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February 10, 2022

VIA EMAIL TO gloria.sitton@alexandriava.gov

Mayor Justin Wilson and City Council Members
301 King Street, Suite 2100
Alexandria, VA 22314

RE: Landmark Overlook
5901, 5951, and 5999 Stevenson Avenue and 2 South Whiting Street

Dear Mayor and City Council Members:

On behalf of my client, West End Development Associates, LLC (the "Applicant"), I request changes to the staff recommended conditions of approval in order to allow the Applicant to provide onsite affordable housing units. The changes include a deletion of the requirement to provide public art, more flexibility in facade materials, and in lieu of the cash contribution for affordable housing, fifteen (15) on-site affordable units in the rental multifamily buildings.

1) Stacked Towns DSUP #2021-10013.

- a) **Delete "Public Art" Conditions #121-125.**
- b) **Delete affordable housing contribution condition #120.**

2) Multifamily DSUP #2021-10014.

- a) **Delete "Public Art" Conditions #146-150.**
- b) **Modify Condition #17:**

~~The total percentage of all non-glazed portions of the building facades finished with cement fiber material shall not exceed, to the satisfaction of the Director of Planning & Zoning, the total percentage of such material depicted on all non-glazed portions of the building facades in the preliminary site plan. (P&Z)~~ **Notwithstanding the percentage of materials shown within the preliminary plan, the Applicant shall be permitted to substitute fiber cement panels and siding in lieu of metal panel and brick on portions of the facades above the first floor on all facades except for facades fronting Stevenson Avenue and S. Walker Street, so long as the building appearance is in general conformance with the preliminary plans.**

- c) **Modify Housing conditions to reflect 15 on-site units**

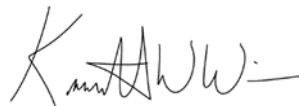
~~146. i) Contribute \$1,126,595 to the City's Housing Trust Fund. Make all checks payable to the City of Alexandria and submit them to the Office of Housing with a cover letter to include the project name, case number, and explanation of the contribution amount, if phased.***~~
Add:

162. Provide fifteen (15) affordable set-aside rental units with a unit mix proportional to the overall unit mix in Landbays C and D as determined at the time of Final Site Plan to the satisfaction of the Director of Housing. (Housing)
163. Rents for set-aside units shall not exceed the maximum amounts allowed under the Federal Low Income Housing Tax Credit (LIHTC) program for households with incomes at 60 percent of the Washington D.C. Metropolitan Area Median Family Income (including utility allowances and any parking charges) for a 40-year period from the date of initial occupancy of each affordable unit. Recertify the incomes of resident households annually. (Housing)
164. If at the time of lease up or lease renewal, the differential between the market rent and set-aside rent (as adjusted for utility allowances) for a comparable unit is less than 15 percent of the market rent, then the set-aside rent shall be reduced to maintain a differential of 15 percent for the term of the new lease or lease renewal. (Housing)
165. Total non-refundable fees, excluding application and pet fees, shall not exceed 15 percent of gross affordable rent. (Housing)
166. Residents of the set-aside units may be charged a monthly parking fee of up to \$50 (in 2022 dollars) or the standard fee whichever is lower for their first parking space. Any additional parking spaces shall be subject to standard fees. (Housing)
167. Once an income-eligible household moves into a set-aside unit, that unit shall count as an affordable unit until the household's income increases to more than 140 percent of the then-current income limit. Provide one additional one-year lease term at the affordable rent but notify the household that at the end of one year the household shall not be eligible to continue at the affordable rent. Afterwards, the over-income household may move to a comparable market rate unit or remain in the same unit. However, the next available and comparable unit (i.e., same number of bedrooms, den space, and/or approximate square footage) must be offered to a qualified household. Once the comparable unit is rented, the rent of the over-income unit may then increase to market rate per any lease restrictions. If a comparable unit within the building does not exist (e.g., a three-bedroom unit), then the over-income tenant must vacate the unit for an income-eligible household. (Housing)
168. Do not deny households receiving Housing Choice Voucher assistance admission based on receiving such assistance. A household is income qualified if the amount of rent it can pay based on income, together with the voucher payment, is sufficient to cover the applicable rent. (Housing)
169. Provide residents of set-aside units with access to all amenities offered within the entire development. (Housing)

170. Set-aside units shall be comparable in size and floor plan and have the same finishes as similar units in the development. Clustering of set-aside units shall be avoided. (Housing)
171. Notify the Landlord-Tenant Relations Division Chief at the Office of Housing in writing 90 days prior to leasing. Provide the City with marketing information 45 days prior to leasing, which shall include the affordable rents, fees, property amenities, and contact information for applications. The City shall notify interested parties of the availability of set-aside units. The applicant shall not accept applications for set-aside units until 45 days after providing written notification to the Office of Housing or until the Office of Housing advises the applicant that the information has been distributed and posted, whichever occurs first. (Housing)
172. List all set-aside units at Virginia Housing's website: www.VirginiaHousingSearch.com. (Housing)
173. Provide the City with the records and information necessary for annual compliance monitoring with the Housing conditions for the 40-year affordability period. (Housing)
174. If the development involves Community Development Block Grant (CBDG), Home Investment Partnership Program (HOME), Section 108 loan funds, federal Housing Trust Fund, or other monies provided by the Department of Housing and Urban Development, then the applicant shall consult and coordinate with Staff to ensure that the project complies with all federal environmental statutes, laws, and authorities. (Housing)

I look forward to discussing these conditions with you at the City Council hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. W. Wire', with a stylized flourish at the end.

Kenneth W. Wire