

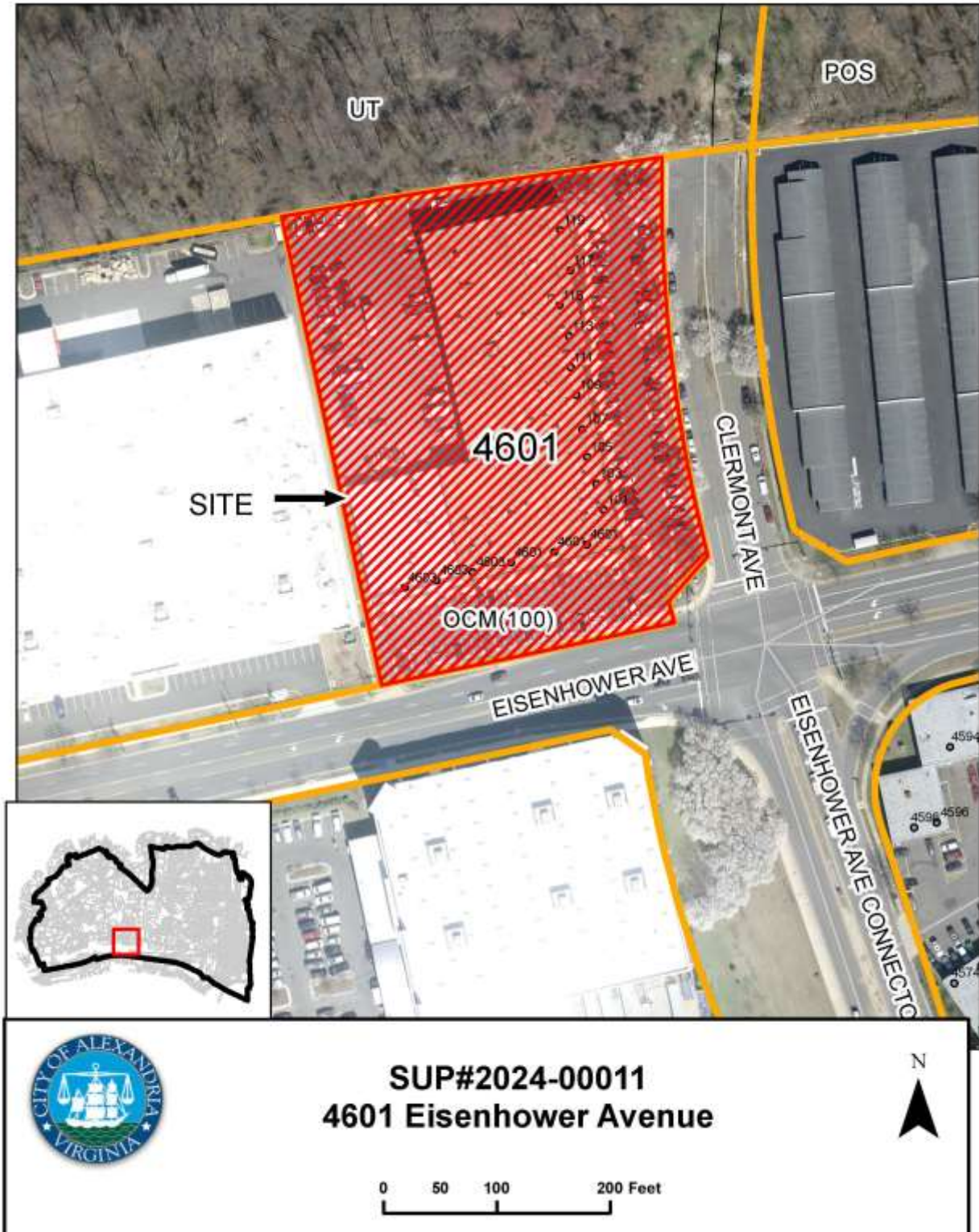


***Docket Item #7
 Special Use Permit #2024-00011
 4601 Eisenhower Avenue
 Various Uses at Industrial Center***

Application	General Data	
Public hearing and consideration of a request to 1) allow various administrative special, special, and non-complying uses at an industrial center, and 2) to increase the square footage for non-complying uses	Planning Commission Hearing:	May 7, 2024
	City Council Hearing:	May 18, 2024
Address: 4601 Eisenhower Avenue	Zone:	OCM (100) Office commercial medium
Applicant: Boundary Investments, LLC, represented by Robert Brant, attorney	Small Area Plan:	Eisenhower West Small Area Plan

Staff Recommendation: Approval subject to compliance with all applicable codes and ordinances and the recommended conditions found in Section III of this report.

Staff Reviewers: Mavis Stanfield, mavis.stanfield@alexandriava.gov
 Ann Horowitz, ann.horowitz@alexandriava.gov



I. DISCUSSION

The applicant, Boundary Investments, LLC, represented by Robert Brant, attorney, requests Special Use Permit approval to 1) allow various administrative special, special, and non-complying uses at an industrial center, and 2) to increase the square footage for non-complying uses associated with property located at 4601 Eisenhower Avenue.

SITE DESCRIPTION

The subject property is a 2.94 acre lot located at the northwest corner of Eisenhower and Clermont Avenues and is developed with a 65,700 square foot, one and two story industrial center, where individual



Figure 1: 4601 Eisenhower Avenue

tenant spaces open directly to the public at the ground floor (Figure 1). The lot has 370 feet of frontage along Eisenhower Avenue and 370 feet of frontage along Clermont Avenue. The “L” shaped building is developed with parking along Eisenhower and Clermont Avenues and at the rear of the building (Figure 2).

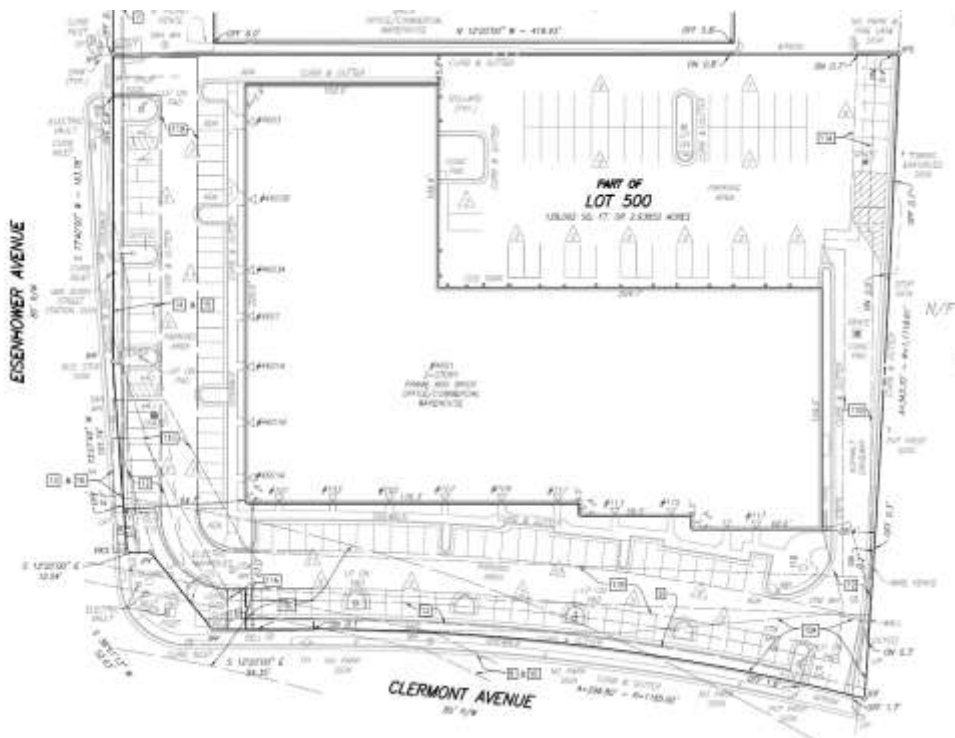


Figure 2: Site layout

The industrial center is currently occupied by a mixture of retail, office, and storage/warehouse uses. Non-complying uses occupy 14,654 square feet.

The site is surrounded by industrial centers to the east and south. The Floor and Décor large format retail store is located to the west. The Norfolk Southern Railway and Backlick Run are located to the north. The Capital Beltway is located one block farther south.

Cameron Station is the closest residential development and to is located approximately 870 feet to the north. It is separated from the industrial center by the heavily wooded railroad property and tracks and Backlick Run. Another nearby residential property is the TriPointe townhouse development, formerly the Victory Center, currently under construction, which is 1,200 feet to the west, past several more industrial developments and an office building. The Clermont Woods single unit residential development in Fairfax County is located approximately 1,300 feet to the south, past the Capital Beltway and separated by sounds walls.

BACKGROUND

The property was developed in accordance with Site Plan 85-018, which was released on July 12, 1985, to construct a two-story industrial building attached to an existing one-story building, facing Eisenhower Avenue. When the Zoning Ordinance was rewritten in 1992, the zone, where the subject property is located, changed from I/Industrial zone to the OCM(100)/Office commercial medium. With the zoning change, many of the industrial-zoned uses occupying this property became legal non-complying uses.

In 1994 and 1995, City Council approved three special use permits, for catering, catering with a restaurant, and a private commercial school. These uses are no longer located at the property.

The property was cited for two City Code property maintenance violations in November and December of 2021 for overflowing trash in dumpsters. These violations were quickly resolved.

PROPOSAL

The applicant requests two Special Use Permit reviews. The first is to pre-approve, as an “umbrella” approval, various administrative special uses, special uses, and non-complying uses that the applicant would like to accommodate as future tenants. Pre-approval would allow the applicant flexibility to attract new businesses and sign leases without the need for separate special use permits for individual tenants. The applicant is interested in redevelopment when market conditions are appropriate. The applicant considers the following uses as compatible with the character of the surrounding area and the existing businesses at the site. It requests approval of:

Administrative Special Uses in OCM(100)

- Animal care facility located in a commercial complex
- Catering in an industrial center
- Light assembly, service, and crafts in an industrial center
- Light automobile repair in an industrial center

Special Uses in OCM(100)

Day labor agency
Fraternal or private club
Private school, academic
Public building
Recreation and entertainment use, outdoor
Retail shopping establishment, larger than 20,000 square feet
Research and testing
Wholesale business

Non-complying uses

Glass shop
Food and beverage production exceeding 5,000 square feet with a retail component
Parcel delivery
Storage building and warehouses, not to include freight distribution
Building material storage and sales
Laundry, dry cleaning operations
Printing and publishing facilities
General automobile repair

The second SUP request is to expand the square footage of the non-complying uses at the site from 14,654 square feet to 45,501 square feet. The expanded non-complying uses would locate on the industrial center's first floor.

