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April 2, 2013

Via E-Mail Only

John Komoroske, Chair
and Members of the Planning Commission
City of Alexandria
301 King Street, Room 2100
Alexandria, VA 22305

Re: Docket Item #8, Seminary Overlook/CDD 22
Rezoning#2012-00005; CDD#2012-00005; TA#2012-00008 (the "Applications")
Home Properties Seminary Towers, LLC and
Home Properties Seminary Hills, LLC (the Applicants")

Dear Chairman Komoroske and Members of the Planning Commission:

On behalf of the Applicants, I request that the conditions associated with the above-referenced Applications be revised as follows:

Condition #23 – Delete the third sentence and add language as follows:

"Existing travel lanes of existing Kenmore Avenue, excluding on-street parking, shall be dedicated. Prior to the issuance of the first Certificate of Occupancy for the final building in the New Development south of existing Kenmore Avenue, the Applicant shall dedicate existing Kenmore Avenue from back of curb to back of curb to the City. The existing parking spaces on the Seminary Towers lot shall satisfy the parking requirements for the existing Seminary Towers buildings to remain."

Condition #30 – Add the following language after the first sentence:

"Alternatively, above grade structured parking may be permitted subject to the following:

1. Where structured parking is provided, a minimum of one level of underground parking (as defined herein) shall be provided.
2. The total amount of ground level open space (east of Kenmore Avenue), in existence as of the date of the initial City Council Approval, shall be increased by a minimum of 30%.

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ATTORNEYS AT LAW

compared to the illustrative Plan (Figure 40), depicted in the Beauregard Small Area Plan.

3. The central ground level open space (east of Kenmore Avenue) shall be increased from a minimum size of 17,000 sq.ft. to 34,000 sq.ft. and shall be consolidated useable ground level open space, within the central portion of the site.
4. Any above-grade parking structures shall be wrapped with active uses on all four sides of the structure."

It is our understanding that staff is in agreement with these revisions. Thank you for your consideration of this request.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



M. Catharine Puskar

MCP/cs

A0554587.DOCX / 1 Komoroske and PC letter 4-2-13 001688 000064)

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McGUIREWOODS

PC Docket Item #: 7, 8, 9
Project: Beauregard Rezoning

Real Estate and Land Use
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April 2, 2013

VIA EMAIL TO faroll.hamer@alexandriava.gov

Chairman Komoroske and Members of the Planning Commission
301 King Street, Suite 2100
Alexandria, Virginia 22314

RE: April 2, 2013 Planning Commission
Docket Item 7A-C

Dear Chairman Komoroske and Members of the Planning Commission:

On behalf of my client, Southern Towers, LLC, I am requesting the following amendments to the staff recommended conditions of approval for Coordinated Development District #21. It is our understanding that City staff agrees with the amendments to the first six conditions below, but does not agree with the final amendment.

Amendments Agreed To By Staff

Staff Report Figures 7 & 8

Reduce the portion of the Southern Towers subject to the CDD #21 Zone in accordance with the CDD application.

Condition 18(c)

~~The CDD #21 EXHIBIT 4: "BRT Transitway in Southern Towers" shall be revised to highlight only areas of City responsibility for cost and construction, including the removal of the southbound right turn lane from the transitway to the future east-west road within Southern Towers;~~

Condition 20(b)

Within 90 days of written request by the City, Southern Towers shall enter into a written agreement with the City for the interim route of the Transitway and ~~existing bus routes;~~ a license agreement for on-site bus service.

Condition 23(a)

Pursuant to the conditions herein, the redevelopment sites fronting onto the Ellipse (EXHIBIT 1) shall, within 90 days of written request by the City, submit all necessary plans and documentation to dedicate right-of-way for the Ellipse, including any associated temporary construction and maintenance easements. Construction and maintenance easements shall be mutually agreed upon by the City and the Applicants and shall minimize impact on existing surface parking spaces.

Condition 114.

Replace Exhibit 4 with attached.

BRT Transit and Station. The Applicant shall grant the City a public access street easement for the final BRT Transitway and Station through Southern Towers as generally depicted in the Beauregard Small Area Plan upon completion of the construction of the replacement parking structure and after the City finalize plans to begin construction of the entire BRT route. The City shall include the applicant in the planning and design for the BRT Transitway and Station. As part of the planning process, the City and the Applicant shall enter into an agreement to coordinate the timing of construction, location of all necessary easements and other construction details to minimize the impact on existing parking and residents. Within 90 days of request by the City, the Applicant shall submit an easement, construction and maintenance agreement for the BRT Transitway and Station. The cost of the construction of the BRT Transitway, and station as generally shown on (EXHIBIT 4) and includes only lanes that are dedicated for transit or a shared transit/general purpose lane, shall be paid for by the City. In the event that the City is unable to construct the transitway, the City and Applicant may negotiate to have the Applicant construct the BRT Transitway and station with reimbursement by the City. In the event that the Applicant requires a temporary access road within the alignment of the proposed Transitway as part of any DSUP, the Applicant shall be responsible for constructing this road and ensuring that the road is aligned with the future Transitway and constructed to the specifications of the future Transitway. (T&ES)

Condition 118(b)

East-West Access Connector Parallel to Seminary Road.

- i. ~~Interim Condition.~~ The Applicant shall keep the existing drive aisle or re-configured drive aisle open for access from I-395 through the Applicant's property to Beauregard Street and Seminary Road.

- ii. ~~Final Condition. With any redevelopment~~ Upon the issuance of any building permit within the CDD zone, the Applicant shall continue to keep the existing drive aisle open and adequate to serve local transit vehicles and for access from I-395 through the Applicant's property to Beauregard Street and Seminary Road. The Applicant shall retain the right to implement traffic calming measures, re-configure the drive aisle, and/or make other changes to the drive aisle. Any change made by Applicant will maintain pedestrian, transit and vehicular circulation in accordance with industry safety standards. The traffic analysis conducted as part of each of Applicant's preliminary DSUP shall identify the specific improvements needed ~~as part of the east-west access connector.~~

Amendments Opposed By Staff

Condition 6(c)

In the event that an Applicant(s) fails to dedicate right-of-way or easements for the Ellipse or Transitway as required herein, and it becomes necessary for the City to file a condemnation proceeding to acquire such an interest in real property, the value of the property being condemned shall be conclusively deemed to be ten dollars. This condition shall not apply to Southern Towers' dedication of the public easement for the final Transitway alignment.

Please let me know if you have any question regarding these amendments. I look forward to discussing them with you at the April 2, 2013 hearing.

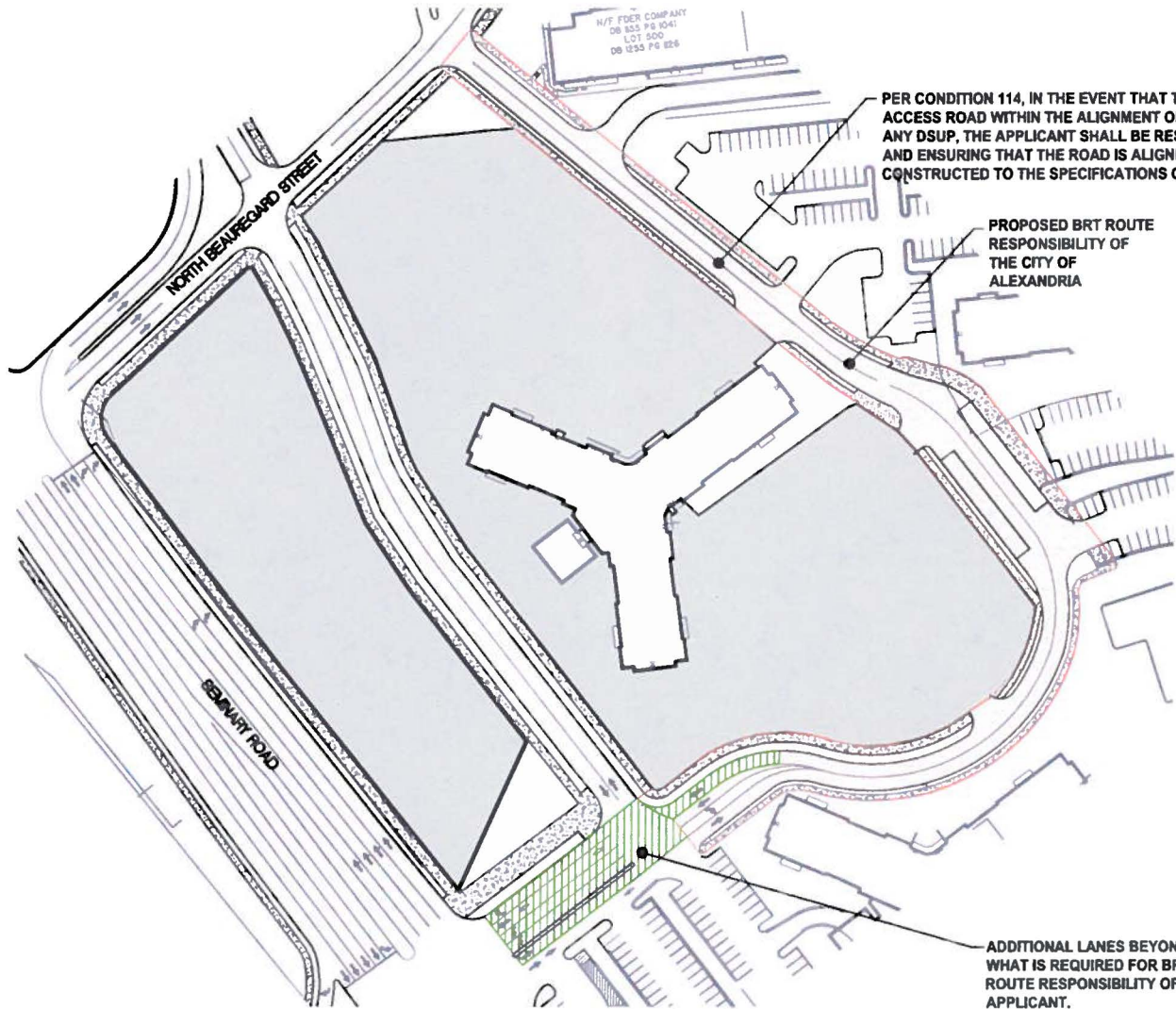
Sincerely,



Kenneth W. Wire



9



LEGEND

- COST RESPONSIBILITY CITY OF ALEXANDRIA
- COST RESPONSIBILITY OF APPLICANT

ADDITIONAL LANES BEYOND WHAT IS REQUIRED FOR BRT ROUTE RESPONSIBILITY OF APPLICANT.

