

City of Alexandria, Virginia

MEMORANDUM

DATE: SEPTEMBER 7, 2017

TO: CHAIRWOMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR, PLANNING AND ZONING

SUBJECT: RE: DEVELOPMENT SPECIAL USE PERMIT (DSUP2017-0015)
SEPTEMBER 7, 2017 PLANNING COMMISSION HEARING, DOCKET ITEM
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This message in response to the letter sent by the applicant of Development Special Use Permit (DSUP) #2017-0015 to the Planning Commission on September 5th. As stated in the applicant's letter, Perseus Realty, LLC requests several changes to the staff recommended conditions of approval for the above-referenced matter. Staff offers the following reasons for justification of these conditions.

Staff has continuously worked with the applicant to provide flexibility throughout the approval process in support of the applicant's proposal to adaptively reuse the existing building at 200 Stovall Street. Staff recognizes the importance of this site's transformation and has agreed to process the site and building improvements administratively through a minor site plan amendment to allow the applicant to apply for building permit more expeditiously following the approval of the Eisenhower East Small Area Plan Amendment (MPA#2017-0006). As described in the Staff Report, the applications before you are in support of the adaptive reuse of the building and the change in land use associated with the above-reference small area plan amendment. With these applications, a new DSUP number was generated and a set of conditions of approval associated with the building's reuse are provided so that Block 6A may stand alone from the other properties in the Hoffman Town Center.

Staff feels that it has provided the maximum extent of flexibility in support of the applicant's proposal, including in the Staff recommended conditions of approval. The following pages provide Staff's justifications of the intent for each of the contested conditions of approval.

City Staff looks forward to discussing these items with the Planning Commission at this evening's hearing.

Staff offers the following justifications of the intent for each of the conditions of approval contested by the applicant:

Condition 3j – STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Remove mid-block crossing on Mandeville Lane.~~

Staff Justification: The proposed development at Block 6A and Blocks 4&5 will generate additional vehicular and pedestrian traffic. With this increase in volumes, mid-block crossing is unsafe for pedestrians because cars are not likely to stop mid-block without a signal. A mid-block crossing on Mandeville Lane would also conflict with the proposed double-sided retail streetscape and on-street parking. Additionally, a raised-table is proposed at the intersection of Mandeville Lane and Swamp Fox Road as part of the Blocks 4 & 5 development, which will provide traffic calming; therefore, an additional stop on Mandeville Lane mid-block between Stovall Street and Swamp Fox Road would increase congestion and potential conflicts.

Condition 6b - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Provide external water hose bibs continuous at perimeter of building. Each tree shall be no more than 90 feet from a hose bib.~~

Staff Justification: The City's standard condition of approval requires the applicant to provide external water hose bibs at a maximum of 90 foot increments around the perimeter of the building for watering of street trees and other plantings. The above condition was revised to address the applicant's concerns for the feasibility of implementing this standard condition on their site while ensuring that all trees have access to watering.

Condition 9d - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Construct an on-site, mock-up panel of proposed materials, finishes, and relationships for review and approval prior to final selection of building materials. The mock-up panel shall be constructed and approved prior to ordering final building materials. **~~

Staff Justification: The City typically requires construction of a mock up panel for all new construction. Given the amount of physical changes to the existing building, and the construction of three new floors, Staff conditioned construction of a mock up panel. This provides important quality control on all of the projects in the City.

Condition 9e - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~The mock up panel shall be located such that it shall remain on-site in the same location until it is reviewed and approved by the Director of Planning and Zoning. (P&Z)~~

Staff Justification: The mock up panel is typically required to remain on-site until issuance of the first certificate of occupancy. Due to the existing, constrained site proportions, Staff revised the condition to provide flexibility for the mock up panel to be removed once it is approved by the director.

Condition 10 - STAFF SUPPORTS AMENDMENT OF THIS CONDITION.

Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Certified (or equivalent) for the building. ~~The applicant shall, in good faith, strive to achieve LEED Silver (or equivalent) for the commercial interiors to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES.~~ Diligent pursuance and achievement of this certification shall be monitored through the following:

Staff Justification: Staff supports a minimum of LEED Certified for the entire building and is comfortable with eliminating the portion of this condition which would require LEED Silver for commercial interiors for the retail component of the building. The applicant has communicated to Staff that they will strive for LEED Silver Certification if possible.

Condition 10e – STAFF SUPPORTS DELETION OF THIS CONDITION.

~~If applicable, provide documentation of LEED Silver Certification from USBGC (or equivalent) for the commercial interiors within two years of obtaining a final certificate of occupancy of the commercial space.~~

Staff Justification: See above.

Condition 10f - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Failure to achieve LEED Certification (or equivalent) for building will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of minor site plan amendment will apply.~~

Staff Justification: The applicant has agreed that the building will meet a minimum of LEED Certification.

Condition 14 - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Provide guards that are 42 inches in height along open sides of the stairways and landings which are located 30 inches above the floor or grade below. The width between the balusters shall be no wider than 4 inches and the handrails are to be a minimum of 34 inches and a maximum of 38 inches. (Police)~~

Staff Justification: This is a building code requirement.

Condition 17 c ii - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~The playground shall be made accessible to the general public during the hours of 6pm to sunset Monday through Friday, all day on weekends, and all day on weekend holidays when the center is closed. Appropriate signage indicating public hours shall be provided.~~

Staff Justification: Bright Horizons, a daycare center in Carlyle, is conditioned to provide the same public access easement, which has been very successful. Since an Open Space Contribution was not requested, this condition was included to supplement the lack of child play space in Eisenhower East and provide a community benefit.

Condition 83 - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Prepare a noise study identifying the levels of noise residents of the project will be exposed to at the present time, and 10 years into the future in a manner consistent with the Noise Guidance Book used by the Department of Housing and Urban Development (HUD). In addition, include analysis of the levels of noise residents of the project will be exposed to due to loading and unloading activities, idling and traffic. Identify options to minimize noise and vibration exposure to future residents at the site, particularly in those units closest to the loading areas, garage entrances, interstate highway, railroad tracks and airport traffic, including triple glazing for windows, additional wall / roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES. (T&ES)~~

Staff Justification: Providing a noise study and associated commitment letter is and has been a standard requirement of multifamily and mixed use developments in the City. Staff understands that this is a reuse and renovation of an existing building, and that the applicant intends to install measures in the building, but the study and commitment letter are required to ensure that the appropriate standards are evaluated and met through the development of the site plan and building permits and that the mitigation measures are effective in protecting the occupants from excessive noise, now and in the future.

Condition 84 - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~The noise study and noise commitment letter shall be submitted and approved prior to the minor site plan amendment release.* (T&ES)~~

Staff Justification: See above.

Condition 89 - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Present a disclosure statement to future buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:~~

- ~~a. That Metrorail tracks are located within the immediate vicinity of the project, are permitted to continue indefinitely.~~
- ~~b. That Eisenhower Avenue is a major arterial and that future traffic is expected to increase significantly as development along Eisenhower Avenue continues. (P&Z)(T&ES)~~

Staff Justification: This disclosure condition protects future purchasers of the property.

Condition 90 - STAFF DOES NOT SUPPORT DELETION OF THIS CONDITION.

~~Contribute \$50,000 to the City prior to release of the minor site plan amendment to install a bike share station in the vicinity of the project as part of a coordinated bike share program. (T&ES)~~

Staff Justification: Given the number of units that will be provided, the contribution is commensurate with other development projects. Contributions are applicable to development

locations that are within 1/4 mile of an existing or proposed Capital Bikeshare station. The contribution amount will be applied to system-wide station implementation and/or expansion of existing stations. For developments with two or more land uses, each use will be subject to contributions.

September 5, 2017

VIA EMAIL To karl.moritz@alexandriava.gov

Mary Lyman, Chair and
Members of Planning Commission
301 King Street, Suite 2100
Alexandria, Virginia 22314

Re: Development Special Use Permit (DSUP 2017-0015)
September 7, 2017 Planning Commission Hearing, Docket Item 10

Dear Members of the Planning Commission:

On behalf of my client, Perseus Realty, LLC, I am requesting the following changes to the staff recommended conditions of approval for the above-referenced matter.

