

HART, GIBBS, PIERCE & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

700 NORTH FAIRFAX STREET, SUITE 600
ALEXANDRIA, VIRGINIA 22314

TELEPHONE (703) 836-5757
FAX (703) 548-5443
WWW.HARTLANDUSELAW.COM

HARRY P. HART
MARY CATHERINE H. GIBBS
CONSTANCE H. PIERCE

HERBERT L. KARP

LURAY OFFICE:
170 KIBLER DRIVE
LURAY, VA 22835

RETIRED:
CYRIL D. CALLEY, 2005

TELEPHONE: (540)-743-2922
FAX: (540)-743-2422

November 27, 2017

The Honorable Mary Lyman, Chair
and Members of Alexandria City Planning Commission
c/o Mr. Karl Moritz, Director
Department of Planning & Zoning
301 King St., Room 2100
Alexandria, VA 22314

Re: Docket Item No. 2, Eisenhower East Block 20
Coordinated Development District#2017-0003 Development Special Use Permit
#2017-0005 Transportation Management Plan Special Use Permit #2017-0103
Encroachment #2017-0004 Encroachment #2017-0005 2200 Mill Road -

Dear Madam Chair and Members of the Planning Commission:

We're writing on behalf of our client, Paradigm Development Company, to request two changes to the proposed conditions for the above referenced docket item for Eisenhower East, Block 20. We have worked long and hard with the Staff to reach this pinnacle in the process for the continued vitalization of the Eisenhower East corridor. Paradigm continues to invest in this area of Alexandria and is excited to be working on the development of Block 20 after the successful completion of the Parc Meridian on Block 19, including its investments in the open space and storm water management needs of this area.

Staff should be commended for their hard work on this project and we have a disagreement on only two conditions, one that we think is relatively minor, but important nonetheless, and one that is critical. Paradigm requests the following changes be made to the conditions as presented in your Staff Report for the December 5th Planning Commission Meeting:

Cond. 3(e)(1): “Hybrid Sidewalks on Port Street, unless the hybrid standard sidewalk is deemed unworkable for this block by the Director of Planning and Zoning, and then, brick sidewalks will be permitted.”

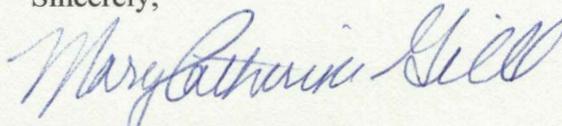
We are asking for this change because Paradigm's landscape architect is concerned with the hybrid standard currently being used in this area. Staff no longer support the pavers Paradigm used in the Block 19 motor court ROW, and our landscape architect is concerned with the updated hybrid standard as there is an issue with the scoring pattern and they believe it will crack over time. We are simply asking to be able to continue to work with Staff on this issue during the final site plan because we believe brick is likely going to be the better option for Port Street.

Condition 71: The underground encroachment shall be limited from 5 4 feet below grade to the depth needed for installation of transformers and switch gears except access hatches, which must be flush with the sidewalk. The 5 4 feet below grade depth may be used by the City for landscape or other infrastructure improvements. (T&ES)

This is critical for Paradigm. A similar circumstance exists on Block 19. The transformer vault for all of the electricity for Block 19 was permitted to be located under the sidewalk on Dock Lane. That vault on Block 19 was required to begin at 4 feet below grade, as has been proposed for Block 20's two transformers vaults, one for the residential portion and one for the hotel portion. The change to Condition 71 is critical because the transformer specifications are dictated by Dominion and if Dominion needs it to start at 4 feet, Paradigm is subject to their requirements. Paradigm does not have final approval yet from Dominion for these specifications, but Paradigm needs this condition to at least permit the same depth for this vault as was approved by Dominion for Block 19.

We look forward to continuing to work with the Staff on this transit oriented development that enhances the Eisenhower East neighborhood, including significant public benefits for affordable housing and a new dog park. Paradigm has a significant investment in this area of the City and seeks to expand that investment with the development of Block 20 and all its improvements to the neighborhood. With the changes requested, we ask for your consideration for approval next Tuesday.

Sincerely,



Mary Catherine Gibbs

cc: W. Clarke Ewart and Micheline Castan-Smith, Paradigm Development Co.