PARKING

Parking for the property was approved per Site Plan #85-018, which required a total of 135 parking spaces. Since the site plan approval, 20 additional parking spaces were added at the rear parking area. The combination of higher parking ratios in 1985 and the more recent addition of spaces establishes that the number of parking spaces exceeds today's commercial parking requirements. Site visits conducted at 4 p.m. on March 20 and at 8 a.m. on March 29 confirmed adequate parking spaces exist to accommodate the proposed uses.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned OCM (100) Office commercial medium zone. Section 4-1002.1 of the Zoning Ordinance allows for the four proposed administrative SUP uses and Section 4-1003 provides that SUP approval is required for the eight SUP proposed uses. Although the administrative SUP uses could be separately approved by staff, all proposed uses have been included in this staff report to streamline approvals, saving the applicant and future tenants time and application fees.

Section 12-302(A) permits the expansion of non-complying uses through SUP approval. Section 12-302(B)(2) of the Zoning Ordinance states that a non-complying use may be changed, with a special use permit, to any use allowed in the zone in which the proposed non-complying use is first listed in the ordinance, interpreted as a less intense use than an OCM(100) use. Given that the

proposed eight non-complying uses appear in zones listed prior to the OCM(100) zone, the proposed non-complying uses are eligible for consideration through SUP.

The site is located in the Eisenhower West Small Area Plan (SAP) which envisions the eventual redevelopment of the parcel with ground floor retail uses and residential above. Although the SUP proposal represents a continuation of commercial use, staff acknowledges this as reasonable in the short to mid-term until area economic conditions favor redevelopment in line with the small area plan goals.

II. STAFF ANALYSIS

Staff supports the applicant's request to allow various administrative special, special, and non-complying uses at an industrial center, and to expand the non-complying uses permitted at the property. To allow the applicant leasing flexibility in terms of time efficiency and tenant location, Condition #2 includes uses recommended for pre-approval and standard SUP conditions are listed as Conditions #8 to #30.

Broadening the permitted types of non-complying uses (Condition #2) and expanding the area for non-complying uses to 45,501 square feet (Condition #7) is a reasonable interim-use request as the non-complying uses currently occupying the property would have a negligible neighborhood impact given that railroad land, parks, and commercial uses surround the industrial center and isolate it from residential properties. Industrial centers operating under similar "umbrella" SUPs along Eisenhower Avenue have successfully, and without complaints, accommodated low-impact industrial and commercial uses, uses that may be too large for many of the smaller available tenant spaces in the City or start-ups seeking convenient and affordable locations.

While no immediate redevelopment interest exists for the site, staff believes there is the potential for future redevelopment opportunities in the mid to long-term given the Victory Center residential development activity and the Landmark Mall and the Vulcan site redevelopments to the west. As such, staff recommends Condition #4, requiring a 15-year review of the Special Use Permit by May 2039 to assess the redevelopment potential and to determine if the use continues its compatibility with neighboring uses. The 15-year review aligns with the City Council approvals for the industrial center "umbrella" SUPs at 5150 and 5200 Eisenhower Avenue and 5380 Eisenhower Avenue, which also included 15-year SUP public hearing reviews.

Subject to the conditions stated in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

General site conditions:

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, discussing all SUP provisions and requirements. (P&Z)
3. The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)
4. The Director of Planning & Zoning shall docket the Special Use Permit in 15 years (May 2039) for Planning Commission and City Council to assess the redevelopment potential of the site and the compatibility of the use with other uses in the area and take such action as it deems appropriate at the time. (P&Z)
5. The following administrative special uses, special uses and non-complying uses are permitted with this Special Use Permit on the subject property (P&Z):
 - Administrative Special Uses in OCM(100)
 - Animal care facility located in a commercial complex
 - Catering in an industrial center
 - Light assembly, service, and crafts in an industrial center
 - Light automobile repair in an industrial center

 - Special Uses in OCM(100)
 - Day labor agency
 - Fraternal or private club
 - Private school, academic
 - Public building
 - Recreation and entertainment use, outdoor
 - Retail shopping establishment, larger than 20,000 square feet
 - Research and testing
 - Wholesale business

Non-complying uses

Glass shop

Food and beverage production exceeding 5,000 square feet with a retail component

Parcel delivery

Storage building and warehouses, not to include freight distribution

Building material storage and sales

Laundry, dry cleaning operations

Printing and publishing facilities

General automobile repair

6. The applicant shall file a minor site plan amendment to address the 20 additional parking spaces identified on the property in the survey provided to the Department of Planning and Zoning on March 27, 2024, within three months of SUP approval. (P&Z)
7. Non-complying uses are permissible on the first floor, comprising 45,501 square feet. (P&Z)

Conditions for all uses:

8. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
9. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
10. Trash and garbage, except for bulk items or other dry material that is typically stored in open-air dumpsters, shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES)
11. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
12. The applicant shall require its employees who drive to use on-site parking. (T&ES)
13. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
14. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)

15. The applicant is prohibited from storing and/or staging merchandise & materials in the public right-of-way. (T&ES)
16. The applicant is prohibited from loading/unloading activities on Eisenhower Avenue, a public right-of-way. (T&ES)
17. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
18. The applicant shall control odors, smoke and any other air pollutants from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
19. Equipment shall not be cleaned outside and residue washed into the streets, alleys or storm sewers. (T&ES)

Additional conditions for light assembly, service, and crafts

20. Materials shall be stored within an enclosed building. (T&ES)
21. The area around the building shall be kept free of debris and maintained in an orderly and clean condition. (T&ES)

Additional conditions for light and general automobile repair

22. All waste products including, but not limited to, organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
23. The Applicant must follow the City of Alexandria Best Management Practices manual for automotive related industries. Contact the T&ES Stormwater Management Division at 703-746-6499 to obtain a copy of the manual or online at [Environmental Quality Forms and Publications](#) website. (T&ES)
24. No paint or coatings shall be applied outside of a paint spray booth and no material shall be disposed of by venting into the atmosphere. (T&ES)
25. No repair work shall be done outside on the subject property. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (T&ES)
26. Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. This condition, if incorporated, will require a change in the operation from what is presented in the application. It is recommended that the car washes be done at a commercial car wash facility. (T&ES)

Additional conditions for catering operations, food and beverage production over 5,000 square feet, and fraternal or private clubs:

27. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
28. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)

Additional conditions for animal care facility with overnight pet boarding.

29. The applicant shall comply with the Virginia Department of Agriculture and Consumer Services Division of Animal Industry Services laws and Animal Care, Control, Property and Protection Laws of Virginia regarding Boarding Establishments. (P&Z)

Additional conditions for private schools and daycare establishments:

30. Administrative approval of a pick-up and drop off plan is required prior to commencing operation. The applicant shall submit an application to the Department of Planning & Zoning for review. (P&Z)

STAFF: Tony LaColla, Division Chief, Land Use Services,
Ann Horowitz, Principal Planner
Mavis Stanfield, Urban Planner

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Concern exists that outdoor events/entertainment will not comply with the noise code. T&ES/OEQ strongly recommends the incorporation of noise mitigation, such as sound walls and the location of sound systems if this use is implemented.
- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES)
- R-4 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-5 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-6 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-7 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-8 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-9 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)

- R-10 The applicant is prohibited from storing and/or staging merchandise & materials in the public right-of-way. (T&ES)
- R-11 The applicant is prohibited from loading/unloading activities on Eisenhower Avenue, a public right-of-way. (T&ES)
- R-12 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-13 The applicant shall control odors, smoke and any other air pollutants from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-14 Materials shall be stored within an enclosed building. (T&ES)
- R-15 The area around the building shall be kept free of debris and maintained in an orderly and clean condition. (T&ES)
- R-15 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services. (T&ES)
- R-16 Equipment shall not be cleaned outside and residue washed into the streets, alleys or storm sewers. (T&ES)
- R-17 All waste products including, but not limited to, organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
- R-18 The Applicant must follow the City of Alexandria Best Management Practices manual for automotive related industries. Contact the T&ES Stormwater Management Division at 703-746-6499 to obtain a copy of the manual or online at [Environmental Quality Forms and Publications](#) website. (T&ES)
- R-19 No paint or coatings shall be applied outside of a paint spray booth and no material shall be disposed of by venting into the atmosphere. (T&ES)
- R-20 No repair work shall be done outside on the subject property. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (T&ES)

- R-21 Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. This condition, if incorporated, will require a change in the operation from what is presented in the application. It is recommended that the car washes be done at a commercial car wash facility. (T&ES)
- R-22 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-23 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-24 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)

Code Enforcement:

- C-1 A building permit is required.

Fire:

No comments received.

Health:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4850 Mark Center Dr., 4th Floor and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria- fee must be paid separate from any other departmental fees.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.

- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.
- C-8 Starting on 1/1/2023, The Virginia Department of Agriculture and Consumer Services (VDACS) is the point of contact for the following type of establishments: grocery stores, convenience stores, ice cream stores, wine shops, or bakeries. The divisions of Food Safety can offer further guidance. Please use the following contact information:

VDAC's Food Safety Program

804.786.3520

804.371.7792

foodsafety@vdacs.virginia.gov

- C-9 An Alexandria Health Department Permit is required for all regulated hotel facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-10 Construction plans shall be submitted to the Health Department located at 4850 Mark Center Dr., 4th Floor and the Multi-Agency Permit Center. Construction plans shall be submitted and approved by the Health Department prior to construction. There is a \$40.00 plan review fee payable to the Alexandria Health Department and a Plan Review Application.
- C-11 Construction plans shall comply with State Code 35.1, Hotels, Restaurants, Summer Camps and Campgrounds. Construction plans shall include equipment specification sheets including hot water information.
- C-12 An Alexandria Health Department Permit is required for each regulated facility, including swimming pools, wading pools, spas, waterparks, interactive water features and water activity pools. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Electrical inspection, Permit Application and Fee are required.
- C-13 Construction plans and Fee shall be submitted to the Health Department located at 4850 Mark Center Dr., 4th Floor =and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a plan review fee per body of water payable to the City of Alexandria.

- C-14 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 11, The Aquatic Health Ordinance. Pump curves, hydraulic calculations, equipment specifications, site plans, and piping plans shall be submitted.
- C-15 The filter room shall be located so that the pool operator does not have to leave the pool enclosure, it opens onto pool deck, and so pool operator has a full line of sight when inside room.
- C-16 The bathhouse shall be located to open onto the pool deck with patrons being required to enter and pass through bathhouse prior to accessing pool.
- C-17 A direct dial, hard-wired telephone shall be provided within the swimming pool area.
- C-18 All regulated aquatic facilities shall have a pool operator on-duty. Pool operators must be on-site during all operating hours except for spas and interactive water features. At least one certified lifeguard shall be on-duty during all operating hours for aquatic facilities with the exception of spas and interactive water features. Additional lifeguards may be required due to the configuration of the facility and/or use of the facility.
- C-19 An Alexandria Health Department Permit is required for all regulated facilities that are serving and/or preparing food. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another.
- C-20 Construction plans shall be submitted to the Health Department located at 4850 Mark Center Dr., 4th Floor and through the Multi-Agency Permit Center. Construction plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
- C-21 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-22 A Food Protection Manager shall be on duty during all operating hours.

