McGuireWoods LLP 1750 Tysons Boulevard Suite 1800 Tysons, VA 22102-4215 Tel 703.712.5000 Fax 703.712.5050 www.mcguirewoods.com 9-16-17

Kenneth W. Wire Direct: 703.712,5362 McGUIREWOODS

kwire@mcguirewoods.com

September 16, 2017

Mayor Silberberg and Members of City Council City Hall 301 King Street Alexandria, VA 22314

RE: September 16, 2017, City Council Public Hearing

Docket Item 19, DSUP 2017-2015

Dear Mayor Silberberg and Members of City Council:

My client, Perseus Realty LLC, is the contract purchaser of 200 Stovall Street and applicant for DSUP 2017-0015. We are requesting the following amendments to the staff recommended conditions and to include an additional condition or finding to direct the calculation of sewer fees.

Condition 83. The interior noise levels for the project shall meet the International Building Code or 29 OITC, whichever are more stringent.* (T&ES)

Condition 84. Develop a noise control by-law aimed at controlling noise levels in the proposed development and resolving noise issues between neighboring occupants, and disclose this by-law to all involved at the time of sale or lease agreement. This shall be established prior to the first residential occupancy permit. *** (T&ES)

Sewer Fee Calculation City Code Section 5-6-25.1(a)(7) states:

"For an existing property that changes its use, such as from non-residential to residential (or vice versa), increases the number of residential units or hotel rooms, or adds or increases the water meter size to account for the change in use, the amount shall be calculated as follows:

- (i) If the same sewer connection (tap) is utilized, then the fee shall be based on the net increase in units (or usage) between the existing and proposed uses.
- (ii) If a new sewer tap is required, then the fee shall be set in accordance with the fees for new construction set forth in this section, net of any credits due pursuant to section (6) above." Therefore, the sewer fee for the conversion shall be based on the increase in flow above the flow rate attributable to the existing office building.

While the calculation and payment of sewer fees are a final site plan issues, Perseus already submitted and received City comments on a minor site plan amendment for the conversion of the building from office to residential. During that review process, staff directed Perseus to calculate the difference in flow from the current office use and the proposed residential use. See Exhibits, attached.

Based on this direction from staff, the application of sewer fees to other recent office to residential conversions, and the language in Section 5-6-25.1, Perseus has relied on the fact that sewer fees will be based on the increase in flow attributable to new water and sewer connections. Any other application of the ordinance is not consistent with the City Code and necessitates a deferral of this matter and potentially a withdrawal of the application.

Sincerely,

Kenneth W. Wire

Existing Peak Flow	532440 gpd
Proposed Peak Flow	659114 gpd
Net Increase	126674 gpd

(Net Inc) / (300 gpd x 4)

.105.5616667

say 106 · units

Cost of 106 units per FY 2017 tap fees

\$7,840.00 per unit

x

106 units

\$834,220

Net Increase in Office / Retail

(Net Inc) / (0.2 gpd/sf) / 4

158342.5 sf

say 158350 sf

Approximate 2" meter size increasi

Cost of 2" meter per FY 2017 tap fees

2" meter

\$46,610.00

Cost of increasing meter from 4" to 6" per FY 2017 tap fees

4" meter

\$145,777.00

6" meter

\$291,467.00

Increase 4" to 6"

\$145,690.00

- 1. Sanitary flows take into account a peak factor of 4.0 per City memo to industry 06-14
- 2. The 300 gpd/unit for residential and 0.2 gpd/sf are per the City memo to industry 06-14
- 3. Tap fees are for the 2017 fiscal year because the first submission of the plan was made on 3/31/17

