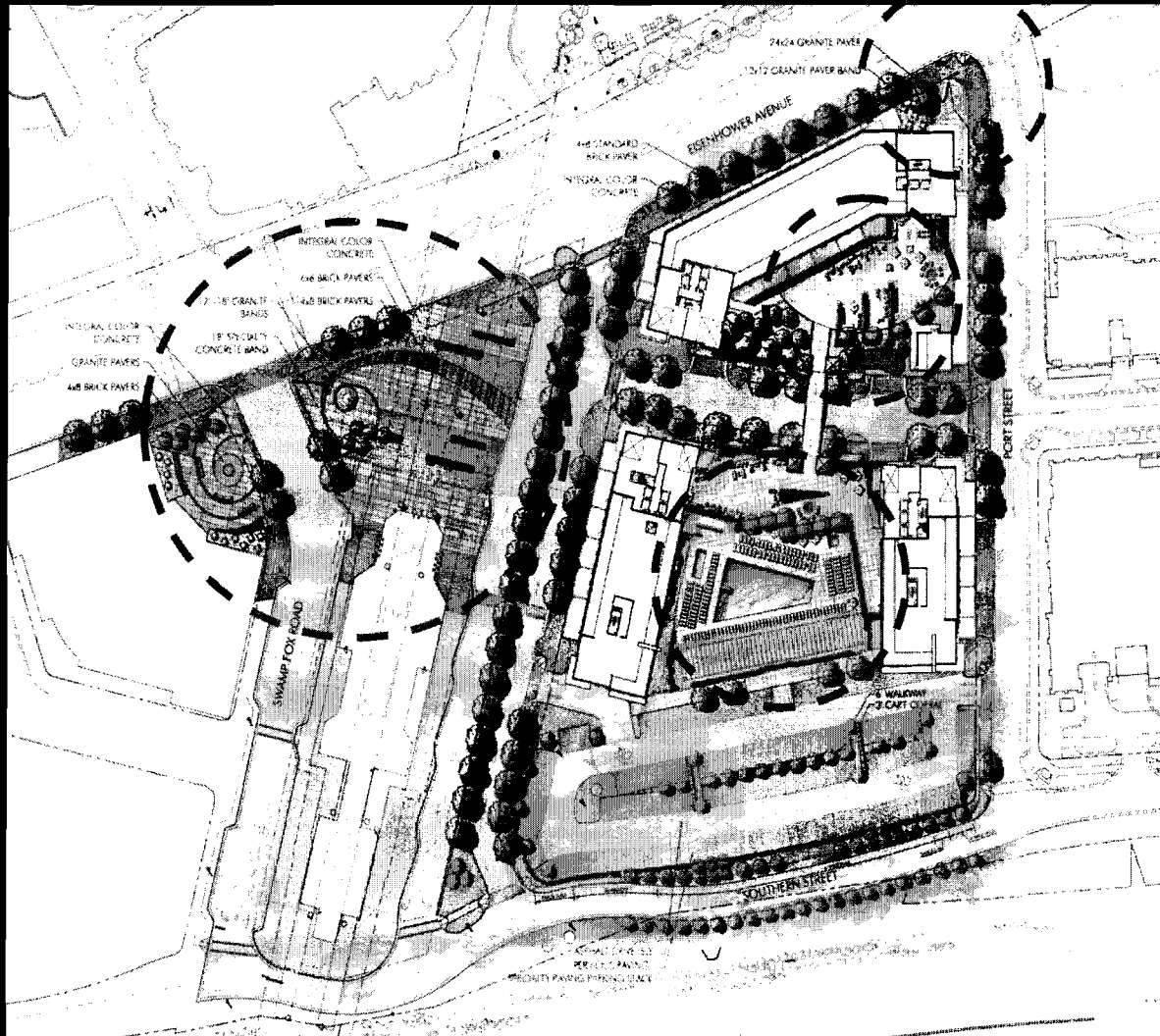


Eisenhower East Open Space Plan



Eisenhower East Blocks 11 & 12

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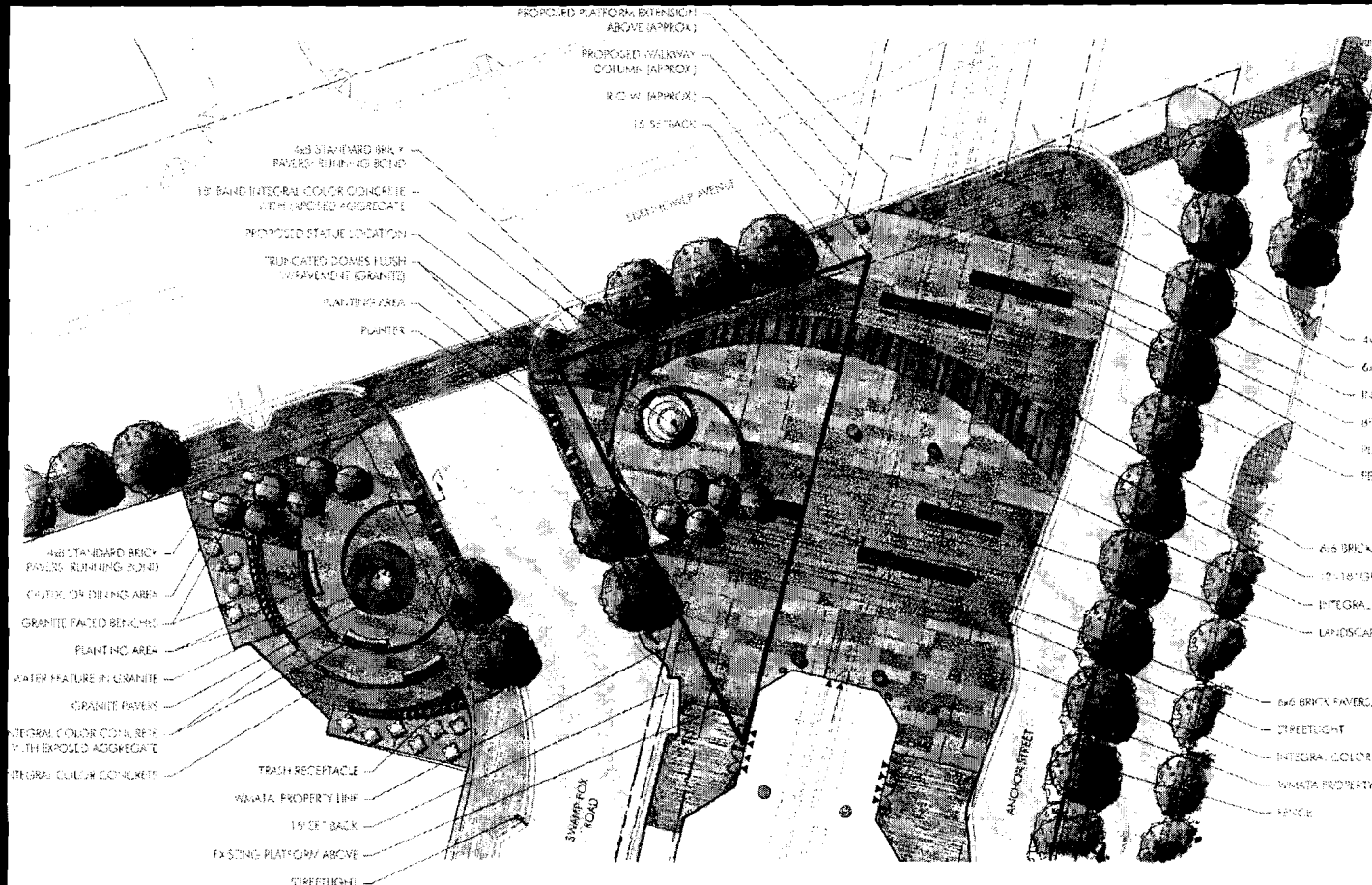