Parks and Recreation:

No comments received.

Police Department:

No comments received.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 4601 Eisenhower Avenue

TAX MAP REFERENCE: 069.01-01-03 **ZONE:** OCM(100)

APPLICANT:

Name: Boundary Investments LLC

Address: 4800 Hampden Lane, Suite 800, Bethesda, Maryland 20814

PROPOSED USE: Umbrella Special Use Permit for a variety of uses

- THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Robert D. Brant, Attorney/Agent
 Print Name of Applicant or Agent
2200 Clarendon Boulevard, Suite 1300
 Mailing/Street Address
Arlington, Virginia 22201
 City and State Zip Code

 02/21/2024
 Signature Date
703-528-4700 _____
 Telephone # Fax #
rbrant@thelandlawyers.com
 Email address

PROPERTY OWNER'S AUTHORIZATION

As the property owner of please see attached, I hereby
(Property Address)
grant the applicant authorization to apply for the _____ use as
(use)
described in this application.

Name: _____ Phone _____
Please Print

Address: _____ Email: _____

Signature: _____ Date: _____

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the *(check one)*:
 Owner
 Contract Purchaser
 Lessee or
 Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

Please see attached

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See attached		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 4800 Hampden Lane, Suite 800, Bethesda, Maryland (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See attached		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose **any** business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. See attached	none	none
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

02/21/2024

Boundary Investments LLC By: Robert D. Brant, Attorney/Agent

Date

Printed Name


 Signature

APPLICANT AND PROPERTY OWNERSHIP BREAKDOWN

Owner of 4601 Eisenhower Avenue (TM No. 069.01-01-03)

4601 Eisenhower Associates, LLC

820 Elaine Court

Alexandria, Virginia 22308

- **Bogle Industries, Inc. (100%)**
820 Elaine Court
Alexandria, Virginia 22308

Applicant/Contract Purchaser of 4601 Eisenhower Avenue (TM No. 069.01-01-03)

Boundary Investments, LLC (a Delaware Limited Liability Company)

4800 Hampden Lane, Suite 800

Bethesda, Maryland 20814

- **John Douglas Wilkinson Revocable Trust u/a/d July 6, 2018 (100%)**
4800 Hampden Lane, Suite 800
Bethesda, Maryland 20814

Note: none of the entities listed above have a business or financial relationship with any member of the Board of Architectural Review, Board of Zoning Appeals, City Council, or Planning Commission as defined by Section 11-350 of the Zoning Ordinance.

Boundary Investments LLC
4800 Hampden Lane, Suite 800
Bethesda, Maryland 20814

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Authorization to File Special Use Permit Application
4601 Eisenhower Avenue, Tax Map No. 069.01-01-03 (the "Property")

Dear Mr. Moritz:

Boundary Investments LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an application for a Special Use Permit on the Property and any related requests.

Very truly yours,

BOUNDARY INVESTMENTS LLC

By: 

Its: Member

Date: 2-14-2024

4601 Eisenhower Associates, LLC
820 Elaine Court
Alexandria, Virginia 22308

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Consent to File Special Use Permit Application
4601 Eisenhower Avenue, Tax Map No. 069.01-01-03 (the "Property")

Dear Mr. Moritz:

4601 Eisenhower Associates, LLC, as owner of the above-referenced Property, hereby consents to the filing of an application for a Special Use Permit on the Property and any related requests by Boundary Investments LLC.

Very truly yours,

4601 EISENHOWER ASSOCIATES, LLC

By: *Randy B. Lefe*

Its: *Manager*

Date: *2/13/24*

Narrative Description
Boundary Investments LLC
4601 Eisenhower Avenue
Tax Map No. 069.01-01-03

Boundary Investments LLC (the “Applicant”) is the contract purchaser of property located at 4601 Eisenhower Avenue (the “Property”). The Applicant is seeking to establish an umbrella Special Use Permit (“SUP”) to permit various uses within the existing industrial building on the Property for a period of 15 years, through 2039.

In the way of Background, the Property is currently zoned to the Office Commercial Medium (100) Zone (“OCM(100)”), and is developed with an existing 65,699 square foot industrial building constructed in 1985, and an associated surface parking area that includes 139 spaces. The Property was previously zoned Industrial prior to the 1992 comprehensive City-wide rezoning, which rezoned the Property to the OCM(100) zone. The existing building has historically been, and is currently, occupied by a variety of light industrial uses for which it was originally constructed to accommodate.

The Property is also located within the Clermont Exchange Neighborhood in the 2015 Eisenhower West Small Area Plan (“SAP”). The Eisenhower West SAP recommends redevelopment of the Property with residential and retail uses. While the Applicant ultimately intends to redevelop the Property in conformance with the Eisenhower West SAP, based on current market conditions, the increasing demand for industrial space, and considering that the existing building is well-occupied by a number of tenants who wish to remain, the Applicant does not anticipate redevelopment occurring within the next 15 years. In the interim, the Applicant intends to continue to lease space in the existing building to a variety of light industrial and commercial uses which are compatible with the existing uses in the building and surrounding uses in the neighborhood. The proposed 15-year term of the umbrella SUP is consistent with the term of previously approved umbrella SUPs along this segment of Eisenhower Avenue, will provide current and future tenants with assurance, and will enable the Applicant to retain existing tenants and attract new businesses to the City until market conditions are appropriate for redevelopment.

Because the building and current uses (which include storage and warehouse, food and beverage production, and research and testing laboratory uses) existed prior to June 24, 1992, any existing uses not currently permitted in the OCM(100) zone are considered legally noncomplying uses pursuant to Section 12-300 of the Zoning Ordinance. Section 12-302(A) of the Zoning Ordinance allows the expansion or physical enlargement of noncomplying uses with SUP approval. Additionally, Section 12-302(B)(1) of the Zoning Ordinance allows noncomplying uses to continue to operate on the Property in the form of a different trade, business, or activity, provided that it is within the scope of the use listed in the Zoning Ordinance. Further, Section 12-302(B)(2) of the Zoning Ordinance, allows noncomplying uses to be changed to a use allowed in the zone which such non-complying use is first listed in the Zoning Ordinance (i.e. the Commercial Service Low (“CSL”) and Industrial (“I”) zones).

As identified on the floor plans and tabulations submitted with this application, current tenants within the building include storage and warehouse, manufacturing, research and testing laboratory, business and professional office, and retail uses. In addition to seeking umbrella SUP approval to permit a variety of uses, as part of this application the Applicant is seeking the option to expand the existing noncomplying storage and warehouse uses pursuant to Section 12-302(A), as identified in the enclosed tabulations and floor plans, in order to meet market demand for warehouse space and provide flexibility for existing and future tenants.

The Applicant has determined that the uses enumerated below are appropriate for the building and compatible with the character of the surrounding area. These uses will provide the Applicant with flexibility to lease space to industrial or commercial tenants without the need for separate SUPs for individual new tenants, thereby enhancing the Applicant's ability to attract new businesses to the Property. The proposed umbrella SUP further allows the Applicant to easily re-let vacant spaces on the Property in a timely manner and reduce the burden on small businesses seeking to locate in the City. The Applicant requests SUP approval for the following uses, in addition to those that are currently permitted by-right in the OCM(100) Zone:

- OCM(100) Administrative SUP and SUP Uses
 - Animal care facility with overnight accommodation if located in a commercial complex
 - Light assembly, service, and crafts in an industrial or flex space center
 - Catering operation in an industrial or flex space center
 - Light auto repair in an industrial or flex space center
 - Day labor agency
 - Fraternal or private club
 - Private school, academic
 - Public building
 - Recreation and entertainment use, outdoor
 - Retail shopping establishment, larger than 20,000 gross square feet
 - Research and testing
 - Wholesale business

- CSL and I Permitted and SUP Uses
 - Glass shop
 - Parcel delivery
 - Storage buildings and warehouses, not to include freight distribution centers
 - Building materials storage and sales
 - Laundry, dry cleaning operations
 - Manufacturing
 - Printing and publishing facilities
 - General automobile repair
 - Health and athletic club or fitness studio
 - Restaurant located within a commercial complex or hotel
 - Food and beverage production exceeding 5,000 square feet, which includes a retail component

The amount of parking currently provided on the Property exceeds the requirement for the existing uses and is more than adequate to serve the proposed uses. Although the precise future tenant mix is currently unknown, the requested mix of industrial and commercial uses would require parking at different times of day, which is conducive to a shared parking scenario that currently exists on the Property.

The proposed umbrella SUP will allow the Applicant to provide flexibility for existing and future tenants, as well as attract new businesses to the City. The Applicant's request is comparable to previously approved umbrella SUPs for similarly-situated industrial buildings in this area of the City, and will allow the Applicant to continue to fulfill market demand for industrial uses until such time as the Property is redeveloped in the future in accordance with the Eisenhower West SAP.

USE CHARACTERISTICS

4. The proposed special use permit request is for (*check one*):
- a new use requiring a special use permit,
 - an expansion or change to an existing use without a special use permit,
 - an expansion or change to an existing use with a special use permit,
 - other. Please describe: _____

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

Varies by tenant

- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).

Varies by tenant

6. Please describe the proposed hours and days of operation of the proposed use:

Day:
Varies by tenant

Hours:
Varies by tenant

7. Please describe any potential noise emanating from the proposed use.

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

No unusual noise levels anticipated.

- B. How will the noise be controlled?

Varies by tenant

8. Describe any potential odors emanating from the proposed use and plans to control them:

No unusual odors will be generated

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)
Varies by tenant. Trash is the responsibility of the tenant and will be contained in dumpsters.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
Varies by tenant

C. How often will trash be collected?
Varies by tenant. Property manager will provide a common dumpster and trash will be removed on a scheduled and regular basis.

D. How will you prevent littering on the property, streets and nearby properties?
The property manager will provide service on an as-needed basis.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Varies by tenant. Tenants will be responsible for legal disposition of hazardous materials, if any.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Each tenant is responsible for the legal disposition of hazardous materials, if any.

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons? Each tenant is responsible for the security of its spaces.

ALCOHOL SALES

13. A. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes No Unknown

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

If a tenant proposes to sell alcohol, they will be required to follow all regulations involving the sale of alcohol.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

135 Standard spaces
 Compact spaces
4 Handicapped accessible spaces.
 Other.

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A <u> </u>
Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where is required parking located? (*check one*)

on-site
 off-site

If the required parking will be located off-site, where will it be located?