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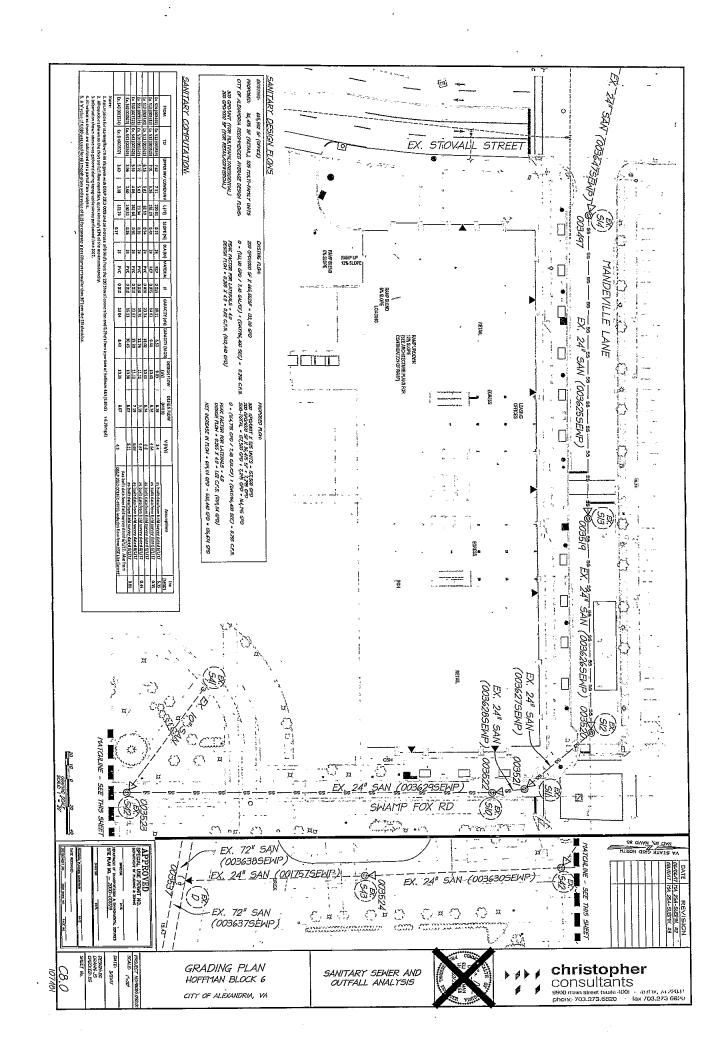
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EXISTING: 665,552 SF (OFFICE)	EXISTING FLOW:	PROPOSED FLOW:
PROPOSED: 36,475 SF (RETAIL), 525 MULTI-FAMILY UNITS	200 GPD/1000 SF X 665,552SF = 133,110 GPD	300 GPD/UNIT X 525 UNITS = 157,500 GPD 300 GPD/UND SF X 34 ATB SF = 7.285 GPD
CITY OF ALEXANDRIA RECOMMENDED AVERAGE DESIGN FLOWS:	Q = (133,110 GPD / 7.48 GAL/CF) * (DAY/86,400 SEC) = 0.206 C.F.S.	SUB-TOTAL = 157,500 GPD + 7,295 GPD = 164,795 GPD
. 300 GPDJUNIT (FOR MULTIFAMILY/RESIDENTIAL)	PEAK FACTOR FOR LATERALS = 4.0	Q = (164,795 GPD / 7.48 GAL/CF) * (DAY/86,400 SEC) = 0.255 C.F.S.
200 GPD/IOOD SF (FOR RETAIL/COYMERCIAL)	DESIGN FLOW = 0.205 X 4.0 = 0.82 C.t.5. (552,440 GPU)	PEAK FACTOR FOR LATERALS = 4.0 DESIGN FLOW = 0.255 X 4.0 = 1.02 C.F.S. (659,114 GPD)
		NET INCREASE IN FLOW = 659,114 GPD - 532,440 GPD = 126,674 GPD

SANITARY DESIGN FLOWS

EXISTING: 665,552 SF (OFFICE)

PROPOSED:

36,475 SF (RETAIL), 525 MULTI-FAMILY UNITS

CITY OF ALEXANDRIA RECOMMENDED AVERAGE DESIGN FLOWS:

300 GPD/UNIT (FOR MULTIFAMILY/RESIDENTIAL) 200 GPD/1000 SF (FOR RETAIL/COMMERCIAL) EXISTING FLOW:

200 GPD/1000 SF X 665,552SF = 13:

Q = (133,110 GPD / 7.48 GAL/CF) *

PEAK FACTOR FOR LATERALS = 4.0 DESIGN FLOW = 0.205 X 4.0 = 0.82 PROPOSED FLOW:

GPD

Y/86,400 SEC) = 0.206 C.F.S.