Eisenhower Metro Station Square and Blocks 11 & 12 Courtyards
City Council

April 17, 2010



Open Space

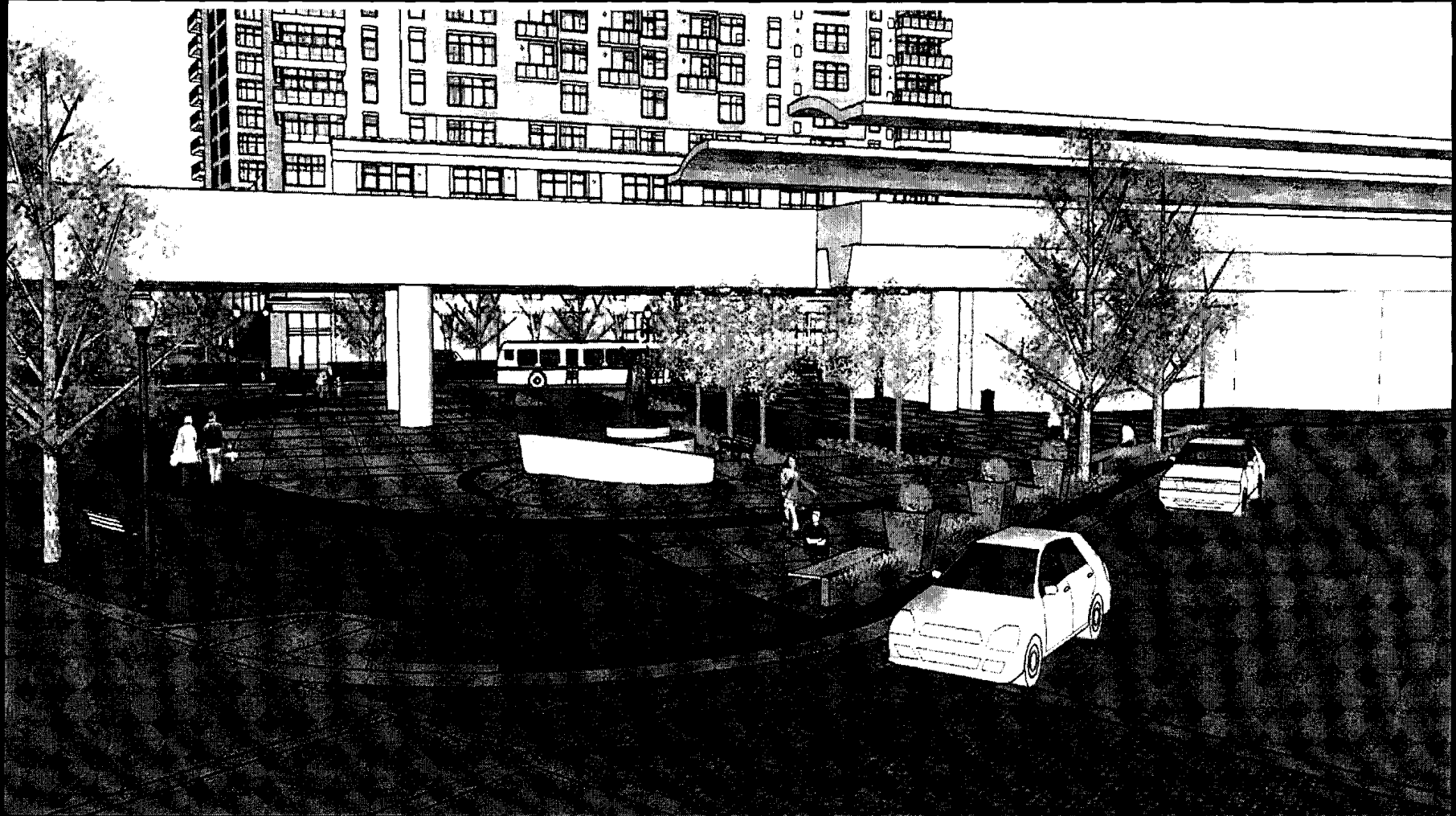


Eisenhower Metro Station Square Design



Eisenhower East Blocks 11 & 12

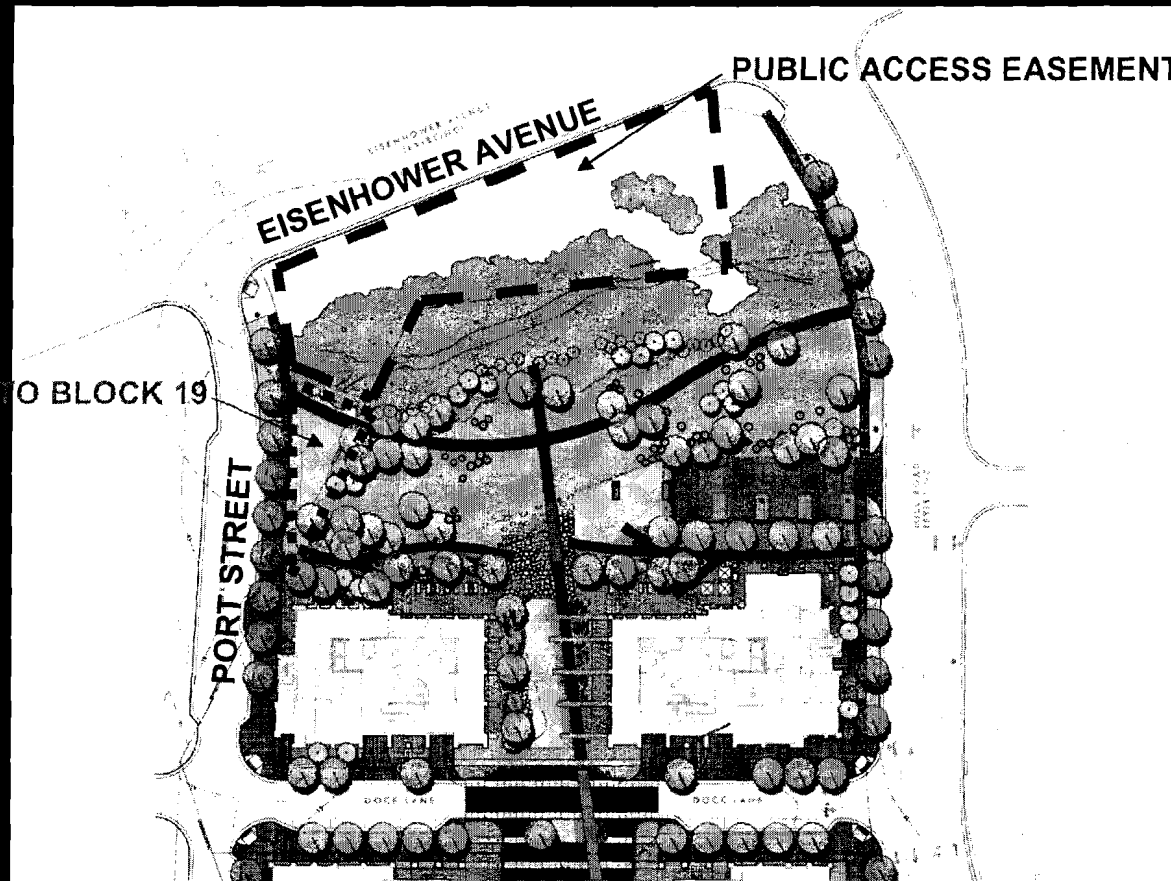
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Perspective of Eisenhower Metro Station Square Design



Open Space



RPA and open space area on Block 19



Affordable Housing

- Bonus Density – 145,000 SF (11% of maximum allowed density)
- 50-55 affordable housing units (33% of bonus density)
- Rented to individuals making up to 60% of the area medium income
- Voluntary cash contribution of \$3,333,151
- Maximizes affordable housing opportunity at a Metro station
- Consistent with transit-oriented goals and Smart Growth
- Units will be same size and floor plan as other units with same amenities
- Units will be scattered throughout project – not concentrated