Condition 3. j.

~~Remove mid-block crossing on Mandeville Lane.~~

Condition 6 b

~~Provide external hose bibs continuous at perimeter of building. Each tree shall be no more than 90 feet from a hose bib.~~

Condition 9.

For the minor site plan amendment, the following submissions shall be provided to review the materials, finishes and architectural details, prior to selection of final building materials:

- a. Provide a materials board that includes all proposed materials and finishes prior to release of the minor site plan amendment. *
- b. The materials board shall remain with the Department of Planning and Zoning until the final certificate of occupancy, upon which all samples shall be returned to the applicant.***
- c. Provide drawings of a mock-up panel that depict all proposed materials, finishes, and relationships. *
- d. ~~Construct an on-site, mock-up panel of proposed materials, finishes, and relationships for review and approval prior to final selection of building materials. The mock-up panel shall be constructed and approved prior to ordering final building materials.**~~

- e. ~~The mock-up panel shall be located such that it shall remain on-site in the same location until it is reviewed and approved by the Director of Planning and Zoning. (P&Z)~~

Condition 10.

Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Certified (or equivalent) for the building. ~~The applicant shall, in good faith, strive to achieve LEED Silver (or equivalent) for the commercial interiors to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES. Diligent pursuance and achievement of this certification shall be monitored through the following:~~

- a. Provide evidence of the project's registration with LEED (or equivalent) with the submission of the minor site plan amendment and provide a draft checklist showing how the project plans to achieve the certification.*
- b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) (or equivalent) prior to issuance of a certificate of occupancy. ***
- c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
- d. Provide documentation of LEED Certification from USGBC (or equivalent) within two (2) years of obtaining a final certificate of occupancy.
- e. ~~If applicable, provide documentation of LEED Silver Certification from USBGC (or equivalent) for the commercial interiors within two years of obtaining a final certificate of occupancy of the commercial space.~~
- f. ~~Failure to achieve LEED Certification (or equivalent) for building will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of minor site plan amendment will apply.~~
- g. Provide documentation to future retail tenants encouraging them to operate their business consistently with the goals of LEED (or equivalent).(P&Z)(T&ES)

Condition 14.

~~Provide guards that are 42 inches in height along open sides of the stairways and landings which are located 30 inches above the floor or grade below. The width between the balusters shall be no wider than 4 inches and the handrails are to be a minimum of 34 inches and a maximum of 38 inches. (Police)~~

Condition 17 c ii.

~~The playground shall be made accessible to the general public during the hours of 6pm to sunset Monday through Friday, all day on weekends, and all day on weekend holidays when the center is closed. Appropriate signage indicating public hours shall be provided.~~

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~~analysis of the levels of noise residents of the project will be exposed to due to loading and unloading activities, idling and traffic. Identify options to minimize noise and vibration exposure to future residents at the site, particularly in those units closest to the loading areas, garage entrances, interstate highway, railroad tracks and airport traffic, including triple glazing for windows, additional wall / roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES. (T&ES)~~

Condition 84.

~~The noise study and noise commitment letter shall be submitted and approved prior to the minor site plan amendment release.* (T&ES)~~

Condition 89.

~~Present a disclosure statement to future buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:~~

- ~~a. That Metrorail tracks are located within the immediate vicinity of the project, are permitted to continue indefinitely.~~
- ~~b. That Eisenhower Avenue is a major arterial and that future traffic is expected to increase significantly as development along Eisenhower Avenue continues.~~

~~(P&Z)(T&ES)~~

Condition 90.

~~Contribute \$50,000 to the City prior to release of the minor site plan amendment to install a bike share station in the vicinity of the project as part of a coordinated bike share program. (T&ES)~~

I look forward to discussing these requested amendments to the staff recommended conditions with you at the Planning Commission hearing.

Sincerely,



Kenneth W. Wire