DOCKET ITEM #10 Rezoning #2017-0003 1, 11, 44, 66 & 99 Canal Center Plaza Canal Center Rezoning

| Application | Ge | eneral Data |
|--|--|-----------------------------------|
| Public hearing and consideration of a | Planning Commission | October 2, 2018 |
| request for an amendment to the | Hearing: | |
| official zoning map to change the | City Council | October 13, 2018 |
| zone at 1, 11, 44, 66 and 99 Canal | Hearing: | |
| Center Plaza from W-1 to CRMU-H | | |
| with proffers. | | |
| | Zone: | W-1 (existing) |
| Address: 1, 11, 44, 66 and 99 Canal | | CRMU-H (proposed) |
| Center Plaza | | |
| C 011001 1 111211 | Site Area: | 10.44 acres (454,849 square feet) |
| Applicant: Canal Center, LL, LLC, | | |
| represented by Kenneth W. Wire, | Small Area Plan: | Old Town North and Waterfront |
| attorney | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | ord 10 mm rotal and machine |

Staff Recommendation: APPROVAL with CONDITIONS

Staff Reviewers:

Robert M. Kerns, AICP, Chief of Development Gary Wagner, PLA, ASLA, Principal Planner Michael Swidrak, AICP, Urban Planner robert.kerns@alexandriava.gov gary.wagner@alexandriava.gov michael.swidrak@alexandriava.gov



PROJECT LOCATION MAP

I. DISCUSSION

Staff recommends approval of the request to rezone the Canal Center development with proffers proposed by the applicant. The rezoning proposal implements the Old Town North Small Area Plan and will allow the applicant to convert a limited amount of office space to residential use and add retail amenities, which will enhance the long-term viability of the office / mixed-use development.

Site Description

The request concerns five parcels that comprise the Canal Center development. Four of the five parcels (B1, B2, B3 and B4) contain office, while Parcel A is reserved for open space. Parcel A is generally coterminous with Tide Lock Park, which is privately owned by the applicant, though is publicly accessible and restricted to open space use per the Waterfront Settlement Agreement, which is discussed in detail below. The entire site is 10.44 acres (454,849 SF), with approximate 6.08 acres (264,733 SF) reserved for development (Parcels B1-B4).

| Parcel | Address | Land Use | Zoning | Zoning | Land |
|--------|-----------------------|--------------------|-------------|-------------|-----------|
| | | | Designation | Designation | Area (SF) |
| | | | (Existing) | (Proposed) | |
| A | 1 Canal Center Plaza | Open Space | W-1 | CRMU-H | 190,116 |
| B1 | 44 Canal Center Plaza | Office / Mixed-Use | W-1 | CRMU-H | 90,459 |
| B2 | 66 Canal Center Plaza | Office / Mixed-Use | W-1 | CRMU-H | 50,761 |
| В3 | 11 Canal Center Plaza | Office / Mixed-Use | W-1 | CRMU-H | 55,120 |
| B4 | 99 Canal Center Plaza | Office / Mixed-Use | W-1 | CRMU-H | 68,393 |

Table 1: Zoning and Parcel Information

The site is divided into five parcels, though it functions as a single site and currently has a single owner. The parcel lines divide the shared parking court and plaza, and an underground garage is located underneath the entire site (including Parcel A) and is shared between the buildings. In addition to the office use, the office buildings have housed restaurants or cafeterias open to the public.

The site is located within the Old Town North and Waterfront Small Area Plan boundaries and is located on the Potomac River waterfront adjacent to residential and commercial uses. The site shares a border to the north with the former (NRG) power plant site and the Mount Vernon Trail, to the west by Transpotomac Plaza and Crowne Plaza hotel, the latter of which has a site plan approval (DSUP#2017-0011) for conversion into primarily residential use, and the Rivergate townhouse development to the south. The site also borders the Mount Vernon Trail and future Old Town North Linear Park to the west.