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 30, 2017

TO: CHAIRWOMAN LYMAN AND MEMBERS OF PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR OF PLANNING AND ZONING

SUBJECT: DECEMBER 5, 2017 PLANNING COMMISSION HEARING, DOCKET ITEM #2:
DEVELOPMENT SPECIAL USE PERMIT #2017-0005

This memorandum is provided in response to the letter sent by the applicant of Development Special Use Permit (DSUP) #2017-0005 to the Planning Commission dated November 27th. As stated in the applicant's letter, Paradigm Development Company objects to Condition #3(e)(1) and requests to amend this condition as underlined below:

Condition 3(e)(1): “Hybrid sidewalks on Port Street, unless the hybrid standard sidewalk is deemed unworkable for this block by the Director of Planning and Zoning, and then, brick sidewalks will be permitted.”

Staff appreciates the positive comments from the applicant and their responsiveness to staff's input throughout the review process. Staff has been able to support the applicant's request for flexibility from the City's standard brick and concrete hybrid detail on Dock Lane, Mill Road, and Southern Street; however, Staff feels that it is important to implement the City's standard hybrid sidewalk on Port Street for the following reasons:

- On Block 19, Staff supported the use of special paving materials on the public sidewalks on Port Street to complement the adjacent motor court, which is a unique feature and amenity. The same rationale does not apply to Block 20, as Block 20's motor court is on Dock Lane and not Port Street. Additionally, parking and loading entrances are proposed on the balance of Port Street and do not warrant the need for special paving materials.
- The balance of Port Street on Blocks 11 and 12, directly across from Block 20, will have the City's standard brick and concrete hybrid sidewalk, as this is a requirement for that approved development. Staff believes that it is important for Port Street's sidewalks to have a consistent paving material for the balance of the undeveloped blocks. Consistent paving materials are an important means of visually connecting the urban fabric and distinguishing the public and private realms.
- Staff does not believe there is a potential for the hybrid standard sidewalk to be unworkable. The brick and concrete hybrid sidewalk detail was developed by City engineers to common industry standards. Control and expansion joints are included in the detail to allow for natural expansion and contraction of the pavement, and control the location of any cracking which may occur.

City Staff looks forward to discussing this item with the Planning Commission at the December 5th hearing.

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 5, 2017

TO: THE HONORABLE MARY LYMAN, CHAIR AND MEMBERS OF PLANNING COMMISSION

FROM: YON LAMBERT, DIRECTOR OF TRANSPORTATION & ENVIRONMENTAL SERVICES

SUBJECT: COORDINATED DEVELOPMENT DISTRICT#2017-0003
DEVELOPMENT SPECIAL USE PERMIT #2017-0005
TRANSPORTATION MANAGEMENT PLAN SPECIAL USE PERMIT #2017-0103
ENCROACHMENT #2017-0004
ENCROACHMENT #2017-0005
2200 MILL ROAD - EISENHOWER EAST BLOCK 20 SUP #2017-00079

This memorandum contains information in response to the applicant's request to amend Condition #71 that limits the underground encroachment from 5' below ground surface for installation of the transformers and switch gears.

The objective for not permitting the applicant to encroach in the first 5' from ground surface is for the City to maintain the ability to install public infrastructure in the future and for landscaping of small plants and shrubs, the roots of which would not penetrate more than 5' in the ground. Regarding the installation of infrastructure, it is the standard practice of the City of Alexandria (which aligns with the national standard engineering practice) to install sanitary sewer, and preferably water mains also, at a minimum depth of 3.5' from ground surface up to the top of the pipe. The minimum size of the pipe for a sanitary sewer to be installed in the public right of way is 10" diameter per the standard practice of the City of Alexandria. With the addition of the thickness of the pipe and the bedding depth for installation of the pipe, the minimum depth required for installation of sanitary sewer and water main is 5' from the ground surface (Refer to the Standard Street Section CSSU-1). Therefore, the staff recommends that Condition #71 not be amended.

It has been City's standard condition not to permit encroachment in the first 5' underground for other similar projects that have been recently approved by the Planning Commission and City Council (i.e., ABC Giant/Edens, DSUP2015-00019). In these cases, the City permitted encroachment in the Public Right of Way for installation of transformers and switch gears under this same condition of approval. The applicant's adjacent development on Block 19 (DSUP2012-00028) was permitted with an encroachment depth of 4'. However, the City's standard practice has been updated since that original approval, as noted above.

On the basis of staff's discussion with Dominion Energy, we understand that Dominion shall comply with the City of Alexandria standards and specifications for installation of the transformers in the public right of way.