BRT TRANSITWAY in SOUTHERN TOWERS - GENERAL USE vs TRANSIT LANE RESPONSIBILITY COORDINATED DEVELOPMENT DISTRICT #21 and #22

PREPARED BY
WALTER L. PHILLIPS
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April 1, 2013

RE: **CDD 21, Condition #100**
Beauregard Small Area Plan, Adams Neighborhood

Dear Planning Commission Members:

We hereby **recommend Condition #100 within CDD 21 be revised to incorporate the attached proposed revisions**, which have met City staff approval. Our one addition is the title of the document: Adams Neighborhood Roads. Our special thanks to Mayor Euille for his active involvement, and to Deputy City Manager Mark Jinks and City staff for their cooperation and helpful suggestions.

At this point in the process, trying to project the need (or lack of need) and specific location of a road ten to twenty years from now based on currently undefined development plans is speculative. Our hope is that no parallel road be considered as part of the CDD unless absolute necessity for it is demonstrated as a result of traffic studies at the time of Adams Neighborhood redevelopment. With that in mind, please note that we have changed the title to read: Adams Neighborhood Roads.

Revised Conditions of Zoning: Intent

Our intent is to avoid any language that assumes a road be located adjacent to the residential neighborhoods, as depicted in the Beauregard Small Area Plan (BSAP) and referred to as the "proposed parallel road." The process shall include consideration of all alternative solutions to fulfill the traffic requirements of the Adams Neighborhood, some of which we outline below. Our intent with moving forward with this revised language is for the purpose of eventually eliminating or significantly moving this proposed parallel road from where the BSAP currently proposes it to be built. Some location alternatives:

- The internal spine road;
- Entrance/exit at Clyde's, then along the spine road (instead of Mark Center Drive which is immediately behind Seminary Heights homes);
- Town Center's connection entrance to travel along spine road, then exits at Clyde's and possibly N. Stevens Street (depending on community approval);
- Other options that City staff can create in collaboration with the developer and citizens.

Views of Other Stakeholders: Intent

Since Condition #100 does not explicitly move or eliminate the parallel road, we would also like to share the views expressed by others involved in the process. We have had numerous conversations with each stakeholder and are confident that we have fairly represented their positions – but of course, we encourage you to confirm directly with each person.

- City staff has expressed to us that they agree with the intent that the road must be moved if there is an alternative way to handle the expected traffic;

- Mayor Euille has expressed to us that he supports the intent of eliminating or substantially moving the road based on circumstances that may exist 10 or 20 years in the future;
- A majority of City Council members have expressed support with the intent of eliminating or moving the road, and;
- The developer, Duke Realty, has no opposition to eliminating or moving the road.

The Issue

The BSAP is intended to be compatible with adjoining communities. Yet, we have three roads planned for a 300-ft-wide area between Seminary Heights' residences and N. Beauregard Street. Estimates are that the proposed road could carry 6,000 - 8,000 vehicles per day. This would have major adverse changes for us. Our bedrooms, patios, back yards, and most used living spaces look out on only an office parking lot, which is empty on weekends and during the week is used twice a day by people commuting to and from their offices. We are concerned about the negative impacts on our quality of life and property values. We firmly believe that there are better alternatives that can provide the mobility, accessibility, and connectivity for pedestrians, cyclists, and drivers west of Beauregard.

We look forward to continuing our collaborative efforts with the City to ultimately fix what could be a very fixable problem.

Sincerely,

Rebecca Hierholzer	Seminary Heights
Bud Jackson	Seminary Heights
Ron Sturman	Seminary Heights Board member
Tom Yager	Seminary Heights
Shahadat Hossain	Shirley Forest
Roger Sullivan	Seminary Park Board member
Lynn Bostain	Seminary West Civic Association President

Attachments: Proposed Revisions to Condition #100, CDD 21; Seminary Heights community letter; and Shirley Forest homeowner letter.

CDD 21, Condition #100 Proposed Revision

Adams Neighborhood Roads. As part of the first DSUP process, any Applicant(s) within the Adams Neighborhood shall consider the following in order to lessen the impacts on the existing adjoining residential neighborhoods. The following shall be evaluated as part of the first development special use permit process in consultation with the adjoining residential neighborhoods:

- a) Review the need for the parallel road based on the transportation study as part of the first preliminary DSUP for the Adams Neighborhood. The review shall include an examination of the parallel road and the internal street and whether the parallel road can be eliminated or moved substantially away from the adjoining residential neighborhood while still ensuring connectivity and adequacy of the transportation network. If a road is required, the intent is to minimize the impact on the adjoining residential neighborhoods.
- b) Evaluate the existing and future level of service for roadways in the vicinity as part of the traffic analysis to determine the transportation needs.
- c) If there is a road adjacent to the adjoining residential neighborhoods, the road shall be designed to minimize vehicular speed and volume and the surface of the road shall include a material to reduce noise.
- d) The type of buffer – screening along the Adams Neighborhood shall include, but not be limited to the following: fencing, landscaping, and lighting appropriate given the adjoining residential uses; and take into account aesthetics and environmental sustainability.
- e) Routine access – loading will be located to lessen impacts on the adjoining residential uses.
- f) The surface parking shall generally provide a minimum 45 ft. buffer – screening adjacent to the existing townhouses (EXHIBIT 6), while accommodating required entrances and circulation.
- g) The Applicant(s) shall be responsible for holding a community meeting(s), including a good faith effort to individually notify abutting property owners, residents, and adjacent homeowner and condominium associations prior to the submission of a preliminary DSUP. The Applicant(s) shall also be responsible for holding a community meeting(s), including a good faith effort to individually notify abutting property owners, residents, and adjacent homeowner and condominium associations prior to the release of the final site plan.
- h) All lighting, including traffic signals, shall be appropriate given the residential nature of the adjoining neighborhoods. (P&Z)(T&ES)

4.01.13



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
UNDER LAW

1401 New York Ave
Suite 400
Washington, DC 20005-2124

PC Docket Item #:

72879

Project:

Beauregard Rezoning

Fax: 202.783.0857

www.lawyerscommittee.org

February 8, 2013

William D. Euille, Mayor
City of Alexandria
301 King Street, Room 2300
Alexandria, VA 22314

John Komoroske, Chair
Alexandria City Planning Commission
c/o Faroll Hamer, Department of Planning & Zoning
301 King Street, Room 2100
Alexandria, VA 22314

Re: Beauregard Small Area Plan and Affordable Housing

Dear Mayor Euille and Commissioner John Komoroske:

We are writing to express our concerns about the Beauregard redevelopment. The Lawyers' Committee for Civil Rights Under Law is a nonpartisan, nonprofit organization, formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity. We have been in conversation with our community partner Tenants and Workers United regarding the Beauregard Small Area Plan ("BSAP") and have similar concerns. In particular, before voting on whether to re-zone the BSAP on March 5, 2013, **we urge the City Planning Commission and City Council to ensure that the BSAP includes a requirement that the developer provide an adequate amount of affordable housing.** Without such a requirement, the project will likely result in the displacement of thousands of low-income and minority residents.

Although the BSAP describes a commitment to include 800 units of affordable housing units in the Beauregard redevelopment, there is no indication that this plan is an enforceable document. Without a firm and *enforceable* commitment to long-term or permanently affordable housing, there is not guarantee that the developer will follow through on its promise, and the neighborhood is likely to become unaffordable to families that currently live there. Rents have already increased for hundreds of tenants, resulting in fewer "market-affordable" units. Moreover, the description of affordable housing in the BSAP lacks specificity on when these units will be developed and what income levels they will serve, and it is unlikely that 800 units will address the need, as measured by indicators such as rent burden and median income.