Background

The Canal Center site was approved in 1984 (SIT84-0001) for 507,500 square feet of development, with a floor area ratio (FAR) of approximately 1.12. The site plan approval allocated the square footage between parcels B1 to B4, with Parcel A restricted to open space use. The approved amount of floor area included a minimum 3,000 square feet reserved on either Parcel B1 or B2 for a City-operated museum. The amount of development approved for the site was limited by deed restrictions on the property that were a result of the Waterfront Settlement Agreement between property owners adjacent to the Potomac River in Alexandria, and the United States Government. The agreement concerning Canal Center is one of 17 that were settled with the federal government. The National Park Service is the government agency that administers the agreements. The Canal Center settlement is discussed in the Staff Analysis section below.

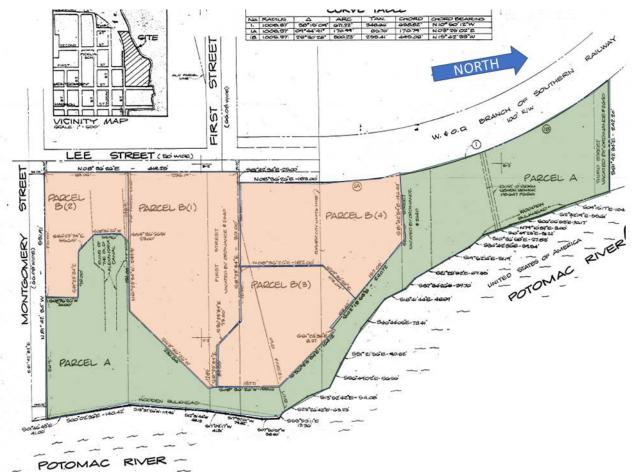


Figure 1: Parcel layout (from SIT#84-001).. B Parcels (Development) in Orange and A Parcel (Open Space) in Green.

The site plan was approved under the W-1 zoning regulations, which in 1984 allowed an FAR of 2.5 for commercial uses. In 1992, the FAR allowed in the W-1 zone was lowered from 2.5 to 0.75 for commercial uses (with an additional 0.25 FAR for retail uses), and the development became noncompliant in terms of floor area¹. Based on Article XII of the Zoning Ordinance, noncomplying structures cannot expand, and the degree of noncompliance cannot be increased.

¹ FAR is calculated for the entire site as one entity, though each building has a deed restriction on the amount of floor area allowed.

The applicant participated in the Old Town North Small Area Plan (OTN-SAP) process starting in 2015 and met with City staff to discuss future development potential. The applicant recalculated the constructed floor area of the existing buildings and determined that the four buildings contained only 485,678 square feet. The City confirmed this floor area amount in 2016 (the letter to the applicant is an attachment to the staff report). The applicant can construct approximately 19,000 square feet (22,000 when the museum space is taken into consideration) of added floor area of the site and still be in compliance with the approved site plan and Waterfront Settlement Agreement (see Staff Analysis below). However, since the applicant cannot add floor area in the existing W-1 zone, because the site is over the 1.0 FAR limit, the applicant is requesting a rezoning to the CRMU-H zone to be able to construct the approximately 19,000 square feet of floor area that remains in the 1984 site plan approval.

It should be noted that the floor area calculations submitted by the applicant and verified by the City relate to a definition of floor area that is embedded in the deed for the property per the Waterfront Settlement agreement. This definition of floor area is similar to the former Zoning Ordinance definition for floor area. Text amendments to Section 2-145 (floor area definition) of the Zoning Ordinance were approved by City Council earlier in 2018. However, floor area for this site will be calculated using definition of floor area in the deed and the Settlement Agreement unless otherwise amended.