N/A

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use? 6

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 <u> </u>
Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where are off-street loading facilities located? N/A

C. During what hours of the day do you expect loading/unloading operations to occur?
Varies by tenant.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Varies by tenant.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

65,699 sq. ft. (existing) + 0 sq. ft. (addition if any) = 65,699 sq. ft. (total)

19. The proposed use is located in: (*check one*)

a stand alone building

a house located in a residential zone

a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other. Please describe: _____

End of Application

NOTES

1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON CITY OF ALEXANDRIA ASSESSMENT MAP No. 069.00-01-03 AND IS CURRENTLY ZONED OCM(100).
2. THE PROPERTY SHOWN HEREON IS CURRENTLY IN THE NAME OF 4601 EISENHOWER ASSOCIATES, LLC BY DEED RECORDED IN DEED BOOK 1688 AT APGE 44 AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA.
3. TITLE REPORT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT No. W0303349, DATED APRIL 24, 2003.
4. THERE IS NO EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON THIS SITE.
5. THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN A ZONE "X", AN AREA DETERMINED TO BE OUTSIDE A 500-YEAR FLOODPLAIN, AS DELINEATED ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 515519 0005 D, DATED MAY 15, 1991.
6. THE EXISTING 80' RIGHT OF WAY RESERVATION AS SHOWN ON PLAT ATTACHED TO DEED OF RESUBDIVISION, RECORDED IN DEED BOOK 830 AT PAGE 249, IS SHOWN WITHOUT REFERENCE.
7. THE SLOPE EASEMENT AS SHOWN ON PLAT ATTACHED TO DEED OF RESUBDIVISION RECORDED IN DEED BOOK 830 AT PAGE 249 IS NOT REFERENCED IN DEED DOCUMENT.
8. PRIVATE STORM DRAINAGE EASEMENTS AS SHOWN ON PLAT ATTACHED TO DEED OF EASEMENT RECORDED IN DEED BOOK 1153 AT PAGE 1117 ARE NOT REFERENCED IN DEED DOCUMENT.
9. THIS PROPERTY IS SUBJECT TO A 20' OUTLET ROAD AS RECORDED IN A DEED OF AGREEMENT RECORDED IN DEED BOOK 525 AT PAGE 35 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA. THE OUTLET ROAD IS UNLOCATABLE FROM THE DOCUMENTS PROVIDED.
10. THE PROPERTY ADDRESS FOR THIS SITE IS 4601 EISENHOWER AVENUE. THE BUILDING IS ADDRESSED AS 4601-A THROUGH 4601-J EISENHOWER AVENUE AND 105 THROUGH 199 CLERMONT DRIVE.
11. THE EXISTING 10' SANITARY SEWER EASEMENT AS SHOWN ON PLAT ATTACHED TO DEED OF RESUBDIVISION, RECORDED IN DEED BOOK 830 AT PAGE 249, IS SHOWN WITHOUT REFERENCE.
12. THERE ARE NO YARD SETBACK REQUIREMENTS FOR THIS SITE.
13. THE 20' EMERGENCY VEHICLE EASEMENT RECORDED IN DEED BOOK 1223 AT PAGE 1063 DOES NOT AFFECT THIS PROPERTY AS IT APPLIES TO LOT 501.

June 26, 2003
 Metes and Bounds Description
 Lot 500
 Subdivision of the property of
 Bogle Industries, Inc.
 Deed Book 1180, Page 383 & Deed Book 1181, Page 1165
 Being the property of 4601 Eisenhower Associates, LLC
 Deed book 1688, Page 44
 Alexandria Tax Map # 069.00-01-03
 City of Alexandria, Virginia

Beginning at a point, an iron pipe found, in the northerly right-of-way line of Eisenhower Avenue, said point being the southeasterly corner of Lot 501, the subdivision of the property of Bogle Industries, Inc., deed book 1180, page 383; thence departing Eisenhower Avenue and running with Lot 501 North 12°20'00" West, 419.43 feet to and iron pipe set in the southerly line of the property of CSX Transportation, Inc.; thence departing Lot 501 and running with CSX Transportation, Inc. along the arc of a curve deflecting to the right, having a radius of 11,118.61 feet and a long chord bearing and distance of North 80°43'52" East, 343.69 feet to an iron pipe found in the westerly right-of-way line of Clermont Avenue, deed book 830, page 249; thence departing CSX Transportation and running with Clermont Avenue the following four (4) courses and distances, 296.79 feet along the arc of a curve deflecting to the left, having a radius of 1,185.92 feet and a long chord bearing and distance of South 05°09'50" East, 296.02 feet to an iron pipe set at the point of tangency; thence South 12°20'00" East, 54.35 feet to an iron pipe set; thence South 38°50'13" West, 52.63 feet to an iron pipe set; thence South 12°20'00" East, 12.54 feet to a PK nail found in the northerly right-of-way line of the aforementioned Eisenhower Avenue; thence departing Clermont Avenue and running with Eisenhower Avenue the following two (2) courses and distances, South 73°27'40" West, 101.75 feet to an iron pipe set; thence South 77°40'00" West, 163.78 feet to the point and place of beginning, containing 127,999 square feet or 2.93845 acres of land, more or less.

LEGEND

- ⊕ SIGN
- ⊕ POWER POLE
- ⊕ LAMP POST
- ⊕ BOLLARD
- CLEANOUT
- STM. STORM SEWER STRUCTURE
- SAN. SANITARY SEWER MANHOLE
- F.H. FIRE HYDRANT
- ⊕ GUY POLE
- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- PKF PK NAIL FOUND
- PKS PK NAIL SET
- CGG CURB & GUTTER
- EP EDGE OF PAVEMENT
- ⊕ GAS VALVE
- CONC. CONCRETE
- H.C. HANDICAP
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ TELEPHONE MANHOLE

CURVE DATA

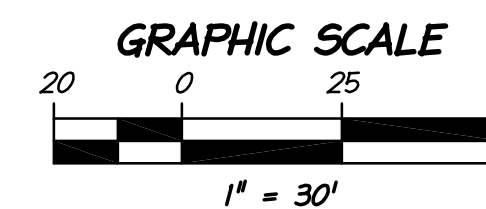
NUMBER	RADIUS	DELTA	ARC	TANGENT	CHORD	BEARING
1	11118.61	01°46'16"	343.70	171.96	343.69	N80°43'52"E
2	1185.92	14°20'21"	296.79	149.18	296.02	S05°09'50"E

PARKING TABULATIONS

REGULAR PARKING SPACES	135
HANDICAP PARKING SPACES	4
LOADING SPACES	6
TOTAL PARKING SPACES	145

REQUIRED PARKING

(INFORMATION TAKEN FROM MINOR SITE PLAN AMENDMENT BY WALTER L. PHILLIPS, INC., DATED 01-30-2003)
 65,000[±] OF OFFICE @ 1 SPACE PER 475[±] = 137 SPACES
 22,436[±] OF WAREHOUSE (LONG TERM)
 @ 1 SPACE PER 7,000[±] = 4 SPACES
 TOTAL PARKING SPACES REQUIRED 141 SPACES



SCALE:
1" = 30'