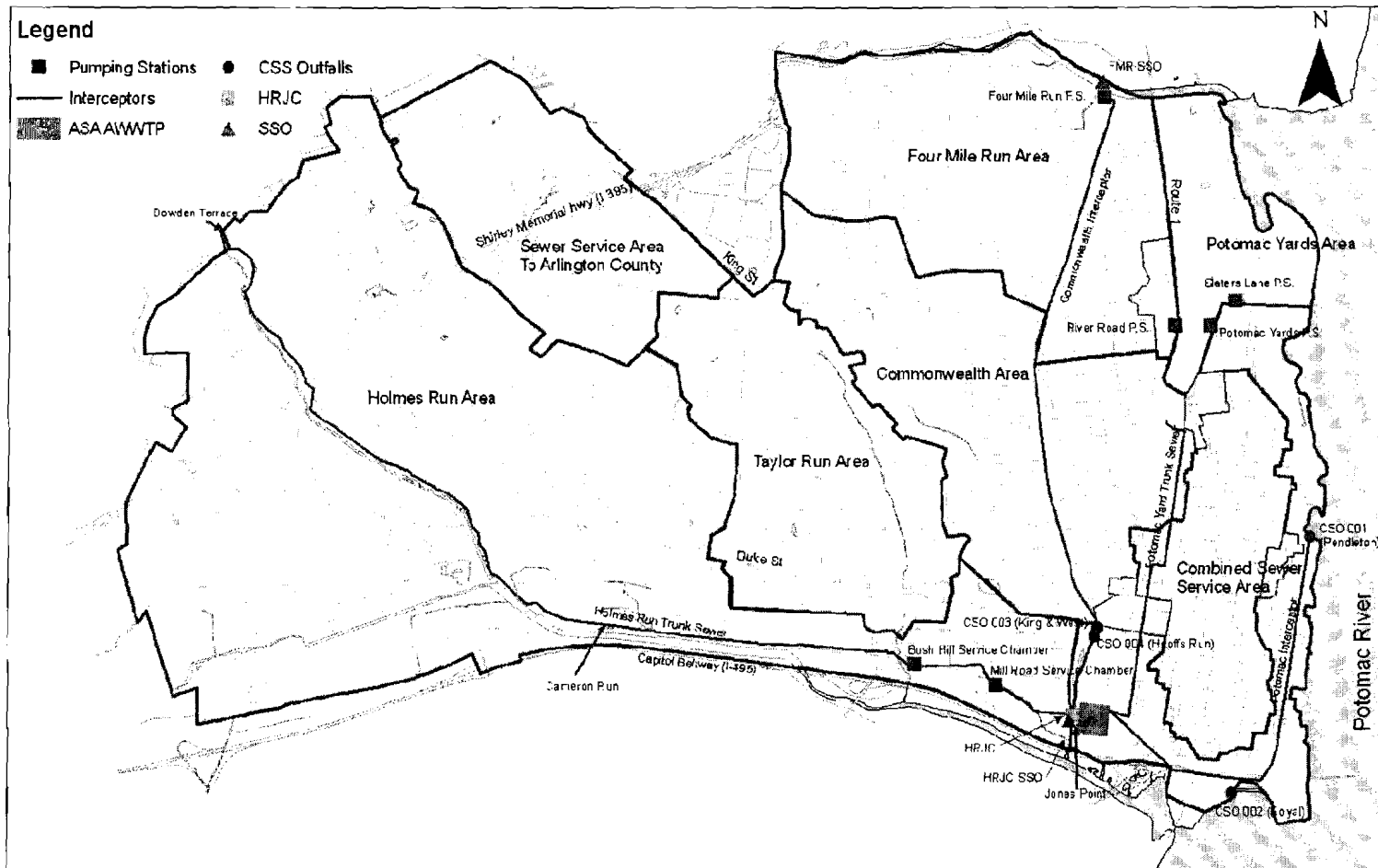


Wet Weather Sanitary Sewer Capacity Holmes Run Sewer Shed

- Wet weather peak flows contribute to risk of overflows at Hooff's Run Junction Chamber
- Overflows are reportable to VA DEQ by ASA
- ASA and City concerned about issuing "Acceptance Letters"



Wet Weather Flows Holmes Run Sewer Shed





Eisenhower East Blocks 11 & 12

DSUP2009-0004

Wet Weather Capacity Mitigation Measures

- **Sewer Rehabilitation**
 - \$19 million spent to date
 - \$25 million budgeted through 2015
- **Wet Weather Storage**
 - On-site
 - Along trunk sewer
 - At ASA
- **Sanitary Sewer Master Plan to establish solutions and implementation**
- **Current and future development part of the challenge and solution**



