

# DOCKET ITEM #7 Rezoning #2018-0003 Subdivision #2018-0004 Landbay F and Landbay G / APTA Rezoning and Subdivision 3050 Potomac Avenue and a portion of 3601 Jefferson Davis Highway

Application	General Data	
Request: Public hearing and consideration of requests for (1) an amendment to the official zoning map to change the zone at 3050 Potomac Avenue from CDD#10 to CDD#19 and to change the zone for a portion of 3601 Jefferson Davis Highway from CDD#19 to	Planning Commission Hearing:	November 8, 2018
CDD#10, and (2) to subdivide to 3050 Potomac Avenue and a portion of 3601 Jefferson Davis Highway through the adjustment of property lines.	City Council Hearing:	November 17, 2018
Address: 3050 Potomac Avenue and a portion of 3601 Jefferson Davis Highway	Zone:	CDD #10 and CDD#19
Applicant: CPYR Shopping Center, LLC and APTA Centennial Properties, LLC, represented by M. Catharine Puskar, attorney	Small Area Plan:	Potomac Yard / Potomac Greens and North Potomac Yard

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances.

Staff Reviewers: Gary Wagner, PLA, ASLA, gary.wagner@alexandriava.gov

Michael Swidrak, AICP, <u>michael.swidrak@alexandriava.gov</u> Robert M. Kerns, AICP, <u>robert.kerns@alexandriava.gov</u>



PROJECT LOCATION MAP

#### I. DISCUSSION

The applicants, CPYR Shopping Center, LLC and APTA Centennial Properties, LLC, request approval for a rezoning and subdivision to allow for a land exchange between APTA and CPYR, the property owner of Potomac Yard Landbay F. The rezoning and subdivision will allow for the consolidation of ownership of the future segment of Wesmond Drive between Dogue Street and Potomac Avenue, and the publicly accessible plaza approved as part of the APTA development special use permit (DSUP).

The subdivision request is subject to approval by the Planning Commission and will be reviewed by City Council only upon appeal. Planning Commission will provide a recommendation concerning the rezoning request to City Council for approval.

#### SITE DESCRIPTION

The site includes two properties – 3050 Potomac Avenue and a portion of 3601 Jefferson Davis Highway. The 6,672 square-foot property at 3050 Potomac Avenue is part of the American Physical Therapy Association (APTA) property that is subject to a recent DSUP approval (DSUP#2017-0017) and is located to the north of Block A1 within Potomac Yard Landbay G. The property is also known as "Outlot A," since it is a parcel that was originally reserved for the northernmost segment of Dogue Street as it intersects Potomac Avenue. With City plans to realign Wesmond Drive to intersect Potomac Avenue and terminate Dogue Street at Wesmond Drive (as part of the North Potomac Yard Small Area Plan), Outlot A was conveyed from JBG Smith, the master developer of Potomac Yard to APTA to use as part of a publicly accessible plaza north of the future office building. 3050 Potomac Avenue is zoned CDD#10, which covers Potomac Yard.

The property located on a portion of 3601 Jefferson Davis Highway is located in the southeastern portion of the North Potomac Yard Small Area Plan, and the current Potomac Yard Shopping Center. The 1,184 square-foot portion of the property to be subdivided currently serves as a portion of a rear exit driveway from the shopping center adjacent to the Target store that is at the southern end of the shopping Center. The property is zoned CDD#19, which is coterminous with Landbay F of Potomac Yard and the North Potomac Yard Small Area Plan boundary.

#### **BACKGROUND**

The realignment of Wesmond Drive eastward to the intersection of Potomac Avenue was recommended in the North Potomac Yard Small Area Plan (approved in 2010, updated in 2017), and was added to the amended conditions of the Landbay G DSUP approval, through the approval of the DSUP for APTA. This alignment of Wesmond Drive will ultimately serve as the border between Landbay G and Landbay F (North Potomac Yard) from Potomac Avenue to Route 1 and will be fully constructed when Blocks A, D, and G of Landbay G are developed, and/or the North Potomac Yard Shopping Center redevelops. JBG Smith has committed to t construct the Wesmond Drive segment from Potomac Avenue to Dogue Street as part of the revised Potomac Yard Landbay G Infrastructure Plan and will coordinate with APTA on the improvements. As part of an interim condition pending Landbay F redevelopment, improvements inside the southern curb of Wesmond Drive (sidewalk, utilities and amenities) are to be constructed, and the Wesmond

Drive roadway will extend between Dogue Street and Potomac Avenue under a public access easement until such time that the entirety of Wesmond Drive is completed and dedicated to the City. As shown in the preliminary plat submitted with this proposal, CPYR has committed to providing a public access easement over Wesmond Drive to allow for its use as a private street for public traffic in the interim.

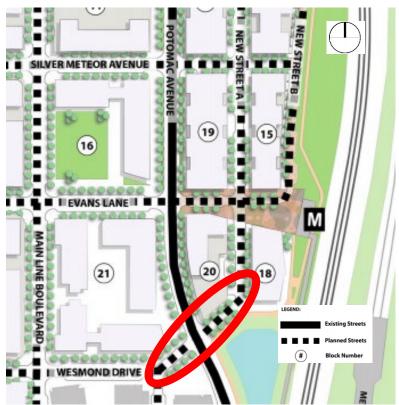


Figure 1: Road framework plan from the North Potomac Yard Small Area Plan where Wesmond Drive continues eastward from Route 1 to Potomac Avenue.