| Parcel | Address | Floor Area Allowed per Site Plan and Agreement ² | Calculated Floor Area (Per 2016 Survey) ³ | Floor Area Available to be Constructed |
|--------|-----------------|--|--|--|
| A | 1 Canal Center | N/A | N/A | N/A |
| | Plaza | | | |
| B1 | 44 Canal Center | 158,000 SF | 159,549 SF | -1,549 SF |
| | Plaza | | | |
| B2 | 66 Canal Center | 125,000 SF | 121,237 SF | 3,763 SF |
| | Plaza | , | , | , |
| В3 | 11 Canal Center | 77,500 SF | 63,785 SF | 13,715 SF |
| | Plaza | , | , | , |
| B4 | 99 Canal Center | 144,000 SF | 141,107 SF | 2,893 SF |
| | Plaza | | | |
| | Totals | 504,500 SF ⁴ | 485,678 SF | 18,822 SF |

Table 2: Development Limits per site plan SIT84-001 and Waterfront Settlement Agreement

As demonstrated in Table 2 above, the floor area amounts that were allotted for each building per

² Numbers obtained from SIT84-001 Site Plan.

³ Numbers obtained from "Canal Center FAR Calculation Sheet" submitted by the applicant dated September 14, 2016.

⁴ Any space that is given to the City of Alexandria rent-free does not count toward floor area according to the deed and site plan notes. The minimum 3,000 square feet to be provided to the City is added to the 504,500 square feet of floor area that amounts to the 507,500 square feet of floor area that is listed in the site plan approval and staff report for SIT84-001.

the deed restrictions was exceeded for Parcel B1, while floor area remains for the buildings on parcels B2, B3 and B4. The applicant plans to seek confirmation or guidance from the National Park Service (through an interpretation of the deed restrictions and Waterfront Settlement Agreement) that unused floor area can be added to the site as long as the total floor area of 504,500 (or 507,500 SF) is not exceeded for all four buildings.

Proposal

The applicant proposes to rezone with proffers the five parcels of the Canal Center development, including the parcels containing four office buildings, plaza and Tide Lock Park, from the W-1 (waterfront mixed use) zone to the CRMU-H⁵ (commercial residential mixed use [high]) zone, consistent with the recommendation of the Old Town North Small Area Plan. This proposal is currently for a rezoning only and does not include any site plan or special use permit-related requests, though the proposed area to be rezoned is coterminous with the development originally approved with SIT#84-001.

Pending approval of the rezoning, the applicant will have the ability in the CRMU-H zone to "build out" the approximately minimum 19,000 square feet of floor area that is remaining per the SIT#84-001 site plan approval and the deed restrictions. Any building additions proposed by the applicant will require a major site plan amendment and Planning Commission approval.

| Zone | FAR | Height ⁶ |
|------------|---|---------------------------|
| | (Without a Special Use Permit) | |
| W-1 | 0.75 (Commercial) | Per Old Town North Height |
| (Existing) | 1.00 (Residential / Mixed-Use) | Map (District 4) |
| | 0.25 (Additional Retail) | |
| CRMU-H | 1.25 (Commercial, Residential or Mixed-Use) | Per the (Old Town North) |
| (Proposed) | 0.25 (Additional Retail) | Small Area Plan |

Table 3: Zone Comparison

Following the pending approval of the rezoning, the applicant plans to file a site plan amendment that includes one or two-story building additions for retail and restaurant tenants that will connect to the existing buildings. The new retail and restaurant tenants on site will also expand into ground-floor space in the existing buildings. An illustrative layout, that demonstrates how the applicant could utilize the available floor area, is shown below. The applicant plans on utilizing existing ground-floor space in the office buildings combined with added square footage to place the retail and restaurant amenities on site. As discussed above, the National Park Service must make a determination that the applicant can distribute the remaining floor area among each of the B parcels, and not only the parcels (B3 and B4) with floor area remaining per the deed restrictions.

⁵ Sites in CRMU zones may be considered as "tracts" where FAR is counted over the entire site, regardless of the subdivision of the site into parcels, per Section 1-400(B) of the Zoning Ordinance.