Eisenhower East Blocks 11 & 12

DSUP2009-0004

Conclusion

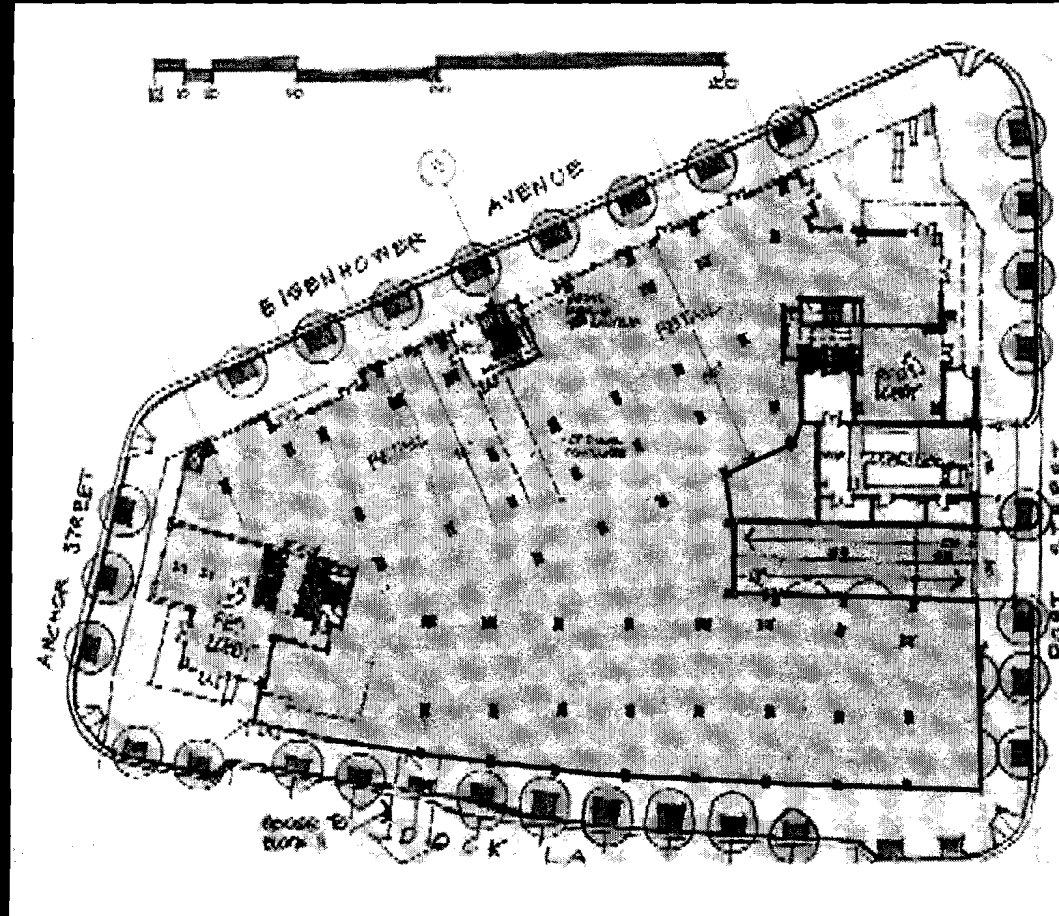




Eisenhower East Blocks 11 & 12

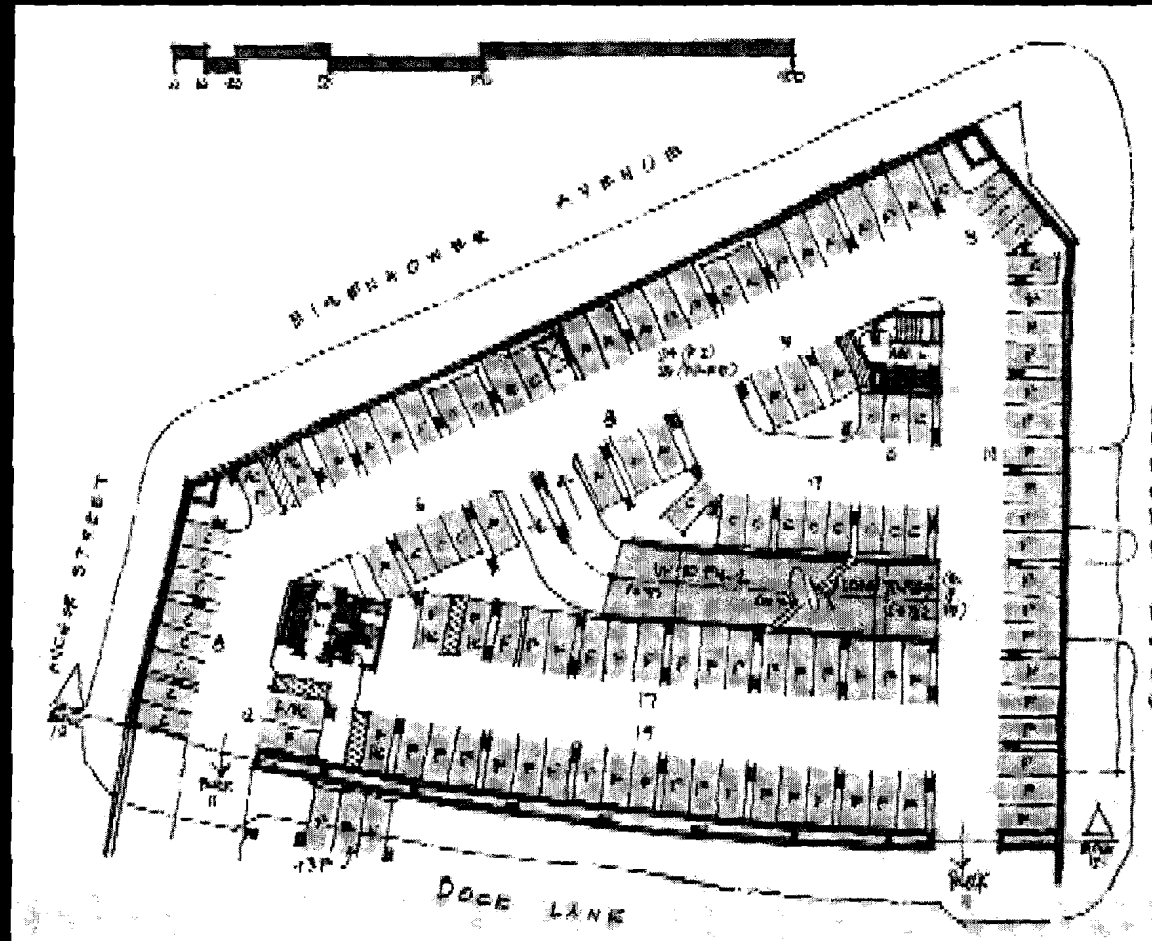
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Building Design





Building Design



Staff Alternate Garage Plan Levels P2-P5



Eisenhower East Blocks 11 & 12

DSUP2009-0004

