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|---|---------------------------------|----------|
| 1 | Introduction and first reading: | 11/9/10  |
| 2 | Public hearing:                 | 11/13/10 |
| 3 | Second reading and enactment:   | 11/13/10 |

INFORMATION ON PROPOSED ORDINANCE

7 Title

9 AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of  
10 Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore  
11 approved by city council to such master plan as Master Plan Amendment No. 2009-0005  
12 and no other amendments, and to repeal all provisions of the said master plan as may be  
13 inconsistent with such amendment.

15 Summary

17 The proposed ordinance accomplishes the final adoption of Master Plan Amendment No.  
18 2009-0005 which amends the Potomac West Small Area Plan Chapter of the 1992 Master  
19 Plan (1998 ed.) of the City of Alexandria, by removing any reference to the proffer on the  
20 property at 3110 Mount Vernon Avenue limiting the use of all but the commercial shopping  
21 center facing Mount Vernon Avenue to RC/Residential High.

23 Sponsor

25 Department of Planning and Zoning

27 Staff

29 Faroll Hamer, Director of Planning and Zoning  
30 Joanna C. Frizzell, Assistant City Attorney

32 Authority

34 § 9.01, Alexandria City Charter  
35 § 11-900, City of Alexandria Zoning Ordinance

37 Estimated Costs of Implementation

39 None

41 Attachments in Addition to Proposed Ordinance and its Attachment (if any)

43 None

ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to such master plan as Master Plan Amendment No. 2009-0005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2009-0005, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on September 7, 2010 of an amendment to the Potomac West Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, by removing any reference to the proffer on the property at 3110 Mount Vernon Avenue limiting the use of all but the commercial shopping center facing Mount Vernon Avenue to RC/Residential High which recommendation was approved by the City Council at public hearing on September 25, 2010;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Potomac West Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, be, and the same hereby is, amended by removing any reference to the proffer on the property at 3110 Mount Vernon Avenue required by Rezoning No. 94-0009 and Ordinance No. 3768. The zoning designation for the property shall be CRMU-M (with no proffer). Such proffer includes the following language:

“The RC Zone Regulations shall apply to the above-described property, except that up to 16,142 net square feet of space fronting on Mount Vernon Avenue may have the following CRMU-M Uses: (1) without a special use permit: (a) business and professional office, (b) medical office, (c) personal service establishment, and (d) retail shopping establishment; (2) with a special use permit: (a) amusement enterprise, (b) convenience store, (c) day care center, (d) health and athletic club, (e) private school, academic or commercial, and (f) restaurant.”

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan map amendments, as part of the Potomac West Small Area Plan Chapter of 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

1 Section 3. That all provisions of the Potomac West Small Area Plan Chapter of the  
2 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, as may be inconsistent with the  
3 provisions of this ordinance be, and same hereby are, repealed.

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5 Section 4. That the 1992 Master Plan (1998 ed.) of the City of Alexandria, as  
6 amended by this ordinance, be, and the same hereby is, reordained as the 1992 Master Plan  
7 (1998 ed.) of the City of Alexandria, Virginia.

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9 Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to  
10 the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the  
11 Circuit Court shall file same among the court records.

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13 Section 6. That this ordinance shall become effective upon the date and at the time  
14 of its final passage.

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16 WILLIAM D. EUILLE  
17 Mayor  
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20 Introduction: 11/9/10  
21 First Reading: 11/9/10  
22 Publication:  
23 Public Hearing:  
24 Second Reading:  
25 Final Passage:  
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MPA #2009-0005  
REF #2009-0003

November 24, 2009  
The Calvert  
BC Project No. 08097.02  
Page 1 of 2

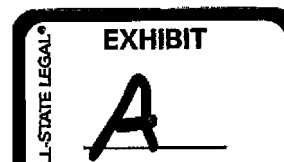
**DESCRIPTION OF  
THE CALVERT  
CITY OF ALEXANDRIA,  
VIRGINIA**

Being the property now in the name of UDR Calvert, LLC as recorded in instrument number 080001527 among the Land Records of the City of Alexandria, Virginia and being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of Mount Vernon Avenue (variable width), said point also being on the Northerly line of Lot 1 as shown on a plat of subdivision entitled "Warwick Village Section One"; thence leaving said right-of-way and running with the Northerly line of said Lot 1 and continuing the same with the Northerly line of Lots 2, 3, 4, 5 and 6 of the aforesaid Warwick Village Section One and with the City of Alexandria Public Park as recorded in Deed Book 352 at Page 558 among the aforesaid Land Records;

- 1) South 86° 05' 59" West, 336.39 feet to a point on the Southeasterly corner of Protestant Episcopal Theological Seminary in Virginia, as recorded in instrument number 060033281 among the aforesaid Land Records; thence leaving said City of Alexandria Public Park and running with the Easterly line of said Protestant Episcopal Theological Seminary in Virginia
- 2) North 09° 04' 32" West, 359.77 feet to a point, said point being an easterly corner of said Protestant Episcopal Theological Seminary in Virginia; thence running with the Southerly line of said Protestant Episcopal Theological Seminary in Virginia and continuing the same with the Southerly line of Alexandria Water Company

~~lot~~ 4



MPA#2007-0065  
RE#2007-0065

November 24, 2009  
The Calvert  
BC Project No. 08097.02  
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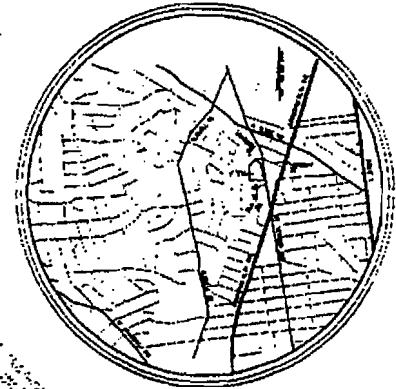
- 3) North  $45^{\circ} 59' 18''$  East, 258.98 feet to a point on the Southwesterly line of Outlot A as shown on a plat of subdivision entitled " Mount Vernon Court" and in Deed Book 1569 at Page 802 among the aforesaid Land Records; thence leaving said Alexandria Water Company, running with the Southwesterly line of said Outlot A, and continuing with the Southwesterly line of Lots 11, 10 and 9 of said Mount Vernon Court
  
- 4) South  $44^{\circ} 00' 42''$  East, 214.28 feet to a point on the Westerly right-of-way line of the aforesaid Mount Vernon Avenue; thence leaving Alexandria Water Company and running with said right-of-way line
  
- 5) South  $09^{\circ} 04' 32''$  East, 362.76 feet to the point of beginning, containing 148,777 square feet or 3.41545 acres of land.

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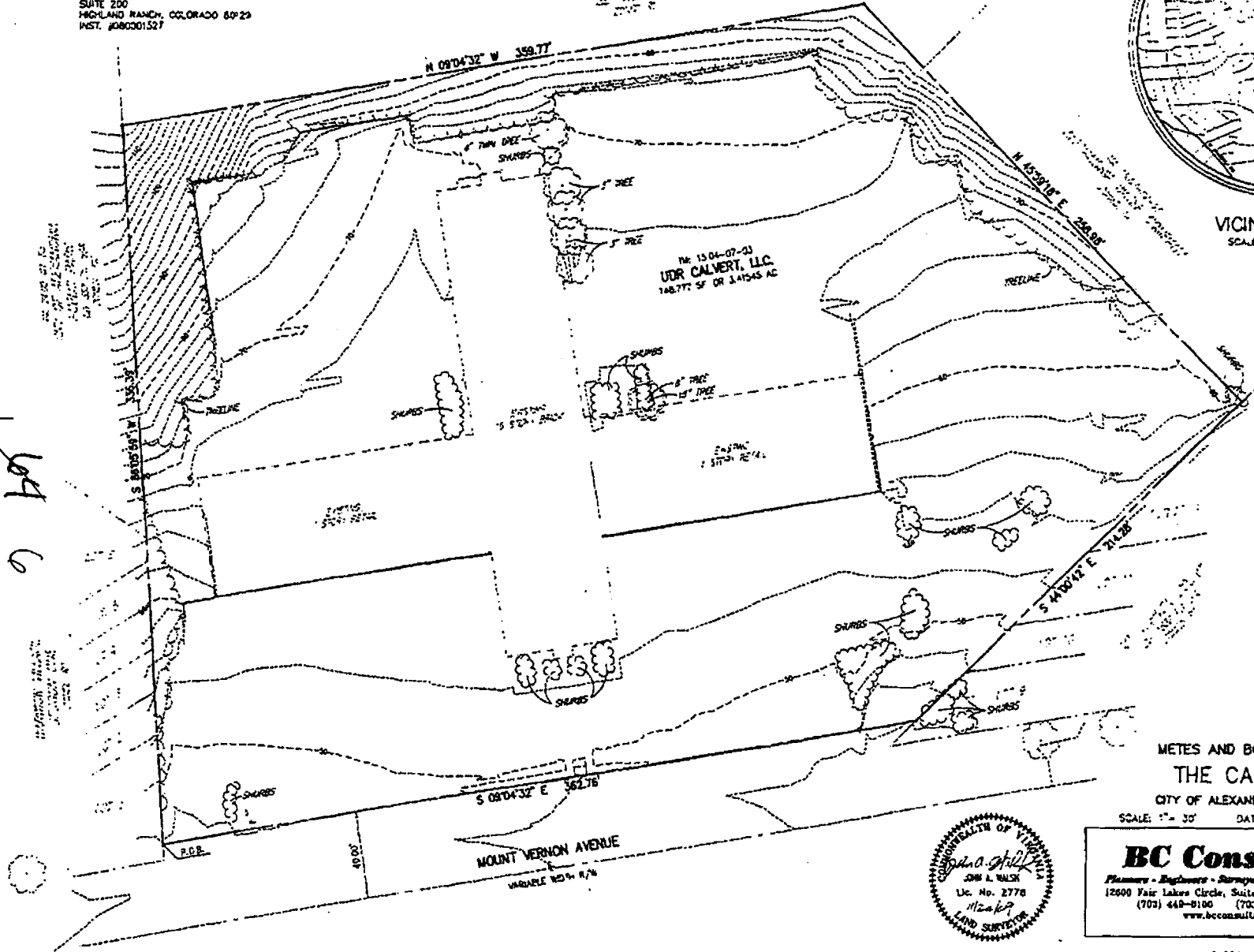
yes 5

**NOTES**

- 1) THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON CITY OF ALEXANDRIA ASSESSMENT MAP NO 15 04-07-03, AND IS ZONED CRU-4-A.
- 2) BOUNDARY TAKEN FROM A FIELD SURVEY PERFORMED BY BC CONSULTANTS AND DATED JANUARY 16, 2009. THE SITE SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (NAD 83) AND IS REFERENCED TO THE CITY OF ALEXANDRIA SURVEY MONUMENTS 538 AND 539.
- 3) OWNER: UDR CALVERT, LLC  
 ADDRESS: 1745 SHEA CENTER DRIVE  
 SUITE 200  
 HIGHLAND RANCH, COLORADO 80129  
 INST. #080001527



VICINITY MAP  
SCALE: 1" = 2,000'



METES AND BOUNDS MAP  
THE CALVERT  
CITY OF ALEXANDRIA, VIRGINIA.

SCALE: 1" = 30' DATE: NOVEMBER 24, 2009



**BC Consultants**  
 Planners - Engineers - Surveyors - Landscape Architects  
 12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703) 449-8100 (703) 449-8108 (Fax)  
 www.bcconsultants.com

LI-STATE LEGAL®  
 EXHIBIT  
**B**