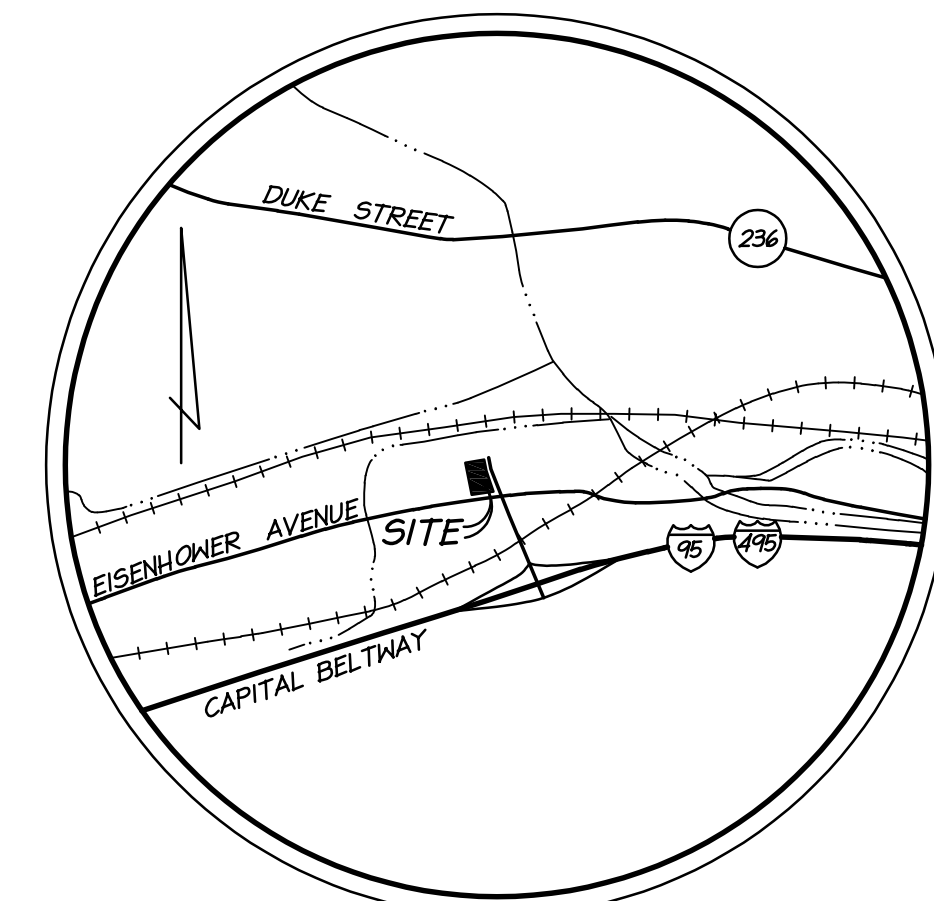
SHEET /
OF /

DATE: JUNE, 2003
 DRAFT: DKA CHECK: CEP
 FILE NUMBER: 03059-1-0 80B

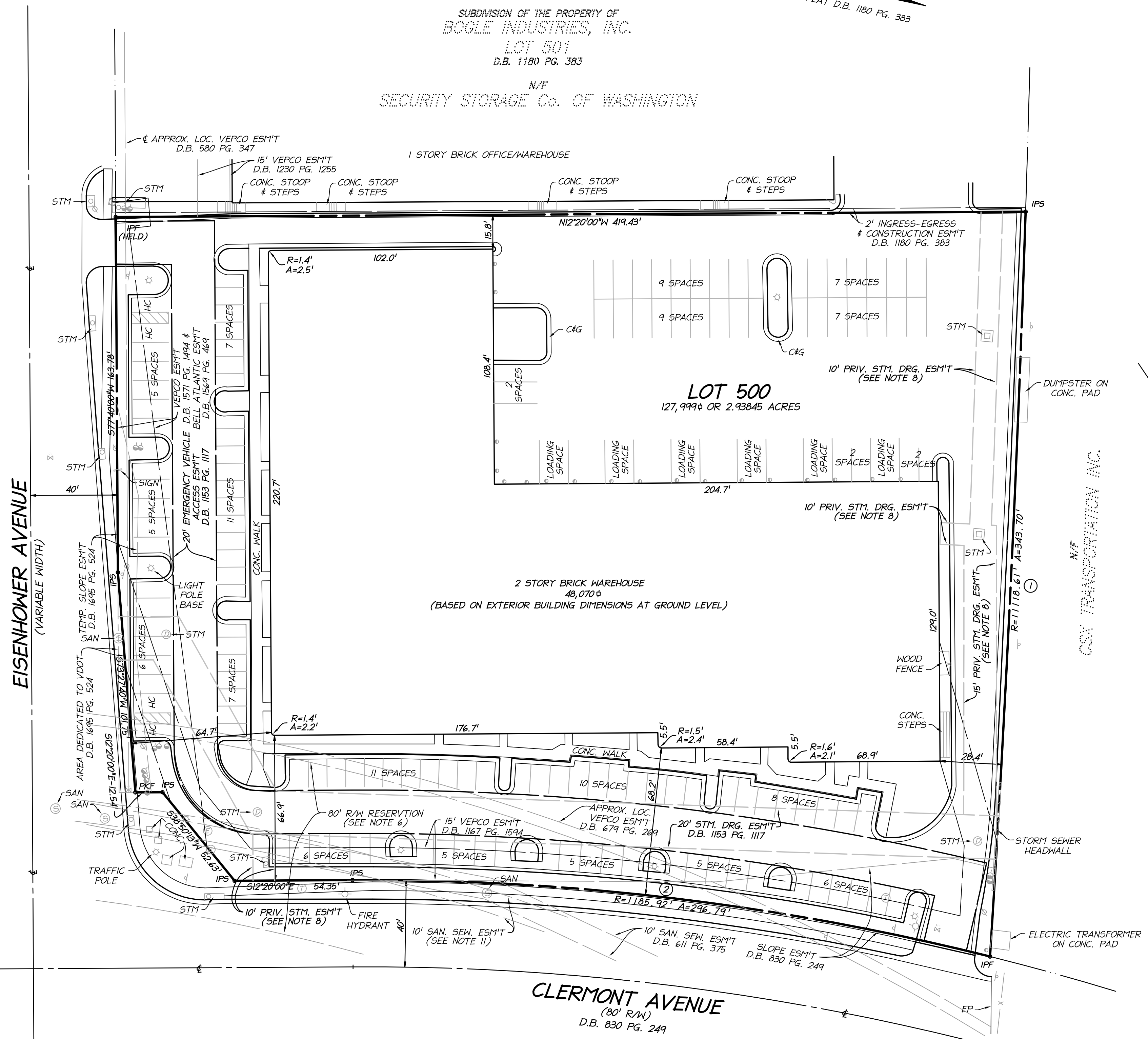
LOT 500
 SUBDIVISION OF THE PROPERTY OF
BOGLE INDUSTRIES, INC.
 DEED BOOK 1180 PAGE 383, DEED BOOK 1181 PAGE 1165
 CITY OF ALEXANDRIA, VIRGINIA

ALTA/C/S/M LAND
 TITLE SURVEY

Land Design Consultants
 Engineers • Planners • Surveyors
 Established 1985
 8569-E Sudley Road
 Manassas, VA 20110
 Phone: 703-631-8387
 Fax: 703-631-9414
 www.lde-va.com



VICINITY MAP
SCALE: 1" = 30'



SURVEYOR'S CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES, AS OF JUNE 17, 2003, TO UNION CAPITAL INVESTMENTS, LLC AND ITS SUCCESSORS AND ASSIGNS AND FIRST AMERICAN TITLE INSURANCE COMPANY, WALKER TITLE AND ESCROW COMPANY, INC. AND 4601 EISENHOWER ASSOCIATES, LLC THAT HE IS A DULY REGISTERED LAND SURVEYOR IN THE STATE OF VIRGINIA; THAT THIS PLAT OF SURVEY IS MADE AT LEAST IN ACCORDANCE WITH THE MINIMUM STANDARDS ESTABLISHED BY SAID STATE FOR SURVEYS AND WITH THE MINIMUM DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION AND AMERICAN CONGRESS ON SURVEYING AND MAPPING; THAT THIS SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PREMISES; AND THAT EXCEPT AS SHOWN, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY ACROSS SAID PREMISES OR ANY OTHER EASEMENTS OR RIGHTS OF WAY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED, NO PARTY WALLS, NO ENCROACHMENTS ONTO ADJOINING PREMISES, STREETS OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, AND NO ENCROACHMENTS ONTO SAID PREMISES BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2003

CHARLES E. POWELL
 VA L.S. No. 1808
 LAND SURVEYOR

THIS IS FOR REVIEW ONLY!

4601 Eisenhower Avenue – Existing Tenants/Uses

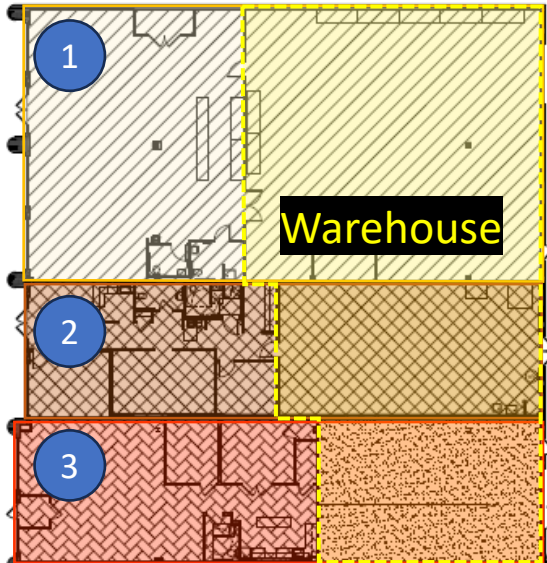
1st Floor	Suite	Tenant	Business Type	Total SF	Office	Retail	Warehouse	Note
1	4603	McCormick Paint	Paint Sales	5,162	0	2,065	3,097	
2	4603B	Applied Research	Research Lab	2,744	1,098	0	1,646	Warehouse is Research/Lab
3	4603A	Green Floors, Inc	Flooring Sales	3,009	0	1,719	1,290	
4	4601	Alto-Hartley, Inc	Kitchen Equip. Sales	10,920	0	10,920	0	
5	105	Vito Services	Plumber	774	774	0	0	
6	107-A	Vacant	--	1,019	1,019	0	0	
7	109	Mieza Blendery, LLC	Brewery	3,503	0	1,051	2,452	Retail area is tasting room
8	111/113	Alpha Team SP, LLC	Mold Remediation	5,999	3,599	0	2,400	
9	113S	ABM Janitorial Services	Janitorial Service	821	0	0	821	
10	115W	Alto-Hartley, Inc	Kitchen Equip. Sales	2,156	0	0	2,156	
11	115	Vacant	--	1,094	1,094	0	0	
12	117	Water Management, Inc.	Engineering Firm	8,300	3,404	0	4,896	
Total 1st Floor				45,501	10,988	15,755	18,758	

2nd Floor	Suite	Tenant	Business Type	Total SF	Office	Retail	Warehouse	Note
12	119	Water Management, Inc.	Engineering Firm	3,404	3,404	0	0	
13	205	Vacant	--	6,047	6,047	0	0	
14	201	ABM Janitorial Services	Janitorial Service	10,747	10,747	0	0	
Total 2nd Floor				20,198	20,198	0	0	

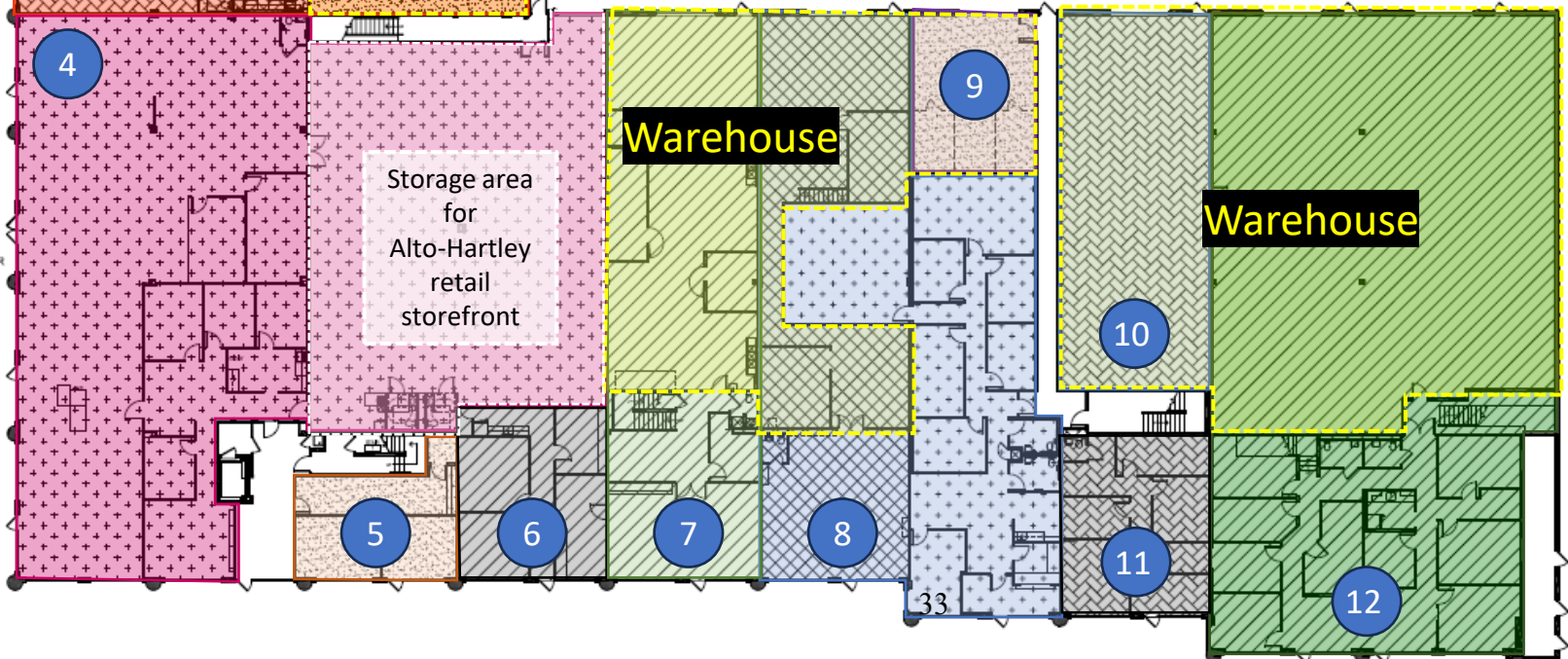
Building Total	65,699	31,186	15,755	18,758
-----------------------	---------------	---------------	---------------	---------------