5. (532,440 GPD)

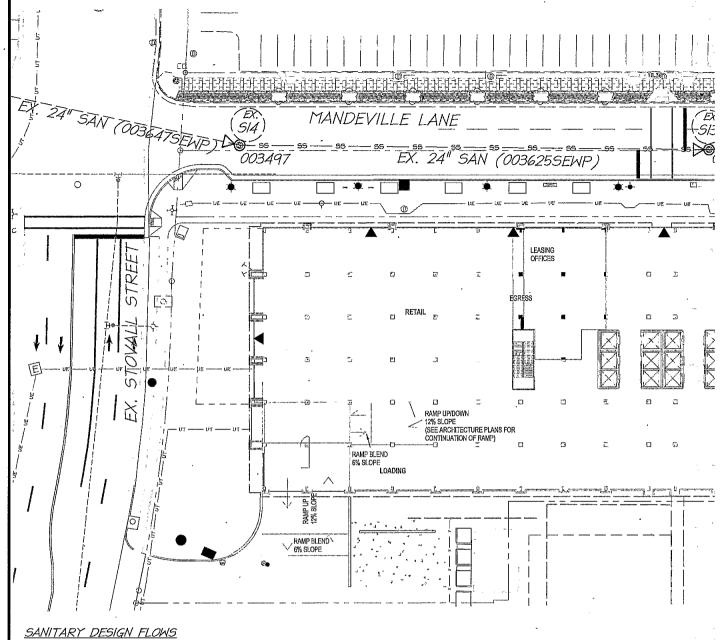
300 GPD/UNIT X 525 UNITS = 157,500 GPD 200 GPD/1000 SF X 36,475 SF = 7,295 GPD SUB-TOTAL = 157,500 GPD + 7,295 GPD = 164,795 GPD

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PEAK FACTOR FOR LATERALS = 4.0

DESIGN FLOW = 0.255 X 4.0 = 1.02 C.F.S. (659,114 GPD)

NET INCREASE IN FLOW = 659, 114 GPD - 532, 440 GPD = 126, 674 GPD



665,552 SF (OFFICE)

36,475 SF (RETAIL), 525 MULTI-FAMILY UNITS

CITY OF ALEXANDRIA RECOMMENDED AVERAGE DESIGN FLOWS:

300 GPD/UNIT (FOR MULTIFAMILY/RESIDENTIAL) 200 GPD/1000 SF (FOR RETAIL/COMMERCIAL)

EXISTING FLOW:

200 GPD/1000 SF X 665,552SF = 133,110 GPD

Q = (133,110 GPD / 7.48 GAL/CF) * (DAY/86,400 SEC) = 0.206 C.F.S.

PEAK FACTOR FOR LATERALS = 4.0 DESIGN FLOW = 0.205 X 4.0 = 0.82 C.F.S. (532,440 GPD)

PROPOSED FLOX:

300 GPD/UNIT X 525 UNITS = 157,500 GPD 200 GPD/1000 SF X 36,475 SF = 7,295 GPD SUB-TOTAL = 157,500 GPD + 7,295 GPD = 164,795 GPD

Q = (164,795 GPD / 7.48 GAL/CF) * (DAY/86,400 SEC)

PEAK FACTOR FOR LATERALS = 4.0 DESIGN FLOW = 0.255 X 4.0 = 1.02 C.F.S. (659,114 GPD.

NET INCREASE IN FLOW = 659,114 GPD - 532,440 GPD

SANITARY COMPUTATION:

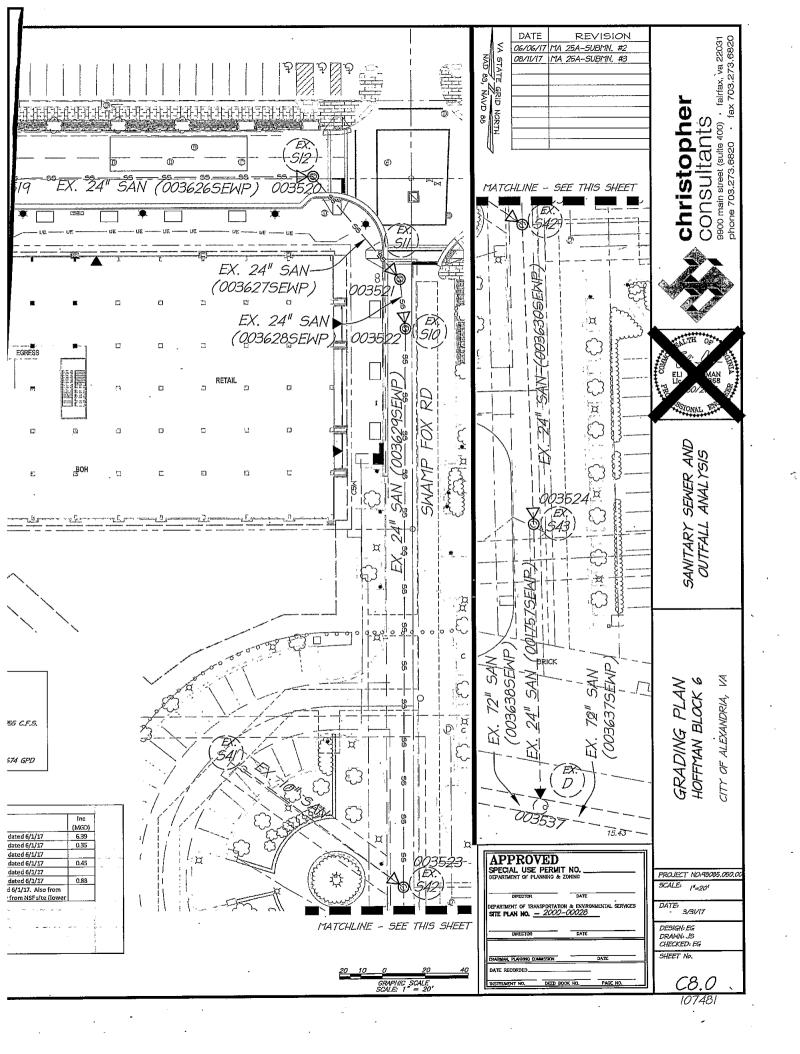
FROM	- то	UPPER INV	LOWERINV	L(FT)	SLOPE (%)	DIA (IN)	MATERIAL	N	CAPACITY (cfs)	CAPACITY (MGD)	DESIGN FLOW (cfs)	DESIGN FLOW (MGD)	V (ft/s)	Assum
Ex. 514 (003497)	Ex. S13 (003519)	7,62	7.11	220,63	0,23	24	RCP	0.015	10.11	6.53	9.89	6,39	3.4	as-built data from fiel
Ex. S13 (003519)	Ex. S12 (003520)	7.01	→ 6.26	155.29	0.48	24	RCP	0.015	14.61	9.44	10.43	6.74	4.64	as-built data from fiel
Ex. S12 (003520)	Ex. S11 (003521)	6.16	5.82	62.59	0.54	24	PVC	0,010	23.24	15.02	10.43	6.74	5.5	as-built data from fiel
Ex. S11 (003521)	Ex. \$10 (003522)	5.72	5:63	23,34	0.39	24	PVC	0,010	19.75	12.75	11.12	7.19	5.87	as-built data from fiel
Ex. \$10 (003522)	Ex. S42 (003523)	5.53	4.06	262,66	0.56	24	PVC	0.010	23,67	15.30	11.12	7.19	6.69	as-built data from field
Ex. \$42 003523)	Ex. S43 (003524)	3.96	3.60	140.53	0.26	24	PVC	0.010	16.13	10,43	10,38	8.07	5.11	as-built data from field
Ex. S43 (003524)	Ex. D (003537)	3.40	3.18	132.74	0,17	24	PVC	0.010	13.04	8.43	10.38	8.07	4.3	Aas-built data from field sun DSUP 2013-0018 (C-4979); Inclu

- Notes:

 1. Assumption for starting flow: 9.46 cfs given with DSUP 2013-0018 and an increase of 0.04 cfs from the 200 Stovall conversion and 0.39 cfs from a portion of Hoffman 48.5 [9.89 cfs ---> 6.39 ingd]
- 2. All capacities shown on the chart are full flow capacities, approximately 93% of the maximum capacity.

 3. Information shown above was gathered during topographic survey performed June 2017.

- 4. All velocities shown are calculated per a partial flow analysis.
 5. A 'n' value of 0.010 was used for all smooth pipes and a value of 0.15 for concrete pipes (diameter smaller than 35") per the ESI checklist



SPEAKER'S FORM

DOCKET ITEM NO. 19

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Kenneth W-5e
2. ADDRESS: 1750 TYEOUS 03/02 55:40 1800, TYSONY OF
2. ADDRESS: 1750 Tysons 03/00 50: 40 1800, Tysons 04 TELEPHONE NO. 703-712-5362 E-MAIL ADDRESS: Kurre @ Mc 30 1800 20 1800
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?
Applicant
4. WHAT IS YOUR POSITION ON THE ITEM? FOR: AGAINST: OTHER:
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES NO

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

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

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

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

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

Guidelines for the Public Discussion Period

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

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.
1. NAME: Adam Paters
2. ADDRESS: 1850 M Street Washington, DC
TELEPHONE NO. 202-741-1897 E-MAIL ADDRESS: apeter 50 persossreal-
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?
4. WHAT IS YOUR POSITION ON THE ITEM? FOR: AGAINST: OTHER:
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
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