⁶ Both zones allow the maximum building height to be as shown in the Old Town North Small Area Plan "Recommended Height District Limits." The maximum allowed height for 66 Canal Center, at the southern portion of the site, is 77 feet, while the three other buildings are allowed a maximum of 120 feet, pending any amendments to the maximum allowed height outlined in the deed restrictions and Waterfront Settlement Agreement.

The applicant hopes to attract and retain office tenants through the addition of retail and restaurant amenities. As the population in the general Old Town North vicinity increases, the added retail stores and restaurants would serve the local employee and resident population, creating a vibrant place in the Old Town North neighborhood, with an activated plaza with adjacent storefronts that connects directly to the waterfront. As with the current zone, the CRMU-H zone allows for "byright" conversion from commercial to residential uses. The applicant has stated the intention to explore limited residential conversion up to one-third of the existing floor area currently on site. Most likely, this will allow for one of the larger office buildings to be converted to predominantly residential use (see the Proffer subsection below for the proposed language.



Figure 2: Canal Center Illustrative Layout

Proffers

As part of the rezoning request, the applicant has submitted proffers that ensure the request is in general compliance with the Waterfront Settlement Agreement and the Old Town North Small Area Plan. Discussion of the proffers is in the Staff Analysis section below:

1. Settlement Agreement: The development of the Property is subject to the Settlement Agreement with the United States of America, dated April 18, 1983 recorded at Deed Book 1111, Page 1351, as applied and as amended by the United States of America.

- 2. Permitted Uses: The permitted uses on the Property shall be governed by the terms and provisions of the CRMU-H as of the date of the approval of Rezoning #2017-0003. Notwithstanding any other provision of the CRMU-H zone, the Applicant is permitted to convert up to 162,000 square feet of floor area to residential uses.
- 3. Development Approval: Notwithstanding any other provision of the City of Alexandria Zoning Ordinance, any development above 507,500 square feet requires the approval of a Development Special Use Permit.

Each of the proffers was offered by the applicant to ensure that the rezoning to CRMU-H was compliant with the Waterfront Settlement Agreement and the Old Town North Small Area Plan. The first proffer connects the site to the Settlement Agreement, which limits development per the agreement as currently written and potentially amended between the National Park Service and the applicant in the future. The second proffer will retain the office-commercial character of the site, and will allow for limited residential conversion, which complies with the Old Town North Small Area Plan. The third proffer provides the City with an enhanced level of review for any future site additions that could be allowed if the Waterfront Settlement Agreement is amended to allow further site development. The third proffer is discussed further in the Staff Analysis.

II. STAFF ANALYSIS

Waterfront Settlement Agreement

Canal Center is subject to compliance with the 1983 settlement agreement between Herbert Bryant Associates (the former property owner) and the United States of America (Waterfront Settlement Agreement), which resulted from a 1973 lawsuit by the federal government regarding ownership of the edge of privately held and City-owned properties along the waterfront between Jones Point Park and Daingerfield Island. The Waterfront Settlement Agreement guides the use of the subject sites and establishes restrictions on land use, building height and FAR. The agreement informed a joint planning effort by the City and the National Park Service for the affected properties, and the deed restrictions on the properties that arose from the agreement and redevelopment of the sites.

Per the agreement, the site was divided into A and B parcels – the former of which is reserved for open space, while the latter parcel(s) designated for development with scenic easements. The Waterfront Settlement Agreement also placed caps on the building height and FAR allowed in the development and on each B parcel, which is reflected in the deed restrictions and the SIT#84-001 site plan. The FAR limits for the B parcels is discussed in the Background subsection above. Concerning height, each building has a deed-restricted height limit based on elevation above sea level, though the approved SIT#84-001 site plan states that all buildings must be no taller than 74-feet 7-inches above average finished grade. Any future buildings additions that would potentially add building height to any of the buildings would require the applicant to submit a building height survey, which would be reviewed through the development review process, in addition to any review from the National Park Service. The agreement also stipulates the permitted uses on the B parcels, which include restaurants, commercial shops, offices, marina service facilities, museums

related to the City and waterfront history, farmers' markets and public open space. The agreement also allows residential uses (up to 40 units an acre), and a minimum 30,000 square feet of non-office uses.

