

City of Alexandria, Virginia

MEMORANDUM

DATE: July 7, 2016

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: RECOMMENDED CHANGES TO CONDITIONS FOR DSP #2016-0018:
VICTORY CENTER

Subsequent to the completion of the staff report, City staff, in consultation with the applicant, determined that several minor amendments should be made to clarify or modify the conditions that were included with the staff packet. The conditions to be amended are as follows:

- Condition changes requested by the applicant;
- One condition related to community outreach; and,
- Clarification on the cover sheet regarding the requested TMP SUP

Changes requested by the applicant:

The attorney for the applicant, Ken Wire, submitted a letter dated July 7, 2016, requesting changes Condition 1(b) and 119, deletion of Conditions 8 and 9(c), and that Condition 18(b) move to a Finding.

Staff supports the changes to Condition 1(b) and 119, and moving Condition 18(b) to Planning & Zoning Finding number F-3. Staff does not support the request to delete Conditions 8 and 9(c).

BUILDING:

Conditions 40(b)(x) – Discussion

The condition requiring the applicant to meet with the community once the parking garage design has been finalized was inadvertently deleted. Staff recommends the following language, which reinstates this requirement, and adds the participation of the newly formed Eisenhower Implementation Work Group.

Work with staff to continue to refine the design of the parking structure(s) as part of the Final Site Plan process. Prior to release of the Final Site Plan, the applicant shall meet with the community and the Eisenhower Implementation Work Group to share the final design proposal.

COVER SHEET

Under “*Special Use Permits and Modifications Requested*”, staff failed to note that the applicant is requesting a Special Use Permit for a Transportation Management Plan. The request was included at the top of the page, in the conditions for the approval, and in the noticing for the project.

July 6, 2016

VIA EMAIL TO karl.mortiz@alexandriava.gov

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

RE: Victory Center
July 7, 2016 Planning Commission Hearing, Docket Item #3

Dear Members of the Planning Commission:

On behalf my client, Eisenhower Real Estate Holdings, LLC, I am requesting the following changes to the staff recommended conditions of approval for the above-referenced matter. The applicant is requesting Planning Commission approval of a Development Site Plan ("DSP") pursuant to Zoning Ordinance Section 11-410. The DSP proposes to redevelop the central 8.5 acre portion of the 16 acre property for lease to a federal tenant. The remaining two 4 acre parcels on the western and eastern ends of the property would be redeveloped under a separate application. For clarification, the following underlined text is proposed by City staff and the strikethroughs and bold double underlined edits are the edits to staff conditions requested by the applicant.

Condition 1(b)

If additional on-site parking is needed, it may be incorporated **on-site in existing parking lots**, into the proposed office building or placed below grade.

Condition 8

~~CONDITION ADDED BY STAFF: The retail parking spaces located directly south of the proposed retail space shall be phased for removal once development is approved on the portion of the lot east of the proposed parking garage. The retail parking and drive aisle shall be converted into a plaza area with an EVE, to better conform to the Eisenhower West Small Area Plan design guidelines. This development shall accommodate those spaces or obtain approval of a parking reduction. (P&X)(T&ES)~~

Condition 9(c)

~~Furnish no more than 3 curb cuts into the site:~~

- ~~i. One 30' existing curb cut on the southwestern most corner of the site, facilitating ingress/egress access to the western parking lot;~~

- ~~ii. One 28' proposed curb cut facilitating access to eastern side of the proposed retail center, proposed parking structure and eastern parking lot; and;~~
- ~~iii. One 33' existing curb cut on the southeastern most corner of the site to facilitate emergency vehicle access to the site;~~

Curbs cuts into the site shall be generally consistent with the Preliminary Plan.

Condition 18(b) – Move to Finding

Future development on the western and/or eastern end(s) of the site shall include recordation of a reservation of a public access easement for the entire northern edge of the site for a future road or bicycle trail, in a form satisfactory to the City Attorney, and the Directors of P&Z, RP&CA, and T&ES. The proposed future easement shall not interfere with Federal security requirements for existing tenants. (P&Z)(T&ES)

Condition 119

CONDITION ADDED BY STAFF: The final certificate of occupancy shall not be issued for this property until ~~interpretive elements have been constructed, interpretive markers have been erected, and the final archaeological report has been received and approved by the City Archaeologist.~~*** (Archaeology)

