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2-20-16

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 20, 2016  
TO: MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: KARL MORITZ, DIRECTOR,  
DEPARTMENT OF PLANNING & ZONING  
SUBJECT: REVISIONS TO DOCKET ITEM #6:  
COORDINATED DEVELOPMENT DISTRICT CONCEPT PLAN #2015-0006;  
DEVELOPMENT SPECIAL USE PERMIT #2015- 0001;  
2901 EISENHOWER AVENUE

This memorandum contains a revision to two conditions. Condition 21 has been amended to require Energy Star appliances for all units; and Condition 33 has been amended to add language in the event that some of the proposed multifamily units are provided as “for sale” units.

Condition 21 - (p.26 of staff report)

- 21. Energy Star labeled appliances shall be installed in all ~~multifamily~~ residential units. (T&ES)

Condition 33 – additional language for “For Sale” units (p.28, 29 of staff report)

For Sale

- a. If either building 1 or 2 is developed as for sale housing, the developer shall provide affordable set-aside for-sale units within the Development. The set-aside units will include one-bedroom units to be marketed and sold at \$175,000 and two-bedroom units to be marketed and sold at \$225,000 to households with incomes as designated by the City. These prices include at least one parking space for each unit.
- b. The set-aside units shall be of the same size and floor plan and with the same finishes as other similar units in the Development.
- c. At the City’s discretion, the set-aside units may be sold to a non-profit entity, at the same terms as described above, to be operated as affordable rentals. In this case, operation of the rental units shall be governed by a separate agreement to be entered into between the City and the designated non-profit entity.
- d. Any incentives offered to potential market-rate homebuyers shall also be offered to purchasers of the set-aside units.
- e. The developer agrees that residents of the set-aside units shall have access to all amenities offered on the entire Development.
- f. The set-aside units shall have a 40-year affordability period that is established through deed restrictions recorded as covenants at the time of sale of each of the set-

- aside units, in accordance with the City's set-aside resale policy. Language for the covenants shall be provided by the City in advance of the final sale of any unit.
- g. The City shall have exclusive right to market the set-aside units for 90 days, after which the developer will also have the right to market the units at the affordable price to buyers qualified for the set-aside program.
  - h. If the developer sells the market-rate units for less than expected, the developer shall index the price on the affordable units proportionately.
  - i. Real estate commissions shall be paid (or not paid) on the set-aside units in the same manner and on the same basis as market-rate units.
  - j. Amendments to the approved Affordable Housing Plan must be submitted to the Alexandria Housing Affordability Advisory Committee for consideration, and require final approval from the City Manager.

SPEAKER'S FORM

DOCKET ITEM NO. 6

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK  
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: M Catharine Puskar
2. ADDRESS: 2200 Warendon Blvd Ste 1300 Ari, VA 22201  
TELEPHONE NO. 703-528-4700 E-MAIL ADDRESS: cpuskar@thelandlawyers.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Rushmark Eisenhower LLC
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES  NO \_\_\_\_\_

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.