Any rezoning should be in accordance with height, density and use restrictions in the deed per the Waterfront Settlement Agreement. The 1983 stipulation of settlement from the settlement agreement states that any rezoning of the property must be in accordance with the deed restrictions (related to height, density and use) and with the 1981 "Alexandria Waterfront City of Alexandria / National Park Service Draft Joint Land Use Plan," which informed the deed restrictions. Rezoning Canal Center from W-1 (a zone created from recommendations in the draft land use plan) to CRMU-H without any proffers would not necessarily comply with the Waterfront Settlement Agreement, due to its allowances for density and height that are higher than what is in the deed restrictions.

In terms of existing and future development, the applicant must adhere to the development parameters outlined in the deed restrictions and must consult with the National Park Service on any future changes to the deed restrictions.

Compliance with the Master Plan

Old Town North Small Area Plan

The Old Town North Small Area Plan (OTN-SAP) was adopted by City ordinance in September 2017, and envisions "a pedestrian-focused neighborhood, linked to the rest of the City through a diverse public realm network and a system of multi-modal transportation options." The plan identifies "potential redevelopment sites," and this includes Canal Center (#16). Figure 2.12 of the small area plan, "Recommended Zoning," shows the recommended zone for Canal Center as CRMU-H.

The applicant was involved in the OTN-SAP process from its early stages, and the recommendation of the CRMU-H zone reflects a consensus between the applicant, the community and the City. The rezoning of Canal Center to CRMU-H is consistent with the principles of the plan, most directly by providing "amenities and strategic zoning amendments to retain and attract commercial uses." The plan specifically recommends the rezoning of Canal Center "to make expansion of existing office and attraction of new office more feasible." The rezoned site will be more attractive to residents, visitors and employees through site improvements that can be provided with the additional floor area available. Added ground-floor retail will help to activate the internal plaza and encourage pedestrian traffic from the area.

The proffer offered by the applicant related to limiting residential conversion is consistent with the OTN SAP. In the existing W-1 zone and the proposed CRMU-H zone, the applicant is permitted to convert most or all of the site to residential use. A conversion of the majority of the office buildings to residential would conflict with the recommendation in the plan that a "limited amount of residential use" be allowed on the Canal Center site (page 38). The proffer limits residential conversion to approximately one-third of the existing floor area, and most likely to one of the four buildings in the future. The proffer of limited residential conversion will help to maintain the

commercial and office viability of the Canal Center site, which is one of the largest office developments in the eastern portion of the City.

Waterfront Small Area Plan

Approved by City Council in 2012, the Waterfront Small Area Plan generally covers the properties that are subject to the Waterfront Settlement Agreement, including Canal Center and Tide Lock Park. The plan identifies specific redevelopment sites, of which Canal Center is not one. The rezoning is consistent with the small area plan goal statements which call for a "Dynamic" ("Maintain a living, active Waterfront that is a destination that attracts all Alexandrians and visitors and should be integral to the visitor experience in Alexandria") and "Sustainable" ("Ensure that the Waterfront is able to sustain itself economically, environmentally and operationally") waterfront. The rezoning allows the applicant to add retail and restaurant amenities that will add vibrancy to the development, which will bring residents and visitors to the site and connect them directly with waterfront amenities.

Site Plan Amendment and Future Development

As discussed above, the next step for the applicant is to file a site plan amendment to add one-story building additions that would place restaurant and retail amenities on site in locations that are generally reflected in the illustrative layout. The applicant is allowed to add floor area to the amounts in the deed restrictions and approved site plan (504,500 square feet plus 3,000 for Cityrun museum space). However, the addition of building footprint for the retail space would change the original site plan approval significantly enough to require the applicant to submit a development site plan (DSP) application for consideration by Planning Commission in a public hearing.