Building Design



City of Alexandria Department of Planning and Zoning, December 15, 2008 PPM

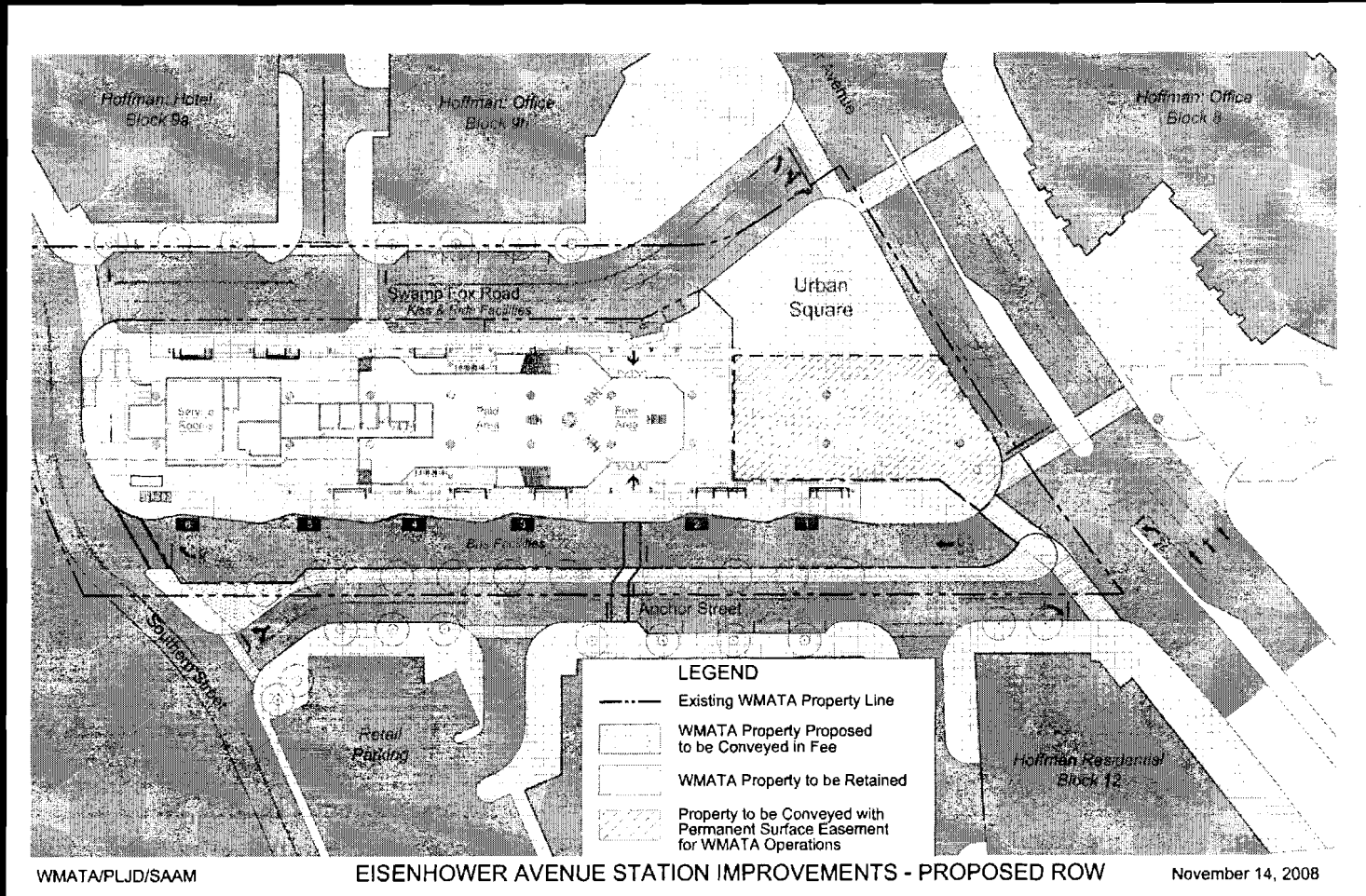
Building Heights in Carlyle/Eisenhower East Area
Heights based on GIS building elevation data base from aerial photography. Heights measured within general roof area. Includes mechanical penthouses that make up more than 50% of roof area.