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James P. Joseph

We submit that it is good policy for the City to ensure mixed-income development and housing opportunities that meets the needs of and prevents massive displacement of low-income residents. Of equal importance, the City of Alexandria would be taking an important step in fulfilling its obligation under the Fair Housing Act to affirmatively further fair housing. Recipients of federal housing assistance have an obligation under the Fair Housing Act to administer housing and urban development programs and activities "in a manner affirmatively to further the policies of the Fair Housing Act." In addition, when receiving federal assistance, a grantee must certify that it "will affirmatively further fair housing ... by conducting an analysis to identify impediments to fair housing choice within its jurisdiction [and by] *taking appropriate actions to overcome the effects of any impediments* identified through that analysis...."¹ While the recipient's obligation arises in connection with the receipt of federal housing assistance, it is not restricted to the design and operation of HUD-funded programs. Rather, the obligation to affirmatively further fair housing extends to all housing and housing-related activities in the recipient's jurisdictional area, whether publicly or privately funded.²

In its May 2010 Analysis of Impediments, the City identified a number of impediments and objectives. In this Analysis of Impediments, the City notes that "gentrification has historically included a strong racial component – lower income African American residents are replaced by higher income white residents.... As a result, an influx of higher income households inevitably will put pressure primarily on historically minority communities."³ It also identifies as an impediment the diminished supply of affordable housing. Specifically, it writes that "[f]rom 2000 to 2009, Alexandria lost nearly 10 thousand private owned, non-assisted affordable rental housing units because of increases in rents or, to a limited extent (109 units), conversion to condominium ownership."⁴ In response, the City commits in the Analysis of Impediments to "[i]dentify[ing] zoning and land use tools and strategies to incorporate affordable housing in development and redevelopment efforts in the City."⁵

Importantly, the City's Draft 2012 Housing Master Plan enumerates a number of relevant goals and strategies. For instance, in Strategy 1.2, the City states that it will "[o]btain commitments from current owners for long-term preservation of currently existing market-rate affordable units."⁶ In strategy 2.5, the City commits to seeking "to achieve substantial replacement of existing market-rate affordable housing units on properties under consideration for redevelopment."⁷

In this particular case, an increase in rents and the resulting gentrification and forced displacement will inevitably have a disproportionate impact on minority residents. Minority groups in Alexandria, especially blacks and Hispanics, are poorer than whites, disproportionately concentrated in the Beauregard area, and more likely to be renters, especially in Beauregard. The median income for blacks and Hispanics in Alexandria is significantly lower than the median income for whites (about \$53,000 and \$60,000 compared to \$103,000, respectively), and the poverty rate is about four times higher for blacks and Hispanics as it is for whites (14.5%, 13.4%, and 3.5%, respectively).⁸ Beauregard has a significantly higher percentage of black, Asian-American, and Hispanic residents than the rest of Alexandria (while 22% of Alexandria's residents are black and

15% are Hispanic, nearly 40% of the BSAP's residents are black and 23% are Hispanic).⁹ Moreover, more than 25% of Alexandria's black residents are located in the BSAP, while just 8% of Alexandria's white residents are. At the same time, residents in Beauregard are more likely to be renters than those in the rest of Alexandria (more than 90% of blacks and 80% of Hispanics in Beauregard are renters, compared to 74% and 73%, respectively, in the rest of Alexandria). Renters in Alexandria, and in Beauregard in particular, are in great need of affordable housing; about 40% of renter households in the city and 43% of renter households in Beauregard are rent-burdened (paying more than 30 percent of their income towards rent).¹⁰ As a result of these disparities, a Beauregard redevelopment without a firm commitment to affordable housing will fail to serve the needs of Alexandria residents and will have a disproportionate impact on residents of color.

The City plays an integral role in how the Beauregard development proceeds and how it impacts low-income and minority residents, as re-zoning the area as a Coordinated Development District will make the project possible. As the City goes forward with consideration of the requested zoning change for the BSAP, it has a duty to take action to overcome the impediments it has identified and to ensure housing choice and opportunity for low-income and minority residents and that Beauregard is preserved as a mixed-income, diverse neighborhood.

Given the recent loss of affordable rental units and the City's stated commitment to identify zoning and land use tools to increase affordable housing development into redevelopment efforts described in its Analysis of Impediments and its Master Plan, the City has an opportunity - and an obligation - to follow through on these commitments in the Beauregard project. Without a firm, enforceable assurance of affordable units, the present BSAP is at odds with the City's own commitment and its duty under federal law to "affirmatively further fair housing." The project represents a major redevelopment resulting in the demolition of thousands of units of housing and the likely loss of affordability for most or all of the remaining and new units. **Before approving any re-zoning for the BSAP, the City Planning Commission and City Council must ensure that the redevelopment includes sufficient - and specific - amounts of affordable housing and tenant protections** to allow people of all incomes and races to live in Beauregard and to benefit from the opportunities that will come with this redevelopment.

Thank you for considering our concerns. We look forward to working together to find a solution that works for everyone and that ensures an equitable Alexandria.

Sincerely,

Three handwritten signatures in black ink. The first signature is 'Diane Glauber', the second is 'David Zisser', and the third is 'Melissa Gallo'.

Diane Glauber, Esq.

David Zisser, Esq.

Melissa Gallo, Esq.

Copy: Vice Mayor Allison Silberberg and City Councilmembers John T. Chapman, Timothy B. Lovain, Redella S. "Del" Pepper, Paul C. Smedberg, and Justin Wilson

¹ 24 C.F.R. 570.601(a)(2)

² HUD Fair Housing Planning Guide, 1-3, available at www.hud.gov/office/fheo/images/fhpg.pdf

³ Analysis of Impediments to Fair Housing, May 2010, 2-3, citing Brookings Institution Center on Urban and Metropolitan Policy.

⁴ *Id.* at 6.

⁵ *Id.* at 3.

⁶ Draft Housing Master Plan, City of Alexandria, Office of Housing, November 2012, xx.

⁷ *Id.* at xxi.

⁸ 2007-2011 American Community Survey 5-Year Estimates. For the Beauregard Small Area Plan figures, Census Tracts 2001.2, 2001.3, 2001.4, and 2001.5 were selected. The BSAP fully encompasses these Census Tracts.

⁹ *Id.*

¹⁰ *Id.*

13 X



OFFICE OF THE CITY ATTORNEY

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March 1, 2013

Ms. Diane Glauber, Esq.
Mr. David Zisser, Esq.
Ms. Melissa Gallo, Esq.
Lawyers' Committee for Civil Rights
1401 New York Avenue, NW
Suite 400
Washington, D.C. 20005-2124

Dear Ms. Glauber, Mr. Zisser, and Ms. Gallo:

In response to your letter of February 8 to Mayor Euille and Planning Commission Chair Komoroske concerning the Beauregard Small Area Plan (BSAP) and affordable housing, I want to state unequivocally that the City of Alexandria is fully committed to the long-term preservation of a substantial amount of affordable housing in the Beauregard area. Please understand that the Beauregard Small Area Plan creates goals and visions for what the City desires to achieve in the area, and does not create legally binding criteria. Accordingly, we generally agree with your premise that the Beauregard Small Area Plan, standing alone, does not create a firm and enforceable commitment for permanently affordable housing. Rather, it is through the rezoning process and subsequent development special use permits that the small area plan goals and visions become legally binding land use redevelopment requirements on the property owners. This is the legal process by which the City has created binding requirements in the past, and is how we plan to handle the Beauregard affordable housing plan.

Requested *requirement* for adequate affordable housing

While we understand the reasons for your request, as stated in your letter, that the Planning Commission and Council "ensure that the BSAP includes a *requirement* that the developer provide an adequate amount of affordable housing," the City lacks the legal authority to impose such a unilateral requirement, especially in the context of a small area plan. Outside of the rezoning process, and even then, there are legal and practical limitations. The Commonwealth of Virginia is a Dillon Rule state in which municipal governments have only those powers which the Virginia General Assembly explicitly conveys or reserves to them. Under Virginia Code § 15.2-2304, the City may "provide for an affordable housing dwelling unit program...[that] shall address housing needs, promote a full range of housing choices, and

Ms. Diane Glauber, Esq.
Mr. David Zisser, Esq.
Ms. Melissa Gallo, Esq.
February 28, 2013
Page 2

encourage the construction and continued existence of moderately priced housing by providing for *optional increases in density* in order reduce land costs for such moderately priced housing." (Emphasis added.) The City has implemented this through the bonus density provisions of Section 7-700 of its Zoning Ordinance. However, the additional density contemplated in the BSAP is not an optional increase in the form of bonus density, but is in an amount that a to-be-amended zoning will allow with a Development Special Use Permit. Therefore, while the City could not legally mandate the provision of affordable housing in the BSAP, those goals, once agreed to by the developers and approved by City Council in the context of subsequent Development Special Use Permits, will become legally enforceable requirements.

In light of these constraints, the City has worked with the developers to secure a commitment for a sizeable monetary contribution, the largest portion of which has been designated for affordable housing. The BSAP contemplated a \$167 million affordable housing program over about a 30-year period utilizing developer, as well as City funds. Those contributions, along with City contributions from the Office of Housing and from increased City tax revenues from the new development, are the proposed sources of funding for the 800 affordable units reflected in the BSAP. These commitments and contributions will become binding on the developers once adopted as planned rezoning conditions.

It may not have been clear in the BSAP document, but without the BSAP and its planned rezoning, under existing zoning, which has been in place for decades, the current landowners of the Beauregard area land have a by-right ability to replace 100% of the existing apartment units with a like number of townhouses and do not have any requirement to provide a single unit of affordable housing. However, through the BSAP and the developer's agreement in subsequent rezoning, there will be a mandatory affordable housing requirement, as well as a plan to reach an 800-unit affordable housing goal. The choices are clear; the City either gets no affordable housing under a by-right redevelopment scenario, or gets resources projected to provide 800 units of affordable housing under the BSAP related rezoning and DSUP process.

Your letter further states, with regard to the adequacy of the affordable housing specified in the BSAP, that "it is unlikely that 800 units will address the need, as measured by indicators such as rent burden and median income." While we agree that 800 units is unlikely to address all of the needs of all current residents in the units planned for demolition, the City believes that the proposed creation of 800 units of dedicated affordable housing in the Beauregard area is an extraordinary action by the City and the developer and goes far beyond what State or federal law may require.

Enforceability of affordable housing provisions

Your letter also raises concerns about the enforceability of the affordable housing provisions, stating (on page 1) that, "(a)lthough the BSAP describes a commitment to include

Ms. Diane Glauber, Esq.
Mr. David Zisser, Esq.
Ms. Melissa Gallo, Esq.
February 28, 2013
Page 3

800 units of affordable housing units in the Beauregard redevelopment, there is no indication that this plan is an enforceable document.” While you are correct that the BSAP itself is not enforceable, the rezoning and subsequent Development Special Use Permits (DSUPs) will contain enforceable conditions, including conditions triggered by redevelopment regarding the provision of affordable housing.