Site plan amendments can be reviewed administratively if there is:

- No increase in the intensity of the use of the property;
- No change in the height or location of buildings cannot be detected when viewed from the property line; and
- Changes in the "ground plane" (including parking, landscaping and paving) do not adversely affect adjacent properties.

The addition of retail and restaurant uses in addition to the existing office uses on the property can be considered an intensification of the use. The added building footprints for the retail and restaurant amenities will be visible from the entrance to the Canal Center development from Canal Center Plaza (as intended to attract visitors) and the potential for retail additions adjacent to 66 Canal Center are adjacent to the Rivergate development. Additionally, any changes to the landscaping, open space or public art that these building expansions may have can be reviewed by the City through a public process and presented to the community for comment.

Based on the deed restrictions and Waterfront Settlement Agreement, the Canal Center Site cannot contain more than 507,500 square feet of floor area (including the 3,000 square feet of floor area provided by the applicant for use by a City or public agency). If the applicant negotiates with the National Park Service to amend the settlement agreement and deed restrictions to allow for floor

area above 507,500, the proffers included with the rezoning will guide the development process with the City.

In addition to the first proffer which allows floor area on site to reflect the amount allowed in the Waterfront Settlement Agreement (as applied and amended), the third proffer requires that the applicant submit a development special use permit (DSUP) application for additional floor area above 507,500 square feet. The CRMU-H zone requires a special use permit for increased floor area only above 1.25 FAR, plus 0.25 FAR for additional retail. Based on the site area, a DSUP would not be triggered unless the applicant proposes a total of 568,561 square feet of floor area, or 682,273 square feet of floor area including retail development. The third proffer ensures that the City would process any development that exceeds the currently allowable 507,500 square feet of floor area as a DSUP. The DSUP process allows the City greater input in design review and site improvements that implement the Old Town North Small Area Plan.

Parking

The site contains an existing two-level underground garage that is shared by each building and contains 1,241 spaces. The parking ratio based on existing square footage is 2.55 spaces per 1,000 square feet of floor area, and the existing parking is sufficient to meet parking minimums for any potential short or mid-term development options. The applicant has made clear that the existing parking garage will be available to retail tenants and visitors in addition to employees and/or residents who would be utilizing the parking garage in the future. The applicant will provide more details on parking supply and management with any future site plan amendment submissions.

COMMUNITY III.

As discussed above, the applicant was an engaged participant in the OTN-SAP process, including hosting community meetings and charrettes at 44 Canal Center Plaza. The proposed rezoning was presented to the community as part of the planning process, and the recommendation to rezone was approved with the plan. In addition to community outreach as part of the OTN-SAP process, the applicant has presented to the North Old Town Independent Citizens' Association (NOTICe) at their August and September meetings. The applicant has also reached out to the residents of Rivergate, the townhouse community to the south of the site, and has provided info and offered to meet with the homeowners' association for a presentation.

Staff recommends **approval** of the rezoning with proffers subject to compliance with all applicable codes and ordinances.

Jeff Farner, Deputy Director, Department of Planning and Zoning STAFF:

> Robert M. Kerns, AICP, Chief of Development Gary Wagner, PLA, ASLA, Principal Planner Heba ElGawish, Urban Planner

Michael Swidrak, AICP, Urban Planner



DEPARTMENT OF PLANNING AND ZONING

Sent via E-mail

November 4, 2016

Kenneth Wire McGuireWoods, LLP 1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102

RE: Canal Center - North Old Town

Dear Ken,

This is in response to your letter dated March 17, 2016 that concerned the confirmation of the existing and available floor area of the Canal Center (including the properties included on the site plan approval for SIT84-001), and an attached exhibit dated November 6, 2015 and revised on October 20, 2016 that details the updated floor area calculations. Staff confirms that the total net floor area of the four buildings that comprise Canal Center (11, 44, 66 and 99 Canal Center Plaza) is 485,678 square feet, provided the measurements are accurate, which is effectively an FAR of 1.07.