Carlyle Heights Exhibit



Eisenhower East Blocks 11 & 12

DSUP2009-0004



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

Jonathan P. Rak
Direct: 703.712.5411

McGUIREWOODS

6
4-17-10

Land Use and Environmental
jrak@mcguirewoods.com

April 16, 2010

VIA EMAIL TO jackie.henderson@alexandriava.gov

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

RE: Hoffman, Blocks 11 and 12, April 17th, Docket Item #6

Dear Mayor Euille and Members of City Council:

On behalf of our client, the Hoffman Family, LLC ("Hoffman"), we are writing to:
1) summarize the applicable provisions of the Hoffman Process Agreement (the "Process Agreement") and the Hoffman Stage 1 DSUP; 2) to request changes to the staff recommended conditions for the Stage 2 Block 11 and 12 Development Special Use Permit 2009-0004 (the "Stage 2 DSUP"); and 3) request changes to the affordable housing conditions as approved by the Planning Commission.

I. The Stage 1 DSUP And The Process Agreement Provide Hoffman With Vested Development Rights And Established The Parameters For The Stage 2 DSUP.

The approved concept plan for the Hoffman properties (CDD 2005-0002) and the DSUP #1 for Blocks 11 and 12 (DSUP 2005-034)(referred to collectively as the "Stage 1 DSUP"), established the allowable density, set the street grid provided basic building massing for each block, established all the proffers of development, financial, infrastructure, open space, etc., and established all the conditions of the development, other than those items that specifically related to the Stage 2 agreed upon DSP Checklist with an "N" to denote they were not addressed in the Stage 1 DSUP.

The Stage 1 DSUP provides Hoffman with vested development rights and sets forth the parameters for the Stage 2 DSUP as the process by which the vested rights in the Stage 1 DSUP are further engineered and architecturally refined for approval and development. Hoffman and the City memorialized this process by executing the Process Agreement.

The Process Agreement states that the Stage 2 DSUP will only address those few issues marked "N" on the DSP Checklist attached to the Process Agreement and explicitly states that the terms and development conditions approved in the Stage 1 DSUP cannot be modified by the Stage 2 DSUP unless the City and Hoffman mutually agree to the changes.

II. Hoffman And The City Have Not Reached An Agreement On Three Of The Staff Recommended Conditions Contained In The Stage 2 DSUP.

Over the past 18 months Hoffman and the City staff have worked together to reach an agreement on all but 3 of the 136 staff recommended conditions. Therefore, given the provisions of the Process Agreement and the Stage 2 DSUP, we respectfully request the following 3 revisions:

Condition 8(f)

accept
Provided that the City agrees to reimburse the applicant (by form of credit to final site plan fee, building permit, and/or CO fee, at applicant's election) for all costs incurred in connection with designing the portion of the plaza that the applicant does not have the obligation to construct in the Stage 2 PDSUP Infrastructure Phasing Plan on Sheet 10 of the Preliminary Plan, the final design of the eastern plaza shall include the area under the metro platform and such design shall be completed prior to final site plan approval for the Stage 2 DSUP for Blocks 11 and 12. The plaza shall include at a minimum, hardscaping and landscaping to accommodate informal and formal outdoor events, shows and other activities for workers, retail patrons and visitors, as well as residents of the City. The square shall also include the following:

Condition 15 (f) - STRIKE

~~In addition to the above provisions, provide a perpetual public access easement over the remaining at grade privately owned open space area on Block 19. The perpetual open space easement shall enable the open space area to be fully accessible to the public for hours and guidelines approved by the Directors of RP&CA and P&Z in consultation with the applicant. All easements and reservations shall be dedicated on the easement plat and shall be approved prior to the release of the final site plan. * (P&Z)(RP&CA)~~

Condition 72

The Applicant shall construct the Eisenhower Avenue widening improvements along Block 12, including but not limited to the Sidewalk Area, travel lanes and median, prior to the release of the final certificate of occupancy for Block 12. If the City obtains funding for and schedules the construction of the Eisenhower Avenue widening improvements by the City or its designee prior to the release of the final site plan for Block 12, the applicant shall either provide a payment of \$795,882.00 to the City in satisfaction of the Applicant's obligation under Condition 26 of CDD2005-0002 to pay the equivalent of the actual cost of constructing the Eisenhower Avenue improvements including but not limited to the sidewalk area/shared use path, travel lanes and median for the portion of the Eisenhower Avenue improvements located along Block 12 or the applicant shall construct these improvements at the discretion of the Directors of P&Z and T&ES. This payment is required prior to release of the first certificate of occupancy for Block 11 or 12, provided, however, that in no event shall payment be made later than 24 months from the commencement of construction.

III. The Planning Commission's Extension Of The Time Period For The Reservation Of The Affordable Housing Units In Perpetuity Is Not In Accordance With The City's Affordable Housing Policy.

At the April 6, 2010 Planning Commission hearing, the Planning Commission proposed and approved an amendment to the recommended conditions of approval to require the perpetual provision of the affordable housing rental units. This recommendation is counter to the City's current affordable housing policy. Hoffman cannot agree to the perpetual provision of the affordable units. As such, we request that Condition 51 be restored to the version recommended by staff as noted below. In addition, we have submitted a unit mix to the City and request that the City Council approve the unit mix as submitted and delete the reference to a mix of units to be approved by the Director of Housing. If the City cannot agree to the changes below, Hoffman will withdraw its request for the affordable housing density bonus and request that the 120,760 square feet of residential density provided by the affordable housing density bonus be transferred to Blocks 11 and 12 from Block 24.

Condition 50

accepted by staff
~~The developer shall provide affordable set-aside rental units, with the mix of units to include a percentage of studio, one bedroom, one bedroom w/den, two bedroom, and two bedroom with den units as each such category of unit is more or less found in the whole project to the satisfaction of the Director of Housing.~~ The developer shall provide the mix of fifty-six affordable set-aside rental units as set forth in the unit matrix submitted to the Director of Housing on April 15, 2010. The total gross floor area for the affordable set-aside units shall be equal to 1/3 of the affordable housing density bonus. The portion of the affordable units applicable to each building shall be provided as each building is occupied.