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

Sincerely,



Kenneth W. Wire

**APPLICATION****REVISED**Additional Materials
Victory Center**DEVELOPMENT SITE PLAN****DSP #** 2013-0015**Project Name:** Victory Center**PROPERTY LOCATION:** 5001 Eisenhower Avenue**TAX MAP REFERENCE:** 068.04-01-05**ZONE:** OCM (100)**APPLICANT****Name:** Eisenhower Real Estate Holdings LLC**Address:** 1801 K Street, NW, Suite 1000, Washington, DC 20006**PROPERTY OWNER****Name:** Eisenhower Real Estate Holdings LLC**Address:** 1801 K Street, NW, Suite 1000, Washington, DC 20006**PROPOSED USE:** Request for an amendment to the site plan to construct up to a 4 story office building and up to a 7 story parking garage and 4,000 square feet of additional retail space.

[x] **THE UNDERSIGNED** hereby applies for Development Site Plan approval in accordance with the provisions of Section 11-400 of the Zoning Ordinance of the City of Alexandria, Virginia.

[x] **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 XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[x] **THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Kenneth W. Wire, Esq.

Print Name of Applicant or Agent

McGuireWoods LLP, 1750 Tysons Blvd., Suite 1800

Mailing/Street Address

Tysons Corner, VA 22102

City and State

Zip Code


Signature(703) 712-5362

Telephone #

(703) 712-5222

Fax #

kwire@mcguirewoods.com

Email address

7/6/16
Date**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: _____

Received Plans for Completeness: _____

Fee Paid and Date: _____

Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

Development Site Plan (DSP (# _____)

ALL APPLICANTS MUST COMPLETE THIS FORM.**The applicant is: (check one)**

☒ the Owner ☐ Contract Purchaser ☐ Lessee or ☐ Other: _____ of
the subject property. Prudential Insurance Company of America (approximately)

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 ten percent.

Prudential Insurance Company of America, solely on behalf of and for the benefit of, and with
its liability limited to the assets of, its insurance separate account, PRISA II, its sole member
c/o Prudential Real Estate Investors, 7 Giralda Farms, Madison, NJ 07940

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☒ **Yes.** Provide proof of current City business license.
☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

Additional Materials
Victory Center

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 ten 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.	Prudential Insurance	7 Giralda Farms	100%
2.	Company of America	Madison, NJ 07940	
3.	PRISA II, its sole member		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 5001 Eisenhower Avenue (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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.	Same as above		
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 require 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 indicated each person or entity below and "None" in the corresponding fields)**

	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.	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.

7/6/16
Date

Kenneth W. Wire, Esq., Agent
Printed Name


Signature

REVISED

Additional Materials
Victory Center



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 5001 Eisenhower Avenue

TAX MAP REFERENCE: 068.04-01-05 ZONE: OCM (100)

APPLICANT:

Name: Eisenhower Real Estate Holdings LLC

Address: 1801 K Street, NW, Suite 1000, Washington, DC 20006

PROPOSED USE: TMP SUP

☒ **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.

Kenneth W. Wire, Agent

Print Name of Applicant or Agent

McGuireWoods LLP, 1750 Tysons Blvd., Suite 1800

Mailing/Street Address

Tysons, VA

City and State

22102

Zip Code

KW Wire
Signature

7/6/16
Date

703-712-5362

Telephone #

703-712-5222

Fax #

KWire@mcguirewoods.com
Email address

ACTION-PLANNING COMMISSION: _____ DATE: _____

ACTION-CITY COUNCIL: _____ DATE: _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

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

Name: _____

Please Print

Phone: _____

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 ten percent.

Prudential Insurance Company of America, solely on behalf of and for the benefit of, and with its liability

limited to the assets of, its insurance separate account, PRISA II, its sole member c/o Prudential Real

Estate Investors, 7 Giralda Farms, Madison, NJ 07940

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 ten 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. Prudential Insurance	7 Giralda Farms	100%
2. Company of America	Madison, NJ 07940	
3. PRISA II, its sole member		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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. Same as above		
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. NONE		
2.		
3.		

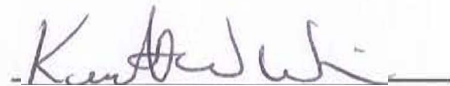
NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

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.


Date

Kenneth W. Wire, Agent

Printed Name


Signature

SUP # _____

☒ **Yes.** Provide proof of current City business license

NARRATIVE DESCRIPTION

Applicant requests an update to the existing TMP SUP to current city standard conditions.

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.