	Total SF	Office/Retail	Warehouse
Current Uses	65,699	46,941	18,758
	<i>mix:</i>	<i>71%</i>	<i>29%</i>
Maximum Storage/Warehouse Scenario	65,699	20,198	45,501
	<i>mix:</i>	<i>31%</i>	<i>69%</i>

4601 Eisenhower Avenue – First Floor

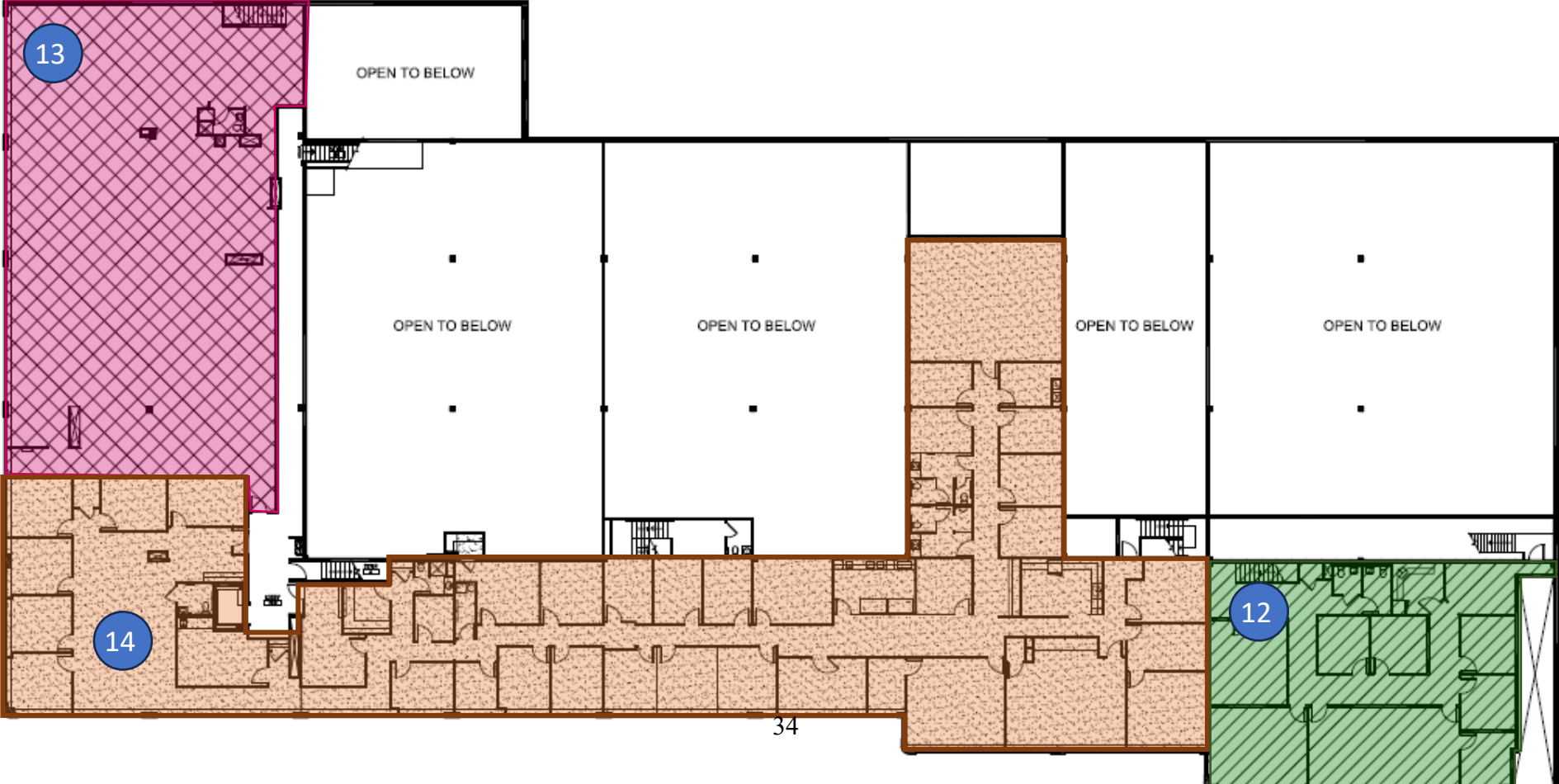


1st Floor	Suite	Tenant	Business Type	Total SF	Office	Retail	Warehouse
1	4603	McCormick Paint	Paint Sales	5,162	0	2,065	3,097
2	4603B	Applied Research	Research Lab	2,744	1,098	0	1,646
3	4603A	Green Floors, Inc	Flooring Sales	3,009	0	1,719	1,290
4	4601	Alto-Hartley, Inc	Kitchen Equip. Sales	10,920	0	10,920	0
5	105	Vito Services	Plumber	774	774	0	0
6	107-A	Vacant	--	1,019	1,019	0	0
7	109	Mieza Blendery, LLC	Brewery	3,503	0	1,051	2,452
8	111/113	Alpha Team SP, LLC	Mold Remediation	5,999	3,599	0	2,400
9	113S	ABM Janitorial Services	Janitorial Service	821	0	0	821
10	115W	Alto-Hartley, Inc	Kitchen Equip. Sales	2,156	0	0	2,156
11	115	Vacant	--	1,094	1,094	0	0
12	117	Water Management, Inc.	Engineering Firm	8,300	3,404	0	4,896
Total 1st Floor				45,501	10,988	15,755	18,758

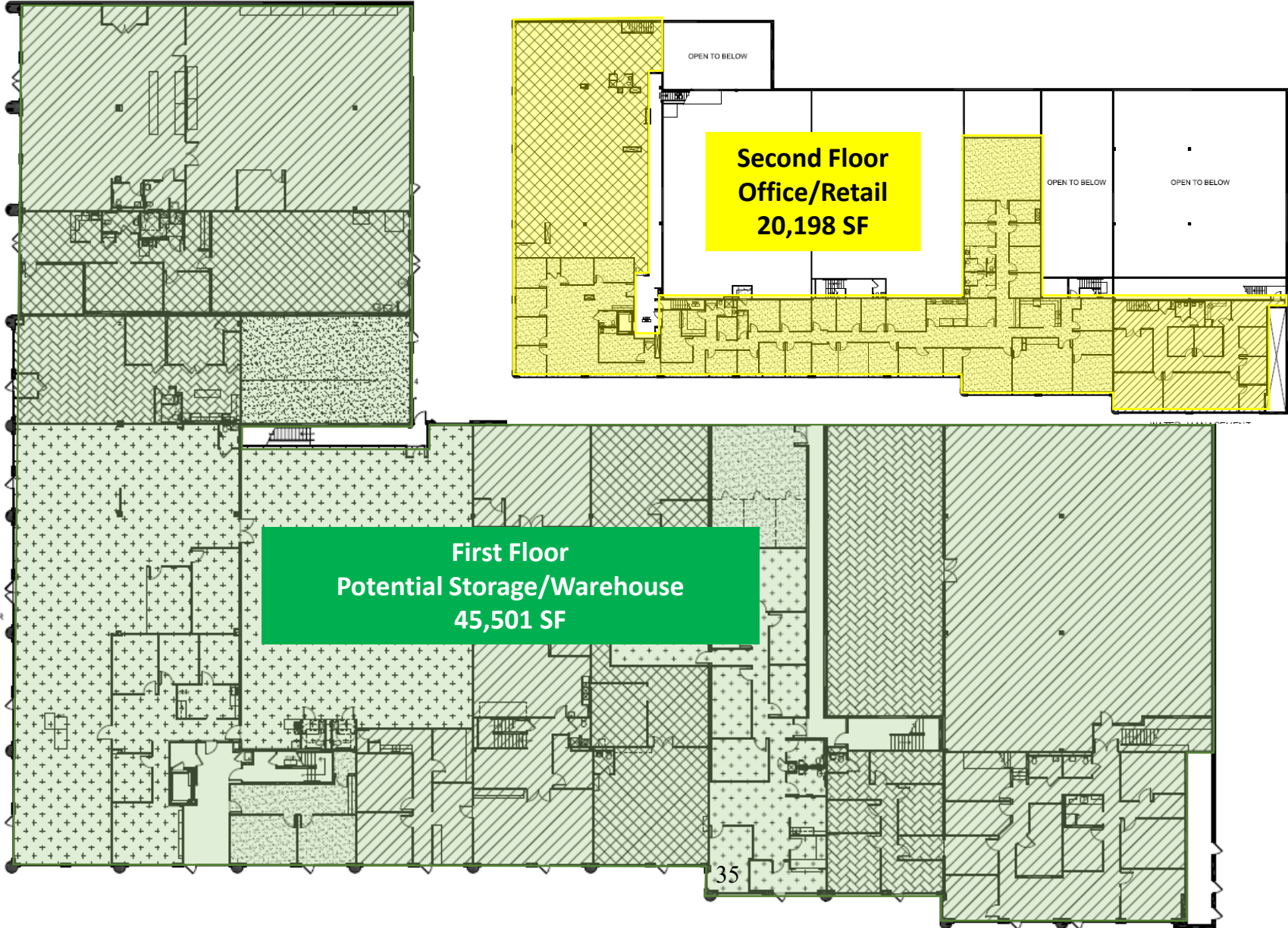


4601 Eisenhower Avenue – Second Floor

2nd Floor	Suite	Tenant	Business Type	Total SF	Office	Retail	Warehouse
12	119	Water Management, Inc.	Engineering Firm	3,404	3,404	0	0
13	205	Vacant	--	6,047	6,047	0	0
14	201	ABM Janitorial Services	Janitorial Service	10,747	10,747	0	0
Total 2nd Floor				20,198	20,198	0	0



4601 Eisenhower Avenue – Potential Future Storage/Warehouse Uses (Up to 45,501 SF)



**Second Floor
Office/Retail
20,198 SF**

**First Floor
Potential Storage/Warehouse
45,501 SF**

35

GENERAL NOTES:

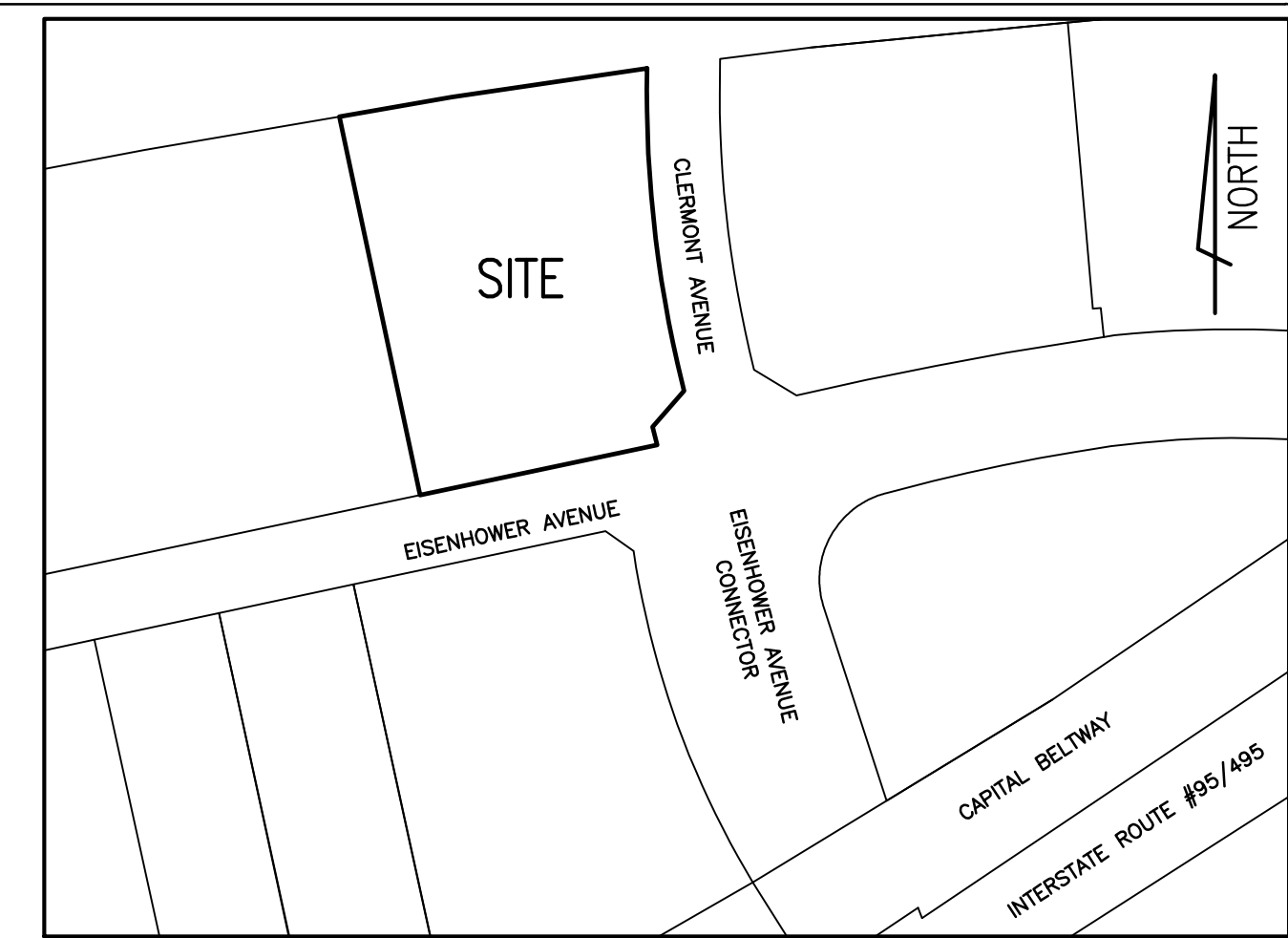
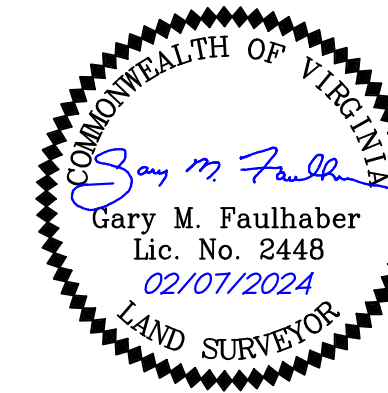
- THE SURVEYED PROPERTY IS IN THE NAME OF 4601 EISENHOWER ASSOCIATES, LLC AS RECORDED IN DEED BOOK 1688 AT PAGE 44, AMONG THE LANDS RECORDS OF THE CITY OF ALEXANDRIA, VA AND HAVING A TAX MAP NUMBER OF 069.01-01-03.
- AREA = 128,002 SQUARE FEET OR 2.93852 ACRES
- THIS SURVEY IS PREPARED WITH REFERENCE TO AN ALTA COMMITMENT FOR TITLE INSURANCE PREPARED AND ISSUED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY ORDER NUMBER DC2400236, WITH AN COMMITMENT DATE OF FEBRUARY 1, 2024. OUR OFFICE HAS REVIEWED THE FOLLOWING SURVEY RELATED EXCEPTIONS AS LISTED IN SCHEDULE B, PART II:
 - TERMS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE AGREEMENT DATED AUGUST 30, 1946 AND RECORDED DECEMBER 16, 1946 IN DEED BOOK 525 AT PAGE 35 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
NOTE: PROPERTY WAS FORMERLY INDEXED IN FAIRFAX COUNTY, VIRGINIA.
REMARKS: SUBJECT TO RESERVATION AND PROVISION RESPECTING A ROAD OR RIGHT OF WAY ALONG AN OLD ROAD AND FORMER CLERMONT DRIVE. DESCRIPTION IS VAGUE AND NOT PLOTTABLE FROM RECORD DOCUMENTS PROVIDED.
 - TERMS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY DATED JUNE 12, 1963 AND RECORDED JUNE 22, 1963 IN DEED BOOK 580 AT PAGE 347.
REMARKS: AFFECTS THE SURVEYED PROPERTY, APPROXIMATE CENTERLINE OF "VEPCO" EASEMENT SHOWN HEREON.
 - TERMS, CONDITIONS, RESTRICTIONS, AND CONSTRUCTION AND MAINTENANCE OF A PERMANENT EASEMENT FOR SANITARY SEWER CONTAINED IN THE AGREEMENT WITH THE CITY OF ALEXANDRIA DATED OCTOBER 6, 1964 AND RECORDED OCTOBER 8, 1964 IN DEED BOOK 611 AT PAGE 375.
REMARKS: AFFECTS THE SURVEYED PROPERTY, TEN (10) FOOT SANITARY SEWER SHOWN HEREON.
 - TERMS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY DATED JANUARY 23, 1968 AND RECORDED FEBRUARY 23, 1968 IN DEED BOOK 679 AT PAGE 269.
REMARKS: AFFECTS THE SURVEYED PROPERTY, APPROXIMATE CENTERLINE OF "VEPCO" EASEMENT SHOWN HEREON.
 - TERMS AND PROVISIONS OF DEED OF RESUBDIVISION DATED JUNE 11, 1976 AND RECORDED JUNE 30, 1976 IN DEED BOOK 830 AT PAGE 249, AND THE FOLLOWING MATTERS SHOWN ON PLAT ATTACHED THERETO:
 - SLOPE MAINTENANCE EASEMENT;
 - EXISTING TEN (10) FOOT SANITARY SEWER EASEMENTS (SEE EXCEPTION 8); AND
 - EXISTING EIGHTY (80) FOOT RIGHT OF WAY RESERVATION.
 REMARKS: AFFECT THE SURVEYED PROPERTY, SHOWN HEREON.
 - TERMS, CONDITIONS, AND EASEMENTS GRANTED TO THE CITY OF ALEXANDRIA, VIRGINIA SET FORTH IN DEED OF EASEMENT DATED JULY 12, 1985 AND RECORDED JULY 12, 1985 IN DEED BOOK 1153 AT PAGE 1117, AND THE FOLLOWING MATTERS SHOWN ON PLAT ATTACHED THERETO:
 - TEN (10) FOOT PRIVATE STORM DRAINAGE EASEMENT;
 - TWENTY (20) FOOT EMERGENCY VEHICLE EASEMENT; AND
 - TWENTY (20) FOOT STORM DRAINAGE EASEMENT; AND
 - FIFTEEN (15) FOOT PRIVATE STORM DRAINAGE EASEMENT.
 REMARKS: AFFECT THE SURVEYED PROPERTY, SHOWN HEREON.
 - TERMS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY DATED SEPTEMBER 12, 1985 AND RECORDED JANUARY 17, 1986 IN DEED BOOK 1167 AT PAGE 1594.
REMARKS: AFFECTS THE SURVEYED PROPERTY, APPROXIMATE LOCATION OF FIFTEEN (15) FOOT "VEPCO" EASEMENT SHOWN HEREON.
 - TERMS AND PROVISIONS OF DEED OF RESUBDIVISION AND PARTIAL RELEASE, AND MATTERS SHOWN ON PLAT ATTACHED THERETO, DATED MAY 12, 1986 AND RECORDED JULY 16, 1986 IN DEED BOOK 1180 AT PAGE 383; AS AFFECTED BY CONSENT TO RESUBDIVISION DATED JULY 17, 1986 AND RECORDED JULY 30, 1986 IN DEED BOOK 1181 AT PAGE 1165.
REMARKS: SUBJECT TO TERMS AND CONDITIONS CONTAINED THEREIN, LOT 500 BOUNDARY LINES (LESS AND EXCEPT VDOT TAKING AT DEED BOOK 1695 AT PAGE 524) AND EASEMENTS SHOWN HEREON.
 - TERMS, CONDITIONS, AND EASEMENTS GRANTED TO BELL ATLANTIC-VIRGINIA SET FORTH IN DEED OF EASEMENT DATED MARCH 11, 1996 AND RECORDED MAY 9, 1996 IN DEED BOOK 1569 AT PAGE 469.
REMARKS: AFFECTS THE SURVEYED PROPERTY, BELL ATLANTIC-VIRGINIA EASEMENT SHOWN HEREON.
 - TERMS, CONDITIONS, AND RIGHTS OF WAY CONTAINED IN RIGHT OF WAY AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY DATED OCTOBER 18, 1995 AND RECORDED JUNE 3, 1996 IN DEED BOOK 1571 AT PAGE 1494.
REMARKS: AFFECTS THE SURVEYED PROPERTY, "VEPCO" EASEMENT SHOWN HEREON.
 - TERMS, CONDITIONS, RESTRICTIONS, PERMANENT EASEMENT AND TEMPORARY EASEMENT GRANTED TO THE COMMONWEALTH OF VIRGINIA CONTAINED IN THE DEED DATED MARCH 4, 1999 AND RECORDED APRIL 15, 1999 IN DEED BOOK 1695 AT PAGE 524.
REMARKS: AFFECTS THE SURVEYED PROPERTY, VDOT RIGHT-OF-WAY TAKING SHOWN HEREON. TEMPORARY EASEMENTS TERMINATED UPON COMPLETION OF CONSTRUCTION.
- THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP, CITY OF ALEXANDRIA, VIRGINIA AND INDEPENDENT CITY, PANEL 36 OF 45, MAP NUMBER 5155190036E WITH A MAP EFFECTIVE DATE OF JUNE 16, 2011.
- ZONING REPORT AND/OR ZONING CONFORMANCE LETTER NOT PROVIDED TO LAND SURVEYOR AND THEREFORE UNABLE TO CERTIFY TO ALTA/NSPS TABLE A OPTIONAL ITEMS 6(a) NOR 6(b).
- PARKING: REGULAR: 149
DISABLED: 4
TOTAL SPACES: 153
- PROPERTY HAS ACCESS ALONG: EISENHOWER AVENUE AND CLERMONT AVENUE, BOTH DEDICATED PUBLIC STREETS.