Condition 51

restore the original condition
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 30 years from the date of initial occupancy of each affordable unit. The developer shall re-certify the incomes of such households annually. (Housing)

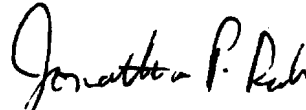
Finally, at this point in the development process, the applicant is in the process of finalizing the interior design of the individual tenant units and amenity spaces for the project. The applicant will work with staff during the final site plan approval process to ensure that the project can accommodate market expectations for these spaces while complying with the total adjusted gross floor area limitations contained within the CDD#2 and Stage 2 DSUP approval. Given the size and scale of the buildings in this application and the precise floor area limitations contained in the approvals, the applicant may in the future request City Council approval of a minor transfer of residential floor area to Block 11 or 12 from another property owned by the applicant within Hoffman CDD#2. Such a transfer would not change the height or massing of

April 16, 2010
Page 4

the buildings and would only be needed to reconcile the difference between the massing approved in this application and the final site plan floor area calculations.

We appreciate the time and effort both staff and the Planning Commission have invested in this Stage 2 DSUP and we look forward to discussing these revisions with you at the City Council hearing on April 17th.

Sincerely,



Jonathan P. Rak

Enclosures

cc: Faroll Hamer, Director, Planning and Zoning (via email)
Gwen Wright, Chief, Development Division (via email)
James Banks, City Attorney (via email)
Michael Perine, Hoffman (via email)

\\1107559.2

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4-17-10

Language in April 16th letter to Council:

Condition 72

~~The Applicant shall construct the Eisenhower Avenue widening improvements along Block 12, including but not limited to the Sidewalk Area, travel lanes and median, prior to the release of the final certificate of occupancy for Block 12. If the City obtains funding for and schedules the construction of the Eisenhower Avenue widening improvements by the City or its designee prior to the release of the final site plan for Block 12, the applicant shall either provide a payment of \$795,882.00 to the City in satisfaction of the Applicant's obligation under Condition 26 of CDD2005-0002 to pay the equivalent of the actual cost of constructing the Eisenhower Avenue improvements including but not limited to the sidewalk area/shared use path, travel lanes and median for the portion of the Eisenhower Avenue improvements located along Block 12 or the applicant shall construct these improvements at the discretion of the Directors of P&Z and T&ES. This payment is required prior to release of the first certificate of occupancy for Block 11 or 12, provided, however, that in no event shall payment be made later than 24 months from the commencement of construction.~~

Proposed revisions (recommended by T&ES and P&Z):

Replacement for 72

The Applicant shall design and construct the Eisenhower Avenue widening improvements along Block 12, including but not limited to the sidewalk area, travel lanes and median, prior to the release of the final certificate of occupancy for Block 12. The design of these improvements shall be to the satisfaction of the Directors of T&ES and P&Z. If, however, the City notifies the Applicant, prior to the commencement of construction for either Blocks 11 or 12, that the City will be undertaking construction of the Eisenhower Avenue widening improvements including the frontage of Block 12, then the Applicant shall provide a payment of \$795,882.00 to the City in satisfaction of the Applicant's obligation under Condition 26 of CDD2005-0002 to pay the equivalent of the actual cost of constructing the Eisenhower Avenue improvements. This payment is required prior to release of the first certificate of occupancy for Block 11 or 12, provided, however, that in no event shall payment be made later than 24 months from the commencement of construction of either Blocks 11 or 12.

SPEAKER'S FORM

DOCKET ITEM NO. 6

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. 703 712 5000 E-MAIL ADDRESS: jrak@mcguirewoods.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 ENCROACHMENT # 2010-0004

[must use black ink or type]

PROPERTY LOCATION: 2210 Eisenhower Avenue

TAX MAP REFERENCE: 078.02-01-03 ZONE: CDD#2

APPLICANT'S NAME: Hoffman Family LLC

ADDRESS: 2210 Eisenhower Avenue, Alexandria, Virginia

PROPERTY OWNER NAME: Same as above

ADDRESS: Same as above

ENCROACHMENT DESCRIPTION: Request for approval of an encroachment into the public right-of-way for underground electrical transformer vaults on site due to limited site area and utility easements.


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

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

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

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

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


Signature

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

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

McLean, Virginia 22102
City and State Zip Code

3/24/2010
Date

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

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

ACTION - PLANNING COMMISSION: Rec approval 6-0 4/6/10

ACTION - CITY COUNCIL: 4/17/10 - CC approved PC recommendation w/ changes 6-0 (see attachment)

**APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2009-0004**

REVISED 11/6/09

PROJECT NAME: Hoffman Blocks 11 and Block 12

PROPERTY LOCATION: 2210 Eisenhower Avenue

TAX MAP REFERENCE: 078.02-01-03 ZONE: CDD#2

APPLICANT Name: Hoffman Company, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

PROPERTY OWNER Name: Hoffman Family, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

SUMMARY OF PROPOSAL: Request for a secondary Development Special Use Permit pursuant to CDD Concept Design Plan #2005-0002 to complete the Development Special Use Permit 2005-0034 approved in February 2006 for Residential and Retail Uses and associated parking on Blocks 11 and 12 of the Eisenhower East Small Area Plan.

MODIFICATIONS REQUESTED: 1) Modification of Section 8-200(E) of the zoning ordinance that requires that only 30% of retail spaces may be compact as described in the application; 2) Modification of Section 11-410(CC) and the Alexandria Landscape Guidelines as described in the application; 3) Modification of the Eisenhower East Small Area Plan Design Guidelines as described in the application.

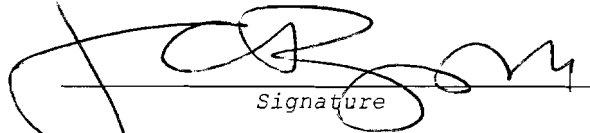
SUP's REQUESTED: 1) SUP for a density bonus pursuant to Section 7-700 as described in the application; 2) SUP for mechanical penthouses pursuant to Section 6-403(B)(2) as described in the application; 3) DSUP #2 pursuant to Hoffman CDD Concept Plan 2005-0002; 4) an amendment to TMP SUP 2005-0115 to incorporate increase AGFA and number of parking spaces; and 5) amendment to CDD 2005-0002 to include the revised AGFA, parking spaces and height for blocks 11 and 12.