The land where the realigned Wesmond Drive is proposed and a triangular portion of Outlot A, or the northern tip of the APTA plaza, are currently the property of CPYR, the owner of the Potomac Yard Shopping Center. As such, CPYR provided a letter of consent with the APTA DSUP application that allows for JBG Smith to construct the Wesmond Drive segment per the amended Landbay G Infrastructure Plan and for APTA to construct the plaza improvements on this land.

#### PROPOSAL

The applicants propose the subdivision of 3050 Potomac Avenue and a portion of 3601 Jefferson Davis Highway, and a rezoning 1,205 square-foot subdivided portion of 3050 Potomac Avenue and the 1,184 square-foot subdivided portion of 3601 Jefferson Davis Highway. The subdivision and rezoning will help to facilitate a land swap between the applicants and the future dedication of the Wesmond Drive segment between Dogue Street and Potomac Avenue to the City from a single property owner.

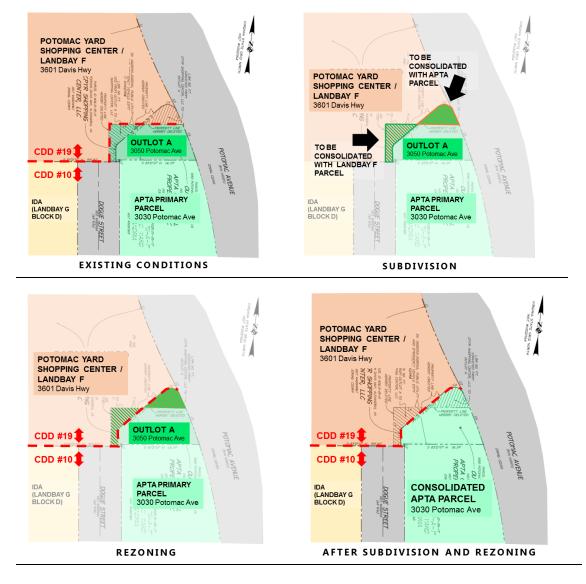


Figure 2: The subdivision (top right) and rezoning (bottom left) will allow for consolidation of APTA site and future Wesmond Drive into Landbay F (bottom right)

#### **SUBDIVISION**

The subdivision request involves the deletion of the northern and western property line of 3050 Potomac Avenue (Outlot A), and the addition of a property line that generally intersects the aforementioned deleted property line from northeast to southwest, creating the new boundary line between Outlot A and Landbay F. The subdivision allows for the consolidation of the triangular parcel remnant to the north of Outlot A into the Outlot A parcel, and its incorporation into the plaza fronting the future APTA building. The subdivision also allows for the consolidation of the future right-of-way of Wesmond Drive between Dogue Street and Potomac Avenue into Landbay F, where it will have a public access easement until Landbay F redevelops and/or Wesmond Drive is constructed west to Route 1.

#### REZONING

The Landbay F (CDD#19) and Outlot A (CDD#10) properties are located in different zones, and the rezoning allows the subdivided parcels to be consolidated under the zoning of their new "parent" parcel. The triangular portion currently in Landbay F can be consolidated with Outlot A and the APTA site in the CDD#10 zone, while the subdivided portion currently part of Outlot A can be consolidated with the remainder of the Potomac Yard Shopping Center parcel under CDD#19. The Wesmond Drive segment between Dogue Street and Potomac Avenue (including sidewalks) will remain a private street with a public access easement (under CDD#19 zoning) until redevelopment to the north and west occurs.

#### ZONING/MASTER PLAN

The subject properties are located in CDD#10 and CDD#19, which permit a mix of uses. The realignment of Wesmond Drive implements the North Potomac Yard Small Area Plan, and the realignment and creation of a publicly accessible plaza is consistent with the goals of the North Potomac Yard and Potomac Yard / Potomac Greens Small Area Plan chapters of the Master Plan.

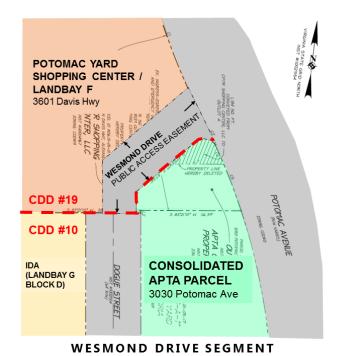


Figure 3: Future Wesmond Drive alignment on Landbay F

#### II. STAFF ANALYSIS

Staff supports the subdivision and rezoning requests, as they implement the North Potomac Yard Small Area Plan, Potomac Yard Landbay G Infrastructure Plan, and the DSUP#2017-0017 approval for the APTA site.

The rezoning and subdivision of the triangular portion of land currently part of the Potomac Yard Shopping Center / Landbay F allows for the consolidation of the APTA site as shown on the DSUP#2017-0017 site plan. This subdivided parcel remnant will be consolidated with Outlot A (3050 Potomac Avenue) and the primary APTA parcel (3030 Potomac Avenue) into one parcel prior to the release of the APTA final site plan and will allow for the full development and programming of the publicly accessible plaza fronting the APTA building. Once the subdivision and rezoning are approved, this portion of land will be acquired by APTA and will be subject to the conditions of approval for DSUP#2017-0017 (which is the most recent amendment to the Landbay G DSUP#2007-0022 approval).

The subdivided and rezoned portion of Outlot A will be acquired by CPYR and incorporated into Landbay F. This allows for the consolidation of the Wesmond Drive segment between Dogue Street and Potomac Avenue under a single owner and will facilitate the future dedication of the road segment to the City. The public access easement for the Wesmond Drive segment is shown in the preliminary plat submitted with the application and will be depicted in the final plat based on this approval.

#### III. STAFF RECOMMENDATION AND CONDITIONS

Staff recommends **approval** of the requested subdivision and rezoning subject to compliance with all applicable codes and ordinances:