LEGAL DESCRIPTION:

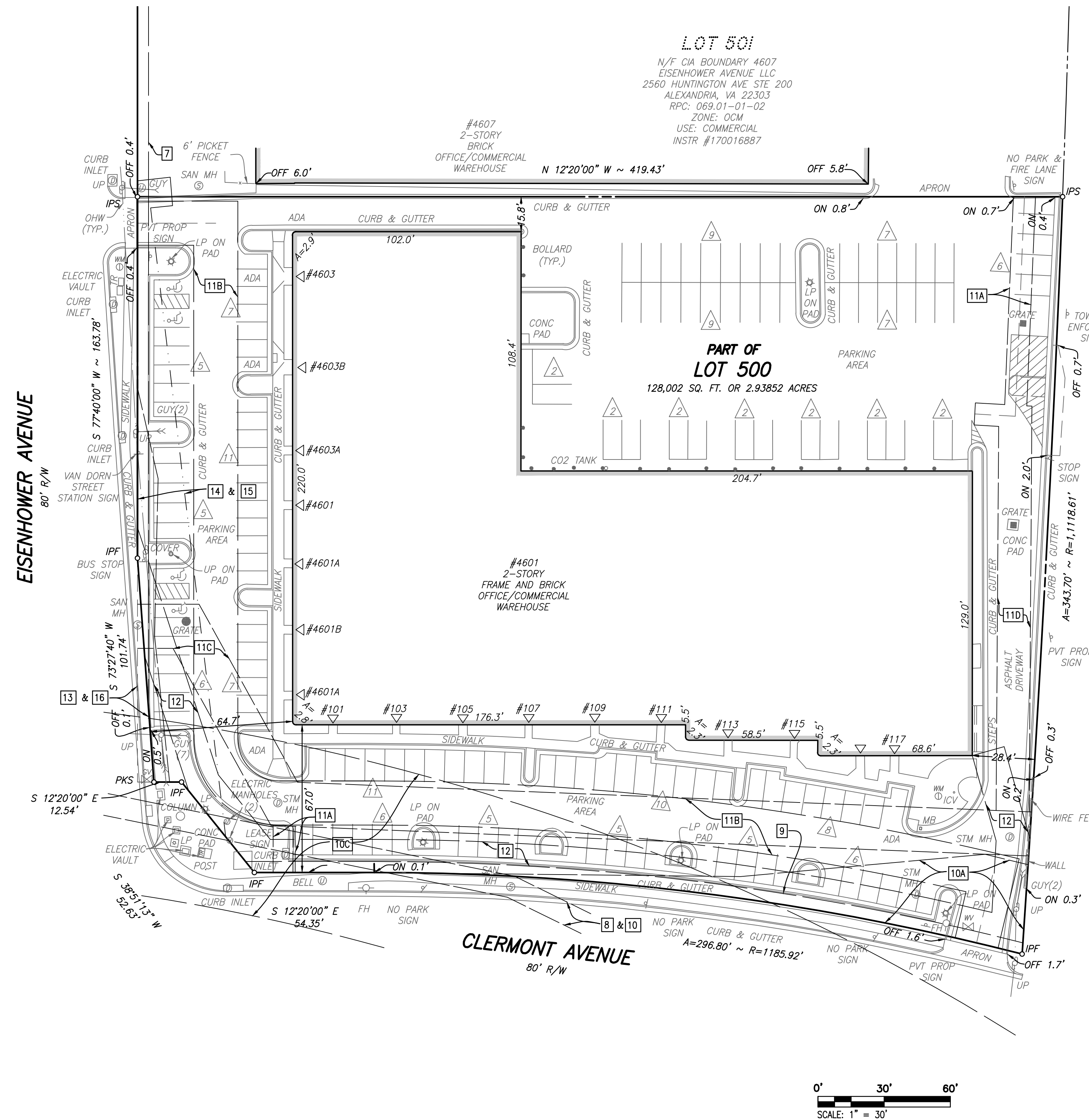
All that lot or parcel of land, together with the improvements thereon and appurtenances thereunto belonging, lying, situate and being in Arlington County, Virginia, being more particularly described as follows:
 Lot 500, Subdivision of The Property of Bogle Industries, Inc., as resubdivided by Deed of Resubdivision and Partial Release recorded in Deed Book 1180 at page 383, and consented to in Deed Book 1181 at page 1165, among the land records of the City of Alexandria, Virginia.
 LESS AND EXCEPT that portion of the property containing 375 square feet, more or less land, conveyed to the Commonwealth of Virginia, by Deed recorded in Deed Book 1695 at page 524, among the land records of the City of Alexandria, Virginia.
 TOGETHER WITH a two foot (2') ingress-egress and construction easement over Lot 501 as shown on plat attached to deed of Resubdivision and Partial Release recorded in Deed Book 1180 at page 383, and consented to in Deed Book 1181 at page 1165, among the land records of the City of Alexandria, Virginia.

SURVEYOR'S CERTIFICATE:

TO: i. BOUNDARY INVESTMENTS LLC, AND
 ii. COMMONWEALTH LAND TITLE INSURANCE COMPANY
 THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 7(b)(1), 8, 9, 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 7, 2024.
 DATE OF PLAT OR MAP: FEBRUARY 19, 2024
 NAME: GARY M. FAULHABER, LS
 LICENSE: COMMONWEALTH OF VIRGINIA LS #2448



VICINITY MAP
SCALE 1" = 200'



TEXT LEGEND:

- ' = DEGREES
- " = MINUTES (OR FEET)
- " = SECONDS (OR INCHES)
- A = ARC
- ADA = DISABLED RAMP
- APPROX = APPROXIMATE
- BOL = BOLLARD
- CONC = CONCRETE
- DB = DEED BOOK
- FH = FIRE HYDRANT
- FT = FEET
- GV = GAS VALVE
- ICV = IRRIGATION CONTROL VALVE
- IPF = IRON PIPE FOUND
- LP = LIGHT POLE
- MB = MAIL BOX
- MH = MANHOLE
- N/F = NOW OR FORMERLY
- OHW = OVERHEAD WIRE
- PVT PROP = PRIVATE PROPERTY
- PG = PAGE
- PKS = PK NAIL SET
- R = RADIUS
- ROW = RIGHT-OF-WAY
- SAN = SANITARY
- SEW = SEWER
- SQ FT = SQUARE FEET
- STM = STORM
- TR = TRANSFORMER
- TYP = TYPICAL
- UP = UTILITY POLE
- VCS = VIRGINIA COORDINATE SYSTEM
- WM = WATER METER
- WV = WATER VALVE

SYMBOL LEGEND:

- ⊗ STORM MANHOLE
- ⊙ FIRE HYDRANT
- ⊙ GAS METER
- ⊙ GUY WIRE
- ⊙ LIGHT POLE
- ⊙ PROPERTY CORNER
- ⊙ SANITARY SEWER MANHOLE
- ⊙ UTILITY POLE
- ⊙ SIGN
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ NUMBER OF REGULAR PARKING SPACES
- ⊙ UTILITY UNKNOWN MANHOLE
- ⊙ DISABLED PARKING SPACE
- ⊙ TITLE EXCEPTION NUMBER (SEE NOTE #3)
- ▽ BUILDING ENTRANCE

R. C. FIELDS & ASSOCIATES, INC.
 ENGINEERING • LAND SURVEYING • PLANNING
 700 S. Washington Street, Suite 220
 Alexandria, Virginia 22314
 www.rcfields.com
 (703) 549-6422

ALTA/NSPS LAND TITLE SURVEY
 PART OF LOT 500
 SUBDIVISION OF THE PROPERTY OF
BOGLE INDUSTRIES, INC.
 DEED BOOK 1180, PAGE 383; DEED BOOK 1181, PAGE 1165
 LESS & EXCEPT DEED BOOK 1695, PAGE 524
 (4601 EISENHOWER AVENUE)
 CITY OF ALEXANDRIA, VIRGINIA

DATE	REVISION

DRAWN: SPN/ZZ
 SCALE: 1" = 30'
 DATE: 02/07/2024

ALTA SURVEY

SHEET 1 OF 1
 FILE: 24-018

From: Brant, Robert <rbrant@thelandlawyers.com>
Sent: Wednesday, March 27, 2024 5:13 PM
To: Mavis E Stanfield <mavis.stanfield@alexandriava.gov>
Cc: Ann Horowitz <ann.horowitz@alexandriava.gov>; Riley, Lauren G. <lriley@thelandlawyers.com>
Subject: RE: 4601 Eisenhower Ave

Hi Mavis –

Thanks for the follow up email, and for our discussion last week. I have been waiting on some information from my client, who met on site with a number of the tenants this week – including the Applied Research use we discussed on Thursday. The owner does not have any record of a use permit for this use. As it turns out, the use is primarily office, although they do some testing of small soil samples, and would like to continue doing so in the future, potentially expanding their testing operations. For this reason, my client would like to continue to include the research and testing use in the umbrella SUP application.

I also followed up on the square footage issue. Notwithstanding what was shown on the 2003 ALTA and the original site plan from 1985, my client has verified that the as-built conditions of the building only include 65,699 square feet of floor area, which is consistent with the submitted floor plans and the tax assessment records. My client also sent me a much more recent ALTA that they commissioned, which is dated February 2024. It might be helpful to use this ALTA in lieu of the one we submitted previously, since it is much more current.

Hopefully this information answers some questions. Let me know if you have any others, or feel free to give me a call. I am out of the office for the remainder of the day, but will be back in tomorrow.

Bob



Robert D. Brant | Shareholder
Walsh, Colucci, Lubeley & Walsh, P.C.
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rbrant@thelandlawyers.com | www.thelandlawyers.com