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.

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


Signature

McGuireWoods LLP
1750 Tysons Blvd., Suite 1800
Mailing/Street Address
McLean, Virginia 22102
City and State Zip Code

(JGF) (703) 712-5349 (703) 712-5217
(JPR) (703) 712-5411 (703) 712-5231
Telephone # Fax #

=====**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: Rec Approval w/amendments 6-0 4/6/10
ACTION - CITY COUNCIL: 4/17/10 - CC approved PC recommendation w/changes (see attachment)



APPLICATION

MPA# 2009-0002

[] Master Plan Amendment MPA #

[] Zoning Map Amendment REZ #

REVISED: 11/6/09

PROPERTY LOCATION: 2210 Eisenhower Avenue, Alexandria, Virginia

APPLICANT

Name: Hoffman Company, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-000

PROPERTY OWNER:

Name: Hoffman Family, LLC
Address: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

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.

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


Signature

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

(JCF) (703) 712-5349 (703) 712-5217
(JPR) (703) 712-5411 (703) 712-5231
Telephone # Fax #

McLean, VA 22102
City and State Zip Code

Date

DO NOT WRITE IN THIS SPACE – OFFICE USE ONLY	
Application Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	ACTION – CITY COUNCIL: <u>4/17/10 - CC approved</u>
ACTION – PLANNING COMMISSION <u>4/16/10</u>	PC recommendation <u>6-0</u>
<u>Resolution Adopted 16-0</u>	(see attachment)

3-159



APPLICATION

CDD DEVELOPMENT CONCEPT PLAN

CDD # 2009-0002

[must use black ink or type]

PROPERTY LOCATION: 2210 Eisenhower Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 078.02-01-03 **ZONE:** CDD #2

APPLICANT'S NAME: Hoffman Company, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria Virginia 22331-0100

PROPERTY OWNER NAME: Hoffman Family, LLC

ADDRESS: 2461 Eisenhower Avenue, Alexandria, Virginia 22331-0100

REQUEST Request for an amendment to CDD 2005-0002 to incorporate the revised AGFA, height and number of parking spaces requested pursuant to a bonus density special use permit.

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.

Joanna C. Frizzell, Esquire, Agent
Jonathan P. Rak, Esquire, Agent

Print Name of Applicant or Agent



Signature

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800

Mailing/Street Address

(JCF) (703) 712-5349
(JPR) (703) 712-5411

Telephone #

(703) 712-5217
(703) 712-5231

Fax #

McLean, VA

City and State

22102

Zip Code

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____
ACTION - PLANNING COMMISSION: Rec. Approval 16-0
4/16/10

Date and Fee Paid: _____ \$ _____
ACTION - CITY COUNCIL: 4/17/10- CC approved PC
recommendation 16-0

x 163

of two street names; zoned CDD-2/Coordinated Development District-2.
Applicant: Hoffman Company, LLC represented by Jonathan Rak, attorney

PLANNING COMMISSION ACTION:

CDD RECOMMEND APPROVAL 6-0
MPA RESOLUTION ADOPTED 6-0
DSUP RECOMMEND APPROVAL w/ amendments 6-0
TMP RECOMMEND APPROVAL 6-0
ENC RECOMMEND APPROVAL 6-0
SN APPROVED 6-0

(A copy of the Planning Commission report dated April 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 04/17/10, and is incorporated as part of this record by reference.)

Ms. Wright, Division Chief, Planning and Zoning, gave a presentation of the proposed project and responded to questions from Council about the proposal.

Councilman Smedberg stated he was not feeling well and was leaving early, but wanted to note his support for the project.

Please note: Due to illness, Councilman Smedberg left the meeting at 11:30 a.m.

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

(a) Jonathan Rak, 1750 Tysons Blvd, McLean, attorney for the applicant, spoke in favor of the application and offered some amendments to conditions in a letter dated April 16, 2010. Mr. Rak responded to questions from Council about the proposal.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried 6-0, City Council closed the public hearing and approved the Planning Commission recommendation with the following changes: (1) amend condition 8f as stated in the letter dated April 16, 2010 from the applicant by adding the phrase, "*Provided that the City agrees to reimburse the applicant (by form of credit to final site plan fee, building permit, and/or CO fee, at applicant's election) for all costs incurred in connection with designing the portion of the plaza that the applicant does not have the obligation to construct in the Stage 2 PDSUP Infrastructure Phasing Plan on Sheet 10 of the Preliminary Plan;*" (2) strike condition 15f; (3) amend condition 72 to state, "*The Applicant shall design and construct the Eisenhower Avenue widening improvements along Block 12, including but not limited to the sidewalk area, travel lanes and median, prior to the release of the final certificate of occupancy for Block 12. The design of these improvements shall be to the satisfaction of the Directors of T&ES and P&Z. If,*

however, the City notifies the Applicant, prior to the commencement of construction for either Blocks 11 or 12, that the City will be undertaking construction of the Eisenhower Avenue widening improvements including the frontage of Block 12, then the Applicant shall provide a payment of \$795,882.00 to the City in the satisfaction of the Applicant's obligation under Condition 26 of CDD 2005-0002 to pay the equivalent of the actual cost of constructing the Eisenhower Avenue improvements. This payment is required prior to the release of the first certificate of occupancy for Block 11 or 12, provided, however, that in no event shall payment be made later than 24 months from the commencement of construction of either Blocks 11 or 12;" (4) amend condition 50 to delete the first sentence of the condition and add the following sentence in its place, "The developer shall provide the mix of fifty-six affordable set-aside rental units as set forth in the unit matrix submitted to the Director of Housing on April 15, 2010;" and (5) restore condition #51 to the original condition recommended by staff stating, "for a period of 30 years from the date of initial occupancy of each affordable unit." The voting was as follows:

Hughes	"aye"	Fannon	"aye"
Donley	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	absent	

ORDINANCES AND RESOLUTIONS

- Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations For the Support of the City Government for Fiscal Year 2010.

(A copy of the City Manager's memorandum dated April 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 04/17/10, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 7; 04/17/10, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 7; 04/17/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried 4-2 by roll-call vote, City Council closed the public hearing and adopted an ordinance to make supplemental appropriations for the support of the City Government for Fiscal Year 2010. The voting was follows:

Donley	"aye"	Fannon	"no"
--------	-------	--------	------