Staff also confirms that the Canal Center properties are noncomplying structures (as defined in Section 12-101 of the Zoning Ordinance) based on the FAR limits of the W-1 zone, which permit no more than an FAR of 0.75 for commercial uses, with an additional FAR of 0.25 permitted for retail uses with the total not to exceed an FAR of 1.0.

Please let me know if you have any questions regarding to responses provided above.

Thank you,

Robert M. Kerns, AICP

Chief of Development

Dirk H. Geratz, AICP, Principal Planner
 Nancy Williams, Assistant to the Director
 Michael Swidrak, AICP, Urban Planner

Proffered Conditions Canal Center LL LLC Rezoning #2017-0003 1, 11, 44, 66, 99 Canal Center

Pursuant to Section 11-804 of the City of Alexandria Zoning Ordinance, Canal Center LL LLC ("Applicant") hereby proffers, as the owner of the land identified by the City of Alexandria with Real Estate Tax Assessment Numbers: 055.01-04-13; 055.01-04-15; 055.03-04-16; 055.03-03-62 and 055.01-04-14 (the "Property"), for itself, and its successors and assigns, that development of the Property shall be in accordance with the following conditions (the "Proffers") if, and only if, Rezoning #2017-0003 as proposed by the Applicant is approved by the Alexandria City Council.

- 1. <u>Settlement Agreement:</u> The development of the Property is subject to the Settlement Agreement with the United States of America, dated April 18, 1983 recorded at Deed Book 1111, Page 1351, as applied and as amended by the United States of America.
- 2. Permitted Uses: The permitted uses on the Property shall be governed by the terms and provisions of the CRMU-H as of the date of the approval of Rezoning #2017-0003. Notwithstanding any other provision of the CRMU-H zone, the Applicant is permitted to convert up to 162,000 square feet of floor area to residential uses.
- Notwithstanding any other provision of the City of 3. Development Approval: Alexandria Zoning Ordinance, any development above 507,500 square feet requires the approval of a Development Special Use Permit.

APPLICANT

CANAL CENTER LL, LLC, a Delaware limited liability company

Name: _____ J Michael O'Brien

Title: Vice President

4839-2849-3939. v. 1



APPLICATION

Master Plan Amendment MPA#

| [] | Zoning Map | Amendme | nt REZ# | and the same of the same |
|---|-----------------|-----------------|---------------------------|---|
| | | | | |
| PROPERTY LOCATIO | N: 1, 11, 44, 6 | 6, and 99 Cana | al Center Plaza | 9 |
| APPLICANT | | 20 | | |
| Name: | Canal Center I | LL, LLC | | |
| Address: | C/O Investcor | p International | Realty Inc. 280 Park A | ve, New York, NY 10017 |
| PROPERTY OWNER: | 91 | | | |
| Name: | (see attached |) | | |
| Address | | | | |
| Interest in propert | y: | | | |
| | [] Owner | [] Contract P | urchaser | |
| | [] Developer | [] Lessee | [] Other | |
| | [] no: If no, s | said agent shal | supplied for this applica | nse prior to filing application. ation is complete and accurate, and ion to the City of Alexandria, Virgin |
| to post placard notice | | | | on to the City of Alexandria, virgin |
| Kenneth W. Wire | | <u>_</u> _ | Luther | J : |
| Print Name of Applicant of McGuireWoods LLP | or Agent | | Signature | |
| 1750 Tysons Bouleva | rd, Suite 1800 | | 703-712-5362 | 703-712-5222 |
| Mailing/Street Address | | | Telephone # | Fax# |
| Tysons, VA | 2210 | 02 | 0/28/17 | <u></u> |
| City and State | Zip C | ode | Date | |
| | DO NOT | WRITE IN THIS | SPACE - OFFICE USE | ONLY |
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| Legal advertisement: | | | | |
| ACTION - PLANNING CO | MMISSION | | ACTION - CITY COUN | NCIL: |

application master plan amend.pdf 8/1/06 Pnz\Applications, Forms, Checklists\Planning Commission

| MPA # _ | |
|---------|----------|
| REZ#_ | 31-31-32 |

Extent of Interest:

SUBJECT PROPERTY

Provide the following information for each property for which an amendment is being requested. (Attach separate sheets if needed.)

| Address Tax Map - Block - Lot (see attached) | Land Use Existing - Proposed | Master Plan Designation Existing - Proposed | Zoning Designation Existing - Proposed | Frontage (ft.) Land Area (acres) |
|---|------------------------------|---|--|----------------------------------|
| 3 | | | | |
| 4 | | | | |

PROPERTY OWNERSHIP

[] Individual Owner

4.

| • | r each person or individual with ownership interest. If corporation or partnership and 10% interest in such corporation or partnership. | ership owner, identify each person with |
|----|---|---|
| 1. | Name: (see attached) | Extent of Interest: |
| | Address: | |
| 2. | Name: | Extent of Interest: |
| | Address: | |
| 3. | Name: | Extent of Interest: |
| | Address: | |

[Corporation or Partnership Owner

| MPA# | |
|------|--|
| REZ# | |

JUSTIFICATION FOR AMENDMENT

(attach separate sheets if needed)

| -1- 8 | | |
|--|--|-------------------------------------|
| n/a | -x - | |
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| | | |
| Explain how and why the | proposed amendment to the Zoning Map | o(s) is consistent with the propos |
| amendment to the Maste | er Plan, or, if no amendment to the Master | Plan is being requested, how the |
| proposed zoning map am | nendment is consistent with the existing M | laster Plan: |
| | | |
| (see attached) | | |
| | | |
| | ************************************** | |
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| A | | - Marine A |
| Evoluin how the property | proposed for reclassification will be some | and adequately by ossential public |
| | proposed for reclassification will be serve | |
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| | ch as highways, streets, parking spaces, p | |
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Rezoning Application

Property Locations: 1, 11, 44, 66, and 99 Canal Center Plaza

Kenneth W. Wire

Property Owners/Applicants

Name: Canal Center LL, LLC

Address: C/O Investcorp International Realty Inc. 280 Park Ave, New York, NY 10017

Name: Transpotomac Canal Center Owners Association, Inc.

Address: C/O Investcorp International Realty Inc. 280 Park Ave, New York, NY 10017

Subject Property

| Tax Map No | Land Use | Master Plan Designation (as proposed in draft OTN SAP) | Zoning Designation (Existing) | Zoning Designation (Proposed) | Land Area (sq. ft.) |
|--------------|----------|--|-------------------------------------|-------------------------------------|---------------------|
| 055.01-04-13 | Park use | CRMU-H | W1 | CRMU-H | 190,116 |
| 055.01-04-14 | Office | CRMU-H | W-1 | CRMU-H | 68,393 |
| 055.01-04-15 | Office | CRMU-H | W-1 | CRMU-H | 55,120 |
| 055.01-04-16 | Office | CRMU-H | W-1 | CRMU-H | 90,459 |
| 055.03-03-62 | Office | CRMU-H | W-1 | CRMU-H | 50,761 |

Property Ownership

IVC Canal Holdings, LLC (100% member in Applicant)

Justification for Amendment

Question 2

The proposed rezoning designation is consistent with the recently approved Old Town North Small Area Plan. The proposed rezoning will 1) cause all the existing office development on the property to become complying structures; and 2) allow the owner to add ground-floor retail uses, which will further the viability of office uses and energize the streetscape around the waterfront.

Question 4

Gross Floor Area constructed upon the Property shall not exceed the limitations upon the Property as set forth in the 1984 settlement agreement recorded among the Alexandria Land Records at Deed Book 1111 Page 1351.

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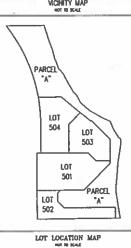
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