Specificity regarding timing and income distribution of units

You also state (page 1) that “(t)he description of affordable housing in the BSAP lacks specificity on when these units will be developed and what income levels they will serve...” The table on page 152 of the BSAP provides a general sense of when the units are expected to be provided, based on the projected development schedule provided by the developers when the BSAP was prepared, when coupled with the anticipated availability of monetary resources for affordable housing. It should be noted that the development schedule, which directly affects the timing of demolition and the timing of developer contributions, is subject to change based on market conditions and decisions by the individual property owners. Regardless of the implementation schedule, the plans for the provision of affordable housing are tied directly to the redevelopment schedule. If that projected schedule accelerates (or decelerates), then so will the provision of affordable housing.

While the 800 units in the BSAP were based on a specific estimated distribution of income levels, the City’s Affordable Housing Advisory Committee (AHAC), based on the findings of the Summer 2012 Beauregard Tenant Survey conducted subsequent to the adoption of the BSAP, has prepared a preliminary draft recommendation for a revised income distribution that more closely aligns with the results of the survey (i.e., it will serve far more lower income residents and fewer workforce income residents). City staff is currently working on a financial plan to implement this revised, more expensive affordable housing plan, and at the same time keep the 800 unit goal. This will likely mean increased public investment to achieve the 800 units.

Fair housing concerns

Your letter states, on page 4, that “[g]iven the recent loss of affordable rental units and the City’s stated commitment to identify zoning and land use tools to increase affordable housing development into redevelopment efforts described in its Analysis of Impediments and its [Draft Housing] Master Plan, the City has an opportunity – and an obligation – to follow through on these commitments in the Beauregard project. Without a firm, enforceable assurance of affordable units, the present BSAP is at odds with the City’s own commitment and its duty under federal law to “affirmatively further fair housing.” The City respectfully, but emphatically, disagrees with this statement and considers the actions it has taken to be fully consistent and, in fact, well in excess of its fair housing responsibilities under federal law.


Ms. Diane Glauber, Esq.
Mr. David Zisser, Esq.
Ms. Melissa Gallo, Esq.
February 28, 2013
Page 4

As your letter points out, the City's Analysis of Impediments cites the City's intention (a City Council Strategic Plan initiative rather than a "commitment" of the Analysis of Impediments as stated in your letter), to "[i]dentify zoning and land use strategies to incorporate affordable housing in development and redevelopment efforts in the City." One such strategy has been the decision to address the redevelopment and rezoning through a Small Area Plan, thereby enabling the City to receive substantially more developer contributions for affordable housing than it would if the individual properties were allowed to be redeveloped on a property by property basis. The addition of substantial City revenues to the developer contributions in order to enhance the provision of affordable housing, along with the draft plan for tenant assistance and relocation constitute further evidence of the City's strong desire to mitigate the effect of redevelopment on current residents. Additionally, as you point out, the City's Draft Housing Master Plan enumerates a number of relevant goals and strategies, indicating progress with regard to the above mentioned Strategic Plan initiative.

In conclusion, we firmly believe that the actions taken by the City, or planned to be taken by the City, including the proposed 800 unit affordable housing component of the BSAP, the forthcoming BSAP related rezoning and DSUP affordable housing requirements and the development of the goals, strategies and tools contained in the Draft Housing Master Plan, exceed the legal standard in regard to the City's responsibility to affirmatively further fair housing.

Please feel free to contact me directly at 703.746.3750 should you have additional questions or concerns. I remain

Sincerely yours,



James L. Banks, Jr.
City Attorney

cc: The Honorable Mayor and Members of City Council
Chair and Members of the Planning Commission
Rashad M. Young, City Manager
Mark Jinks, Deputy City Manager
Mildrilyn Davis, Director, Office of Housing
Faroll Hamer, Director, Planning and Zoning

4800 Fillmore Ave., #929
Alexandria, VA 22311
March 26, 2013

Alexandria Planning Commission
301 King Street, #2100
Alexandria, VA 22314

Ladies and Gentlemen,

As residents of Goodwin House Alexandria, a community of 425 seniors in the city's West End, we can say with confidence that the Beauregard Corridor Small Area Plan enjoys strong support in our community. This was demonstrated by the 130 letters and emails sent by our residents to the City Council last year in support of the plan. Our residents look forward to enjoying the improvements in our neighborhood's quality of life that implementation of the plan would bring.

Through the provision of housing and medical care to seniors, Goodwin House Alexandria contributes significantly to the life of our city. We also have a vibrant program of outreach to the community which in recent years has supported Senior Services of Alexandria, the Alexandria Teaching Consortium, ALIVE!, Carpenter's Shelter, William Ramsay Elementary School, the Alexandria Domestic Violence Program and Northern Virginia Family Services.

In our role as committed residents of Alexandria, we strongly support the Beauregard Rezoning Advisory Group's findings and recommendations to move forward with the implementation of the Beauregard Corridor Small Area Plan.

Sincerely yours,

Pierre Shostal

Chair

Goodwin House Alexandria Residents Council

Jacqueline Phillips

Vice Chair

Goodwin House Alexandria Residents Council

Mike McCaffree

Former Chair

Goodwin House Alexandria Residents Council

cc: Harry Baldwin

David Baker

PlanComm

PC Docket Item #: 7.8.9

Project: Beauregard Rezoning

From: Peter Pennington <kernow01@att.net>
Sent: Wednesday, March 27, 2013 3:33 PM
To: PlanComm
Cc: Josh Sawislak; Danielle Fidler
Subject: Beauregard Planning Issues

I am concerned that a number of sustainability standards might not be as high as was originally proposed. I am sure they meet minimum standards but that was not the original intent. This project shone because of the concern originally expressed about sustainability.

Regrettably I cannot attend the meeting on April 2 but I submit that the Planning Commission seeks a detailed staff report on the treatment of stormwater and the amount of green open space that does not include green roofs.

--



Peter Pennington
571-431-6708

March 31, 2013

Dear Planning Commission members,

For three generations my family has lived in a single family home right behind what is the parking lot behind Clyde's restaurant. Several months ago we learned about this road and bikepath that City Council approved to be built next to our backyard and bedrooms by talking to a friend who lives in a neighboring community.

We were not informed by Duke, we were not informed by the City, and had no idea moving thru our busy daily family lives that a road estimated to carry 6,000 to 8,000 cars and trucks and maybe even school buses was planned to be built so very close to our family home.

As a residents of Shirley Forest, we support our neighbors in Seminary Heights in their efforts with the City to build any roads far far away from our home, if any road at all. We also support Seminary Park in their efforts to protect their properties from unwanted impacts to their homes.

And we are asking the Planning Commission and City Council to do everything they can at this time to protect our interests now and at the time before construction begins. We are worried that construction will begin in 10 years or so, and we won't be notified, even with the new Conditions calling for meetings.

We have very young children who will still be playing in or using our backyard at the time all of this new building on Duke's property is to begin. We built an addition onto our home with the intention to be here for many more decades. The idea of this busy road and bikepath at our property line is very upsetting to us. We are worried about the security of our home and the safety of our children with a bikepath and a busy road right at our backyard. We are worried about the noise and the loss of privacy.

We also have concerns for all of the children who will be attending John Adams with a busy road and bikepath right next to it. There are so many crazy people out there now, there will be so many more cars and people passing by the school, we see a higher likelihood of safety issues for these children.

We hope that the Planning Commission and our elected officials will see to it that our family's interests are truly protected. Thank you for your consideration.

Sincerely,

Shahadat Hossain 5518 Forrestal Avenue Alexandria VA 22311 c) 202-320-8740

PlanComm

From: Justin Wilson
Sent: Monday, April 01, 2013 11:48 AM
To: Diane; William Euille; Allison Silberberg; John Chapman; Del Pepper; Paul Smedberg; Timothy Lovain; Mark Jinks; Rashad Young; Faroll Hamer; Jeffrey Farner; PlanComm
Cc: Sharon Annear; lynnboastain@yahoo.com; Dave Cavanaugh; Owen Curtis; Don Buch; Judy Cooper; Nrjennings@comcast.net; Annabelle Fisher; katy_cannady20@comcast.net; Poulh@erols.com; Shirley Downs; Carol James
Subject: RE: BSAP Financing Clarification

Diane,

Thanks for the note, and you are right that what the City contemplates is different than a "traditional" Tax Increment Financing arrangement.

Whereas a traditional TIF would have the revenue encumbered as collateral for pay-back of the debt, in this case (and that of Potomac Yard Metro), the debt is a General Obligation debt, and we intend to use a portion of the tax increment from the development to service the debt.

We are using the tax increment to "finance" some of these improvements, but it's not a traditional "tax increment financing" arrangement.

It kind of depends on whether you see "TIF" as a brand-name for that arrangement, or whether it's just a general term referring to the use of tax increment to finance public improvements.

There was no intention to confuse. Have a good week,

Justin M. Wilson, Member
Alexandria City Council
Office: 703.746.4500
Home: 703.299.1576
justin.wilson@alexandriava.gov

From: Diane [dicos@verizon.net]
Sent: Monday, April 01, 2013 11:31 AM
To: Justin Wilson; William Euille; Allison Silberberg; John Chapman; Del Pepper; Paul Smedberg; Timothy Lovain; Mark Jinks; Rashad Young; Faroll Hamer; Jeffrey Farner; PlanComm
Cc: Sharon Annear; lynnboastain@yahoo.com; Dave Cavanaugh; Owen Curtis; Don Buch; Judy Cooper; Nrjennings@comcast.net; Annabelle Fisher; katy_cannady20@comcast.net; Poulh@erols.com; Shirley Downs; Carol James; Diane Costello
Subject: BSAP Financing Clarification

Good morning Councilman Wilson,

Thank you for your Council Connection Newsletter. With regard to the BSAP, you state "...The approved plan provides a funding formula (including developer funding, tax increment financing, and City Affordable Housing Trust Fund dollars) for the creation...".

From an exchange with Mr. Jinks last May when the Plan was initially approved, I was told that tax increment

financing (TIF) was not being utilized, but rather tax increment funding. The relevant email between myself and Mr. Jinks is included below.

I would anticipate this topic to be under frequent discussion in the near future. Could we please have it clarified for everyone including Council and Staff, to avoid confusion?

Attention to this matter is appreciated.

Sincerely,

Diane Costello

----- Original Message -----

Subject:RE: BSAP Implementation Query

Date:Thu, 17 May 2012 18:04:11 +0000

From:Mark Jinks <Mark.Jinks@alexandriava.gov>

To:Diane Costello <dicos@verizon.net>

CC:Rashad Young <Rashad.Young@alexandriava.gov>, "lynnbostain@yahoo.com" <lynnbostain@yahoo.com>, Dave Cavanaugh <dacaval@yahoo.com>, owen curtis <opctiger72@aol.com>, Shirley Downs <shirleydowns@verizon.net>, Carol James <cjcomm@cjcomm.com>, nancy jennings <nrjennings@comcast.net>

Diane:

In response to your questions, I need to clarify the plan of finance envisioned in the Beauregard Small Area Plan. The planned use of some of the development created real estate tax increment does not envision the use of the Virginia Tax Increment Financing statutes which have various requirements in order to be implemented such as you note: the creation of boundaries, etc. The TIF statute was created largely to enable localities, in order to fund the public benefits, to issue revenue bonds to be repaid with the tax increment created by new development. The City does not contemplate the issuance of any bonds to finance the Beauregard Plan public benefits, and intends to only to use a portion of the tax base growth in the Beauregard Small Area Plan to fund its share of the public benefits (i.e., part the affordable/workforce housing plan). As a result the Tax Increment Financing statute and its structure do not apply and therefore there is no need to create boundaries. That is one of the reasons why the phrase "tax increment funding" (noted in your email) and not tax increment "tax increment financing" was used in the staff presentation on Saturday.

The process of tax increment funding would be implemented by City Council through the City's annual budget and appropriation process, which is subject to public hearings and Council's ability to annually determine whether or not to set-aside tax revenues for one purpose or another. It is in this annual process where Council would make its decision about the disposition of the tax increment created by new Beauregard Small Area Plan development. By its action on Saturday, Council indicated its plan to approve the set-aside of the Beauregard development tax increment annually, but that does not bind future Councils from making a different decision in the annual budget process.

In retrospect, I realize that this distinction between the Virginia Tax Increment Financing statutes and the City's financing plans for Beauregard may not have been as clearly stated as it could have been in the presented materials, and we will seek to make it crystal clear in the future.

If you have any further questions, please let me know.

Mark Jinks

From: Diane Costello [mailto:dicos@verizon.net]

Sent: Thursday, May 17, 2012 1:18 PM

To: Mark Jinks

Cc: Rashad Young; lynnbostain@yahoo.com; Dave Cavanaugh; owen curtis; Shirley Downs; Carol James; nancy jennings; Diane Costello

Subject: BSAP Implementation Query

Good afternoon Mr. Jinks,

In multiple discussions about the implementation of the BSAP you have made reference to Tax-Increment Financing (TIF) and indeed it has appeared in the staff PowerPoint presentations - as on p52-53 to Planning Commission on 3 May 2012, noted below.

I understand that in order to obtain TIF funds a city or county must draw a line around the area it wishes to redevelop - call it a redevelopment district, urban renewal district, or a TIF district. Once this district is defined/created, the property taxes generated by that area become the base taxes - one stream if you will. Any increases or increment in taxes that occur *following* the creation of the district - whether from increased value of existing land and developments or from new construction within that defined area - become the second stream. In the case of the BSAP, this second stream will be used to fund the phased development - the "pay-as-you-go" approach.

- 1) What will be the "district" in the BSAP? Is it already defined by the red line boundary of the draft Plan?
- 2) Or, will it extend beyond the current plan boundary as the presumed public "benefits" of the Plan - like the fire station - will be utilized by a larger number of households than those contained w/in the Plan boundary?
- 3) When does this "district" become official, i.e. does City Council need to hold a public hearing?
- 4) When in this process does the designation of such a "district" occur? Prior to rezoning?
- 5) During the public hearing, Ms. Hamer suggested that the rezoning would happen in the Fall, perhaps late Fall. Are you anticipating that the creation of such a "district" would not occur earlier than September?

Your time and assistance in responding to these questions is most appreciated.

Diane Costello
Lincolnia Hills
Alexandria
dicos@verizon.net

Beauregard Proposed Financing

- Pay-as-you-go funding, flexible, no debt
- Starts with \$4.0 million in City Housing
- *Tax Increment Funding (TIF)*
- Derives from Beauregard RE base growth
- 100% net new RE for 10 years
- \$80.9 million, reduces to \$52.4 million
- Near all net new RE revenues to GF starting in about year 13

Beauregard Funding Summary (\$ in millions/2011 dollars)

\$153.8 Developer contributions

52.4 *Beauregard Net TIF*

4.0 City housing funds

\$210.2 Total

Kerry J. Donley
609 North Pickett Street
Alexandria, VA 22304

April 1, 2013

Members of the Planning Commission
City Hall
Alexandria, VA 22314

Dear Members of the Planning Commission:

You have before you on tomorrow night's docket a number of actions relating to the Beauregard Small Area Plan. I urge your favorable consideration and support of these matters as the next steps in the implementation of the Plan.

I believe the Plan represents sound planning principles which warrant your support. Not only has the process in developing the Plan been exhaustive, the actual Plan itself is founded on sound planning principles which form the backbone of the Plan, but they also lead to a number of community benefits which further justify its adoption.

While increasing densities in this area of the City, the Plan has in place the necessary amenities and infrastructure to support the planned uses and densities. Unlike previous projects in this area of Alexandria, namely BRAC, the proposed Plan causes needed improvements to be in place to support not only existing land uses but anticipated new uses. Be they transportation infrastructure, community benefits or public uses, the elementary requirements are in place for the Plan and thus warrant your support.

Proposed Land Uses

The proposed uses are largely consistent with land uses presently in place. The Beauregard area has for years been known as a residential area and these uses remain in place under the new Plan. We come to times in our evolution where needed reinvestment and redevelopment are necessary, and this Plan represents this fact. Without redevelopment we would be left with properties which would eventually deteriorate, and the Plan envisions the kind of reinvestment necessary for this area to remain vibrant.

I would also argue that the proposed residential uses help enable the City and the region to remain economically viable. While I have consistently held that commercial development greatly adds to our tax base, residential development also plays an important role in our economical viability. With Alexandria and the region still experiencing economic expansion, our ability to house the workers here today and those coming to the region will be important to our continued growth.

Finally, there will be more of a mix of uses in the Beauregard area associated with the Plan, namely hotels and a retail center. Coupled with the existing commercial uses, the Plan gives us the

opportunities for the benefits of mixed-use development which has proven to be a success in other parts of town.

Transportation Infrastructure

To support existing and proposed densities, we must make essential investments in transportation infrastructure. This Plan envisions the realization of Bus Rapid Transit (BRT) to serve this area along with connections to other modes of transportation. In keeping with our planning philosophies of High Capacity Transit corridors serving the City, the Beauregard Plan has BRT as the backbone for transportation not only within the plan area but with connections to regional transportation. In fact, the new uses are predicated upon the existence of BRT as the chief means of mobility. The previous City Council has also laid the financial groundwork with the enactment of a transportation reservation of funding. Together with developer contributions and reservations of needed right of way, the resources exist for BRT to become a reality.

Additionally, the Plan envisions major roadway improvements chiefly at the intersection of Seminary Road and Beauregard to facilitate vehicular travel. Such improvements will not only support the planned land uses but existing land uses. This kind of planning and associated investment is the type which should have occurred with the BRAC facility, and because it was not, we have been playing "catch-up" even since. The proposed Plan now gives us the opportunity to correct past mistakes and to put in place the transportation infrastructure needed to support new growth.

I might add that the bulk of our residents live west of Quaker Lane, yet the vast majority of our transit infrastructure is located in the east end of the City. I think the West End is long overdue for new transit options, and the Plan represents an opportunity to rebalance transit services for many of our residents.

Public Safety

As part of the proposed Plan, the West End will get a new fire station, largely due to a negotiated benefit from the developers. We have seen public safety response times in this section of the City and the surrounding region increase over time, and this new fire station represents an opportunity for us to reduce response times and to better serve both existing and new residents. And, in conjunction with developer contributions, this new fire station will be truly affordable to our taxpayers.

Public safety is the most essential of local government responsibilities and this new fire station is absolutely essential to our fulfillment of this duty, and it is an opportunity to do so in an affordable and efficient manner.

Open Space

All communities need usable open space, and communities which are densely populated like Alexandria are challenged to achieve this objective. This area of the City has been fortunate to have the Winkler Botanical Preserve to help achieve this objective in addition to public parks and school open spaces. The proposed Plan puts in place more open space by permitting more vertical development thus freeing land for more open space. I also believe the Plan coordinates both existing and proposed open spaces to the benefit of all residents, including an athletic field at Ramsey school. The developers and city staff have done a good job working together to give us a plan which consolidates and coordinates the planned open spaces. Their efforts justify your support.

Affordable Housing

The affordable housing uses in the Plan are both historic and valuable to the City for decades to come. This Plan proposes to dedicate 800 units as affordable, the most by far in any one project in the city. Most significant is the dedication of approximately 150 housing units by deed to the City which permanently preserves these units as affordable. These units will be under city control and can remain affordable long after other subsidies expire.

The remaining units will be affordable through developer subsidy to households making between 40% and 70% of median income. All told, the commitment to affordable housing in the Beauregard Small Area Plan is the largest in the history of Alexandria, and it stands to be the most significant affordable housing commitment since the creation of public housing.

With the preservation of these 800 affordable housing units, the City along with the developer is able to provide affordable housing where none exists today. It should be remembered that while most of the units in the Beauregard area in existence today are "market rate affordable", all of the units are at risk of being lost over time. The preservation of 800 affordable units is truly a valuable and significant step in the provision of affordable housing in Alexandria, particularly the West End where little permanent affordable housing exists today and where many city residents reside and are currently in need of affordable housing.

The benefits I have enumerated above are the very basis of sound planning and they exist in the mattes before you on Tuesday night. The Plan represents years of consideration, community engagement, negotiation and refinement. In summary, the Plan contains all of the elements to be expected in any redevelopment effort and they warrant your support as we seek to move forward and meet the increasing demands of current and future citizens. I urge you to support the Plan through the various requirement approvals which are before you.

Thank you for kind consideration and for your service to the City.

Sincerely,

Kerry J. Donley

PC Docket Item #: 7,8,9

PlanComm

Project: Beauregard Rezoning

From: Skip Maginniss <smaginniss@mdnarch.com>
Sent: Monday, April 01, 2013 7:56 PM
To: PlanComm
Subject: Beauregard - Text Amendments 2012-0007, 0008, 0010

Members of the Planning Commission:

I am writing to support the text amendments that will permit the standing and approved Beauregard Small Area Plan to move forward and be implemented.

As vice-chair of the Alexandria Chamber Government Relations Committee I closely followed the Plan through the substantial public process, and the Chamber was pleased to support the Plan before the Planning Commission and City Council. Because the Plan balances the need for orderly and smart growth, housing for all income groups, expansion of community amenities, and economic benefit, we remain in support of the Plan and urge you to approve the proposed text amendments.

Thank you,



209 Commerce Street
Alexandria, VA 22314
ph 703.548.0460 fax 703.549.3324
www.mdnarch.com Smaginniss@mdnarch.com

Want a signature like mine? [CLICK HERE.](#)

Seminary Park Community Association
5100 Bellemeade Lane
Alexandria, VA 22311

1 April 2013

To the Alexandria Planning Commission:

Seminary Park supports Seminary Heights and Shirley Forest in their statements about potential new roads in the Adams neighborhood.

We greatly appreciate two recent meetings with Mayor Euille, Jeff Farner, and other City staff, about the portions of the Adams neighborhood bordering Seminary Park, Seminary Heights, and Shirley Forest. At the most recent meeting, Friday March 29, after some discussion we agreed with Mr. Farner and the other City staff to recommend changes to some language of CDD #21, Section 100, as follows.

The current (i.e., on-line) Section "e" says: "The type of buffer along the Adams neighborhood shall include, but not [be] limited to the following: fencing, landscaping, and lighting appropriate given the adjoining residential uses." We agree with staff to add the word "screening" after "buffer", and to add at the end of Section "d" the words "and take into account aesthetics and environmental sustainability."

The current Section "g" says, "The surface parking shall generally provide a minimum 45 ft. buffer adjacent to the existing townhouses (EXHIBIT 6), while accommodating required entrances and circulation." We agree with staff to add the word "screening" after "buffer".

Re. Section 109, under "Upland Park", we endorse the current wording: **"Development Phasing Trigger: Multi-Use Trail on Seminary Road.** For any DSUP required for Upland Park, the Applicant(s) shall [be] responsible for the design and construction of a minimum 10 foot wide (exact width to be determined during at the time of preliminary DSUP) multi-use trail on the north side of Seminary Road adjoining the property frontage. The trail shall be completed and operational prior to the first certificate of occupancy permit for the multi-family building along Seminary Road."

The Seminary Park Community Association plans to follow the progress of all these developments very closely, and be involved as plans for all of them become more definite.

Thank you.

Sincerely yours,

Roger J. Sullivan, Secretary
rsullivan8@comcast.net
703/820-3788

PC Docket Item #: 7, 8, 9

Project: Beauregard Rezoning

PlanComm

From: jbarn54015@aol.com
Sent: Monday, April 01, 2013 11:52 AM
To: PlanComm

To the Members of the Planning Commission:

Please support the Beauregard Small Area Plan. Aside from the attractiveness of the plan, and the enjoyment the proposed space will bring, Alexandria needs the revenue!!!! Please be a part of supporting growth for our residents and those who will move to Alexandria and those tourists who will enjoy the hotels, the shops and the ease of transportation. The plan offers "gifts" to us so please accept these gifts and vote yes. I am happy to be a part of any committee or group that will work to encourage this project.

I live at 1101 N. Howard Street and I already love the shops at Mark Center. Please keep growing!

Thank you for your work on behalf of our City.

Thank you,

Janet Barnett

Kendra Jacobs

PC Docket Item #: 7, 8, 9

Project: Beavogard Rezoning

From: Cityworks.Mail@alexandriava.gov
Sent: Tuesday, April 02, 2013 9:41 AM
To: Kendra Jacobs; Graciela Moreno; Cicely Woodrow
Subject: Cityworks Service Request ReAssigned #31639

Request: Planning & Zoning - Inqs; Compliments; Complaints 31639

Address:

Initiated By: CitizenRL

Date Initiated: 4/2/2013 7:27:59 AM

Submitted JACOBS, KENDRA

To:

Details: Parkside at Alexandria Condominium Association (378 units) would like to express its strong concern and request to the Planning Commission for assistance regarding the HOME Properties redevelopment plans for Seminary Towers and Seminary Hill. While the Parkside COA does not oppose redevelopment of these two properties in principle, we are VERY concerned to the proposed use of Kenmore Avenue by which HOME will dedicate the traffic lanes to the City, but will [See attached file for full comment.]

Comments: By Citizen: 4/2/2013 7:28:02 AM

<http://request.alexandriava.gov/CitFiles/b027d5c35c7c469cad0c14e555a659cf/FullDescription.doc>

By Citizen: 4/2/2013 7:28:02 AM

Parkside at Alexandria Condominium Association (378 units) would like to express its strong concern and request to the Planning Commission for assistance regarding the HOME Properties redevelopment plans for Seminary Towers and Seminary Hill. While the Parkside COA does not oppose redevelopment of these two properties in principle, we are VERY concerned to the proposed use of Kenmore Avenue by which HOME will dedicate the traffic lanes to the City, but will [See attached file for full comment.]

Location:

PlanComm

From: Stephanie Clayton <stephanie@federalcity.com>
Sent: Tuesday, April 02, 2013 11:33 AM
To: PlanComm
Subject: I support the Beauregard Plan

Dear Members of the Planning Commission,

I am writing to share my full support of the rezoning and CDD Concept Plan applications for the Beauregard area. I am a native Alexandrian and a 12-year resident of Seminary Valley and I am eager and excited to see a more vibrant, citizen-friendly West End. The applications before you are another step toward realizing the vision in the Beauregard Small Area Plan approved by the Planning Commission and City Council in May of 2012.

The plans incorporate an impressive amount of added and improved green space, a much needed new turf playing field with lights, improved transit along the Beauregard corridor, a modern, walkable town center with an improved grocery store and other desirable retail, and a much needed new fire station servicing the West End. I also like the improved interconnected system of biking and walking trails that the plan envisions and better neighborhood-to-neighborhood connectivity through an improved street grid and transit.

It is also important to note that the staff report includes a commitment to create at least 800 committed affordable housing units using developer funds and City increased tax revenues from the new development. 800 units is a meaningful commitment that will allow the City to maintain diversity that might otherwise be lost. Without the redevelopment allowed by the rezoning, and with the rental market continually rising, there is no guarantee that when developers decide to renovate and re-develop their west end properties that there will be ANY affordable housing left. The conditions published by staff assure us there will be.

I also believe that the more vibrant and livable the Beauregard corridor becomes, the more it will attract employees who work at BRAC, and many will consider moving to the neighborhood. This will no doubt improve traffic congestion with fewer cars heading to BRAC. And for the rest of BRAC, the addition of new desirable retail and restaurants to the area will generate needed business tax dollars to the city, as workers will be able to walk to the town center area during their lunch hour and utilize the retail businesses, benefiting all of us with increased commercial tax revenue.

Alexandria needs to follow the example of some of our neighbors and smartly re-develop our neighborhoods so that we can live, work, play in them, without always getting in our cars.

I hope you will enthusiastically support the applications in front of you Tuesday night.

Sincerely,
Stephanie Clayton
5333 Thayer Avenue
Alexandria, VA 22304

Stephanie Clayton
Federal City Caterers
1119 12th Street, NW

Washington, DC 20005

t: 202-408-9700

f: 202-408-9701



 Please consider the environment before printing this email

PlanComm

PC Docket Item #: 7, 8, 9

Project: Beauregard Rezoning

From: melissa.astorga@bonaventure.com on behalf of Dwight Dunton <dwright@bonaventure.com>
Sent: Tuesday, April 02, 2013 1:22 PM
To: PlanComm
Subject: Fwd: Beauregard Rezoning

Dear Planning Commission

I'm writing to you today to express my support for the series of matters that you will be reviewing tonight regarding the Beauregard rezonings. I'm a lifelong Alexandria resident. My wife and four children and I live in the neighborhood. Over my almost 40 years of life in Alexandria, I have seen Alexandria change numerous times. With each such change there have been opponents of change and supporters for progress. I fall clearly into the supporters of progress.

We watch our neighbors in Arlington, Fairfax and Washington, D.C. continuing to evolve their communities and develop with the changing desires and needs of the population. The Beauregard plan is an important step forward for our city to provide what is needed and desired by our citizens. Walkable, mixed-use, urban living environments are the future for urban communities such as Alexandria. The Beauregard master-planned area would provide a sorely needed opportunity for those in the city and those looking to move to the city to find a community of the 21st-century. I am in full support of these proposals!

My day job is as a developer of mixed-use, multifamily communities throughout the mid-atlantic. I have no financial interest in what is going on tonight, but I can tell you, in my considered professional opinion, that the plans you have before you are first rate and fantastic. As a developer, I'm envious of the opportunities that the coalition of developers have brought forward. I believe that they will be extremely successful for our city. Unfortunately, I was going to speak tonight, however, I've been called out of town. I hope this letter will suffice in expressing my unqualified support for the matters before you tonight.

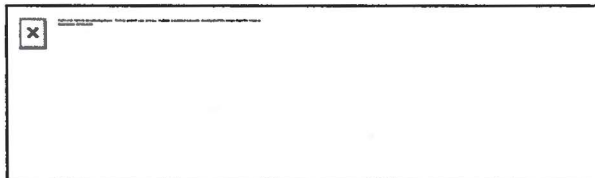
Best regards,

Dwight Dunton

--

Dwight D. Dunton III | PRESIDENT

BONAVENTURE REALTY GROUP | bonaventure.com
2700 South Quincy St. Suite 500, Arlington, VA 22206
D 703.373.0905 | C 703.582.5502 | F 703.832.8319



Ronald Sturman
5342 Echols Ave.
Alexandria, VA 22311
(703) 820-7864 (H)
(703) 801-8552 (C)
Ron.SeminaryHeights@gmail.com

April 2, 2013

COMMENTS TO ALEXANDRIA PLANNING COMMISSION

Mr. Chairman and Members of the Planning Commission:

My name is Ronald Sturman and I live at 5342 Echols Avenue in a townhouse that is part of the Seminary Heights Condominium Association. I am the board's secretary and I am a member of the ad hoc committee that has been engaged in the process of reviewing Condition 100 of CDD 21.

Seminary Heights is a community of 108 townhouses running roughly north to south from Seminary Road to N. Stevens; it borders Duke Realty property that the Beauregard Small Area Plan describes as the Adams Neighborhood.

I am here this evening to report that the board of Seminary Heights—representing 108 townhouses—requests the Commission to adopt the proposed revised Conditions of Zoning. They are acceptable to City staff. They were emailed to the Commission yesterday (Monday). We ask the Commission to recommend to City Council that they be approved. We do request one addition in the title of the Conditions document. City staff has voiced no objection to a name change from "Parallel Road" to "Adams Neighborhood Road" and we ask the Commission to approve that change and to forward it to Council.

The name change is important. Our intent is to avoid any language that **assumes** a road be located adjacent to the residential neighborhoods, as depicted in the Beauregard Small Area Plan (BSAP). The revised Conditions of Zoning include consideration of alternative solutions to fulfill the traffic requirements of the Adams Neighborhood. That intent is clear to all the stakeholders now including Duke Realty as Mr. Wire, their attorney, stated in his remarks earlier. We want the intent to be clear to those who will have to address these or similar issues 10 or 20 years from now.

Our hope is that no parallel road be considered as part of CDD 21 unless absolute necessity for it is demonstrated as a result of traffic studies at the time of Adams Neighborhood redevelopment. It is for these reasons. The concept plan envisions three parallel roads within a 300-ft-wide area between Seminary Heights' townhouses and N. Beauregard Street. Estimates are that the proposed road could carry 6,000 - 8,000 vehicles per day. This would adversely affect residents whose bedrooms, patios, and back yards could be within 10-feet of the nearest road. We are concerned about noise levels which are a problem right now. Beauregard traffic is only 300-ft. from our townhouses. Can you imagine noise levels with two additional roads between Beauregard and the townhouses? Also, we are concerned about safety and, of course, the future resale value of these homes. We firmly believe that there are better alternatives that can provide the mobility, accessibility, and connectivity for pedestrians, cyclists, and drivers west of Beauregard.

As we have expressed to Duke Realty, the attorneys representing them, and to all concerned parties: the community welcomes smart development—don't we all— with only one caveat...assurance that development does not result in residents of the neighboring communities becoming "collateral damage" in an otherwise worthy endeavor. We believe that continued goodwill, openness and civil discourse among the stakeholders will enable us to achieve beneficial outcomes for the developers, the existing communities, and for the City of Alexandria.

Finally, we express special thanks to Mayor Euille for his active involvement in this review process, to Deputy City Manager Mark Jinks and to the City staff for their cooperation and for their helpful suggestions. Also, we appreciate the members of City Council, members of the Planning Commission, and the Beauregard Advisory Group who visited the community to better understand the issues the community seeks to address as we proceed with the area's development initiatives.

Planning Commission Talking Points, 4/2/2013

Jerry King, Chair of the Alexandria Bicycle and Pedestrian Advisory Committee

Tonight I would like to make one point: There has been good planning for Bike and Pedestrian facilities in the Beauregard Small Area Plan. We need these facilities to stay in the plan and not fall by the wayside.

Specifically, changes to CDD 21 have been submitted with the intent of eliminating or substantially moving the parallel road based on circumstances that may exist 10 or 20 years in the future. We agree with that intent and the proposed change with the clarification that the area will be served by suitable bicycle and pedestrian facilities in the Adams neighborhood.

While bike lanes are the preferred cycling facility, we are fine with multi-use paths. Studies have shown that neighbors of bike paths/trails feel that the quality of life of their neighborhood has been improved, and that the trails were a good use of open space.

Request the Planning Commission add a condition within CDD 21 as follows:

Retain a multi-use path or equivalent facilities in the Adams neighborhood to provide the mobility, accessibility, and connectivity for pedestrians and cyclists west of Beauregard.

Background on our request:

- a. Recent experience has shown the value of dedicated bike lanes to reduce Bike and Pedestrian conflicts on multi-use paths and Bike and motorized transportation conflicts on roads.
- b. According to a study for the Delaware DOT, "There is definitely a large portion of the population that sees bike paths as an amenity and will seek out residences near trails, parks, and other natural resource areas."
- c. According to MWCOG, households in the Beauregard Corridor reported a 2.8% daily bike commuting mode share in 2012; this is 4.7 times the regional average of 0.6%!!!

People are already cycling in this area in large numbers. Let us please build on that success by ensuring suitable Bike and Pedestrian facilities stay in the plan.

Thank you.

April 2, 2013

Dear Chairman Komoroske and Commissioners,

My name is Carolyn Griglione. I was a Community At-Large representative on the Beauregard Rezoning Advisory Group. The group worked diligently for nine months to complete the Mission and Tasks assigned to the group by City Council.

Mission

The overall mission of the Beauregard Rezoning Advisory Group is to provide recommendations to City staff on the rezoning(s) within the Beauregard Small Area Plan to ensure consistency with the Beauregard Small Area Plan (excluding affordable housing).

Tasks

The Advisory Group will be responsible as part of the rezoning(s) to provide recommendations on the following tasks and subjects to ensure consistency with the Beauregard Small Area Plan.

- a) The locations(s) and potential programming for the open space to acquired using the \$1.5 million federal BRAC funding;
- b) The Ellipse and associated improvements at the intersection of Seminary Road and Beauregard Street;
- c) Transportation phasing and transportation improvements;
- d) Land use, open space and sustainability; and
- e) Phasing of Plan improvements.

We have all given our best effort to be sure that the rezoning within the BSAP is consistent with the BSAP. We compared the Beauregard Standards and Guidelines with the BSAP to be sure all rezoning was addressed properly. Changes and corrections were made where deemed necessary after discussion between the BRAG members and hearing comments from residents who contributed their important insight. City staff gave their professional guidance to help us make accurate decisions.

I have read and re-read, questioned, listened, poked, prodded, and made on-site visits. I feel I have given my best effort to determine that the rezoning is consistent with the BSAP.

I am confident recommending the BSAP re-zonings and ask the Planning Commission to give their approval.

Thank you .

COMMENTS FOR PLANNING COMMISSION MEETING – April 2, 2013
SUBMITTED BY ANNABELLE FISHER

I am requesting that the Coordinated Development District (CDD) include conditions requiring transportation and transit planning be combined into a coordinated network for regional economic development as well as between individual developers. To create an attractive, efficient transit oriented community in the BSAP, it is essential THAT THE design of transit network include WMATA, VDOT, Arlington and Fairfax counties and that transit connectivity be given priority in linking developments in CDD 1 & CDD 2.

The Beauregard Rezoning Advisory Group (BRAG) letter dated March 14, 2013, references the Transportation Alternatives Report, Technical Memorandum/Draft, Sept. 2012. The draft memorandum "accepted" by the BRAG does not denote approval since it was a DRAFT, was technical in nature and had not been reviewed and approved by an independent group with transportation and transit expertise. The draft technical memorandum selected the Ellipse as the preferred alternative and VDOT's letter regarding the Ellipse recommends additional analysis prior to implementation.

As part of my testimony I have included a diagram of the Ellipse. Although it may ultimately be the only solution, the diagram of the ellipse raises reasonable concerns regarding the impacts on adjacent properties, transit, transportation, pedestrian and biking in or adjacent to the ellipse. The number of traffic lights, turning radiuses, sidewalks, signage and traffic merging may also create safety as well as emergency response concerns.

If you look at the CDD and the diagram of the ellipse, you will see there is no combined plan for transportation and transit development. In addition, although unintentional, the Ellipse may create new problems impeding transit movement west on Seminary Rd. and slowing transit on Beauregard and Mark Center Drive from the transfer stations at Southern Towers.

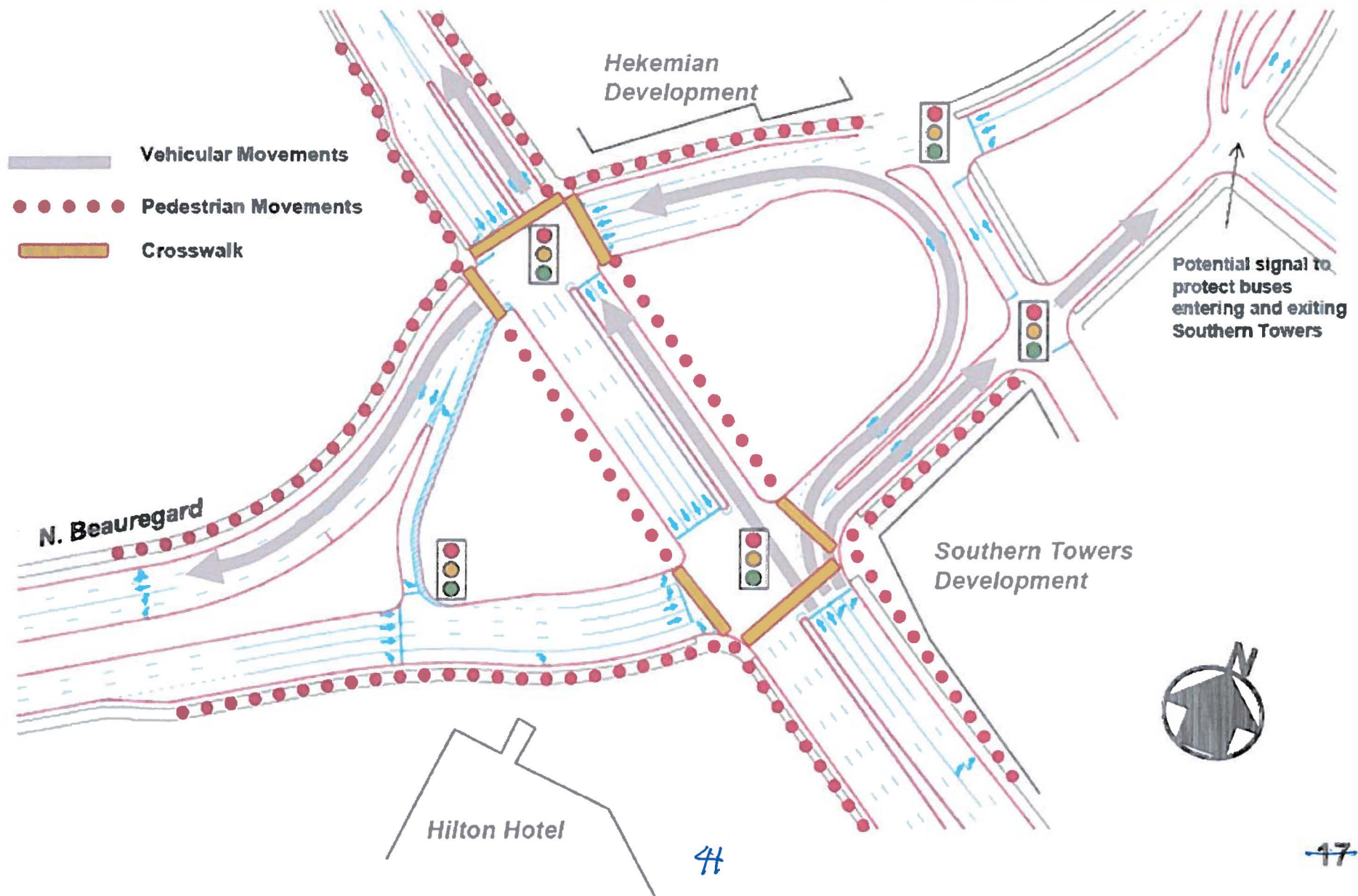
In approving the CDD, I ask that language be included to ensure that a workable, comprehensive plan be prepared to ensure efficient movement of people in the BSAP to make certain that it is coordinated between developments, e.g., Heikiman & Southern Towers, Duke Realty & JBG, and accommodate regional transportation and transit planning. It is important that we not overlook Fairfax County's plans for Baileys Crossroads redevelopment as it bumps up against the West end of Alexandria city boundaries on Seminary Road. How is this increased density and presumed traffic flow going to be accounted for in the already approved BSAP? Looking ahead to 2035, it is essential this become an attractive, transit oriented community with service to I-395 and the High Occupancy Vehicle (HOV) lanes.

Thank You.

Annabelle Fisher, Southern Towers Resident



Ellipse





TESTIMONY TO CITY OF ALEXANDRIA PLANNING COMMISSION

April 2, 2013

Coordinated Development Districts and Design Standards for Beauregard Small Area Plan

My name is David Kaplan, I am an Alexandria resident and I am here on behalf of the Coalition for Smarter Growth to read their testimony. Stewart Schwartz, the Coalition's Executive Director, was unable to attend this evening's hearing.

The Coalition for Smarter Growth closely tracked the planning for the redevelopment of the Beauregard corridor and testified in support of the new plan, but since that time has been unable to dedicate the resources to monitoring the creation of the new Coordinated Development Districts and design standards to implement that plan.

As a result, our remarks will be brief. Our comments will also be brief because our review of the staff report, community advisory committee reports and other supporting documentation indicates a very high degree of due diligence and analysis. The city has invested significant resources in ensuring all the pieces fit together in this complex rezoning, including the design standards, the staging related to transportation improvements, and the developer commitments to financing public infrastructure and affordable housing. The city also established community advisory committees to collect ongoing input and provide independent recommendations to the staff, Planning Commission and Council.

Regarding the issue of affordable housing, we are glad that the city conducted a tenant survey to better understand the needs, and that as a result, the city has made adjustments to the affordable housing plan and associated financing plan. Market rate affordable housing is under demand pressures due to the region's continued population growth and the traffic that is encouraging residents to live closer to jobs. We agree therefore that market affordable apartments in the Beauregard areas would continue to be lost. Therefore a strategy to create long-term committed affordable units is essential, and the plan and CDD will create 800 units - now better tailored to the needs identified in the tenant survey.

As a result of our review of the staff report and supporting documentation, including the affordable housing provisions, we support the Coordinated Development Districts, and associated provisions and design standards. Thank you.

Stewart Schwartz
Executive Director

April 2, 2013 Planning Commission Hearing - CDD 21, Condition #100

Good evening Mr. Chairman and Planning Commission members:

My name is Rebecca Hierholzer. I had the pleasure to meet some of you when you came to my home in Seminary Heights to do a site visit and see for yourself the location of the proposed parallel road 10' from my patio. Some of you also saw the proposed parallel road's adjacent location to Shirley Forest single family homes, John Adams Elementary School, and where Adams Neighborhood abutts Seminary Park townhouses.

I'm here to review the photo exhibit packets with you that you've all received tonight. Their intention is to be a refresher for those of you who kindly visited our communities, and in place of a personal visit for Mr. Dunn and Mr. Wagner. Are you interested in any review ?

(PC member replied – no, the pictures tell the whole story)

I'm also here to answer any questions you may have. Are there any questions ?

(PC members replied – no)

And to invite you to add any additional strengthening language to our proposed revised Conditions as you see fit.

There were quite a few from our community who wanted to participate in tonight's hearing, but were unable to be physically present due to work and family schedules when they learned it was going to be a late night – maybe midnight. So in place of their physical presence, you have comments (32) in the format of our 'List of Concerns'. City staff requested a list of concerns from us at the beginning of our working together.

As it was shown this evening, Staff presentations usually start out showing the proposed parallel road as a framework street. I was told by Rich Baier, Director, T & ES, via e-mail in response to a question I had about framework streets, that our Conditions would remove the proposed parallel road from being a framework street. I would just like to verify that information please.

(Sandra Marks, T&ES, replied).

And there will be no bearing on the location of the road ?

(Sandra – no)

Thank you.

Rebecca Hierholzer 2649 Centennial Court Alexandria VA 22311 (h) 703-671-2322

Kendra Jacobs

Subject: FW: BSAP, on behalf of AHAC

From: Katharine Dixon [mailto:kd@rebuildingtogetheralex.org]

Sent: Friday, April 05, 2013 10:50 AM

To: kd@rebuildingtogetheralex.org

Subject: BSAP, on behalf of AHAC

Dear Mayor Euille, City Council members, City Manager, and Planning Commission members,

Members of the Affordable Housing Advisory Committee are concerned about the Planning Commission's suggestion to form a Beauregard Small Area Affordable Housing Task Force. The implication is dismissive of the extensive work that AHAC was tasked with completing.

AHAC was created to preserve and increase housing affordability throughout the City and as such, reviews all proposed residential plans. The committee has a developer, homeowner, renter, non-profit agency, ARHA, civic association, code enforcement, attorney, and Commission on Aging representative... all with the expertise and interest of maintaining and improving affordable housing.

The dedicated volunteer members of AHAC and City staff have been publicly meeting for nearly two years to discuss the BSAP. In the Plan, approved by City Council last year, affordable housing was a top priority, with over \$120 million being dedicated to achieving 800 committed affordable units as new development occurs over the next 30 years (now reduced to 21 years).

AHAC members have also worked for many months on recommendations for distribution of affordable housing units within the development. Finalizing the formula to properly allocate these units included manipulating total funds available, buy down funds, leveraged funds, unit type (efficiency to 3BR), the range of incomes served (40-75% AMI), and the longevity of housing affordability. AHAC looked at no less than ten versions of outcomes, incorporating all these factors, and agreed that the recommendation put forward is the best combination of considerations.

Some Planning Commission members seem determined to increase the number of units from 800 to 900. And while it is true that 900 units could be set aside, they would most likely be efficiencies or 1 BRs, serve only 60%+ AMI, and be committed for a mere 15 years... thus, not reflecting the needs of the BSAP tenants, according to the tenant's survey findings. To facilitate the relocation of residents who are impacted by new development, the Plan also includes a very robust Tenant Assistance and Relocation Plan.

AHAC has been charged with and looks forward to monitoring and evaluating the progress of completion of these units over the lifetime of the area's development.

In this time of budget & staffing constraints and citizens noting 'too many meetings,' a duplicative task force is not needed. We strongly encourage you to allow AHAC to do what you have chartered the Committee to do: preserve and increase affordable housing wherever possible throughout the City.

Respectfully,

Affordable Housing Advisory Committee (approved 4/4/13)

Katharine Dixon, CAPS
Executive Director
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NEW: kd@rebuildingtogetheralex.org
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We are hiring for an AmeriCorps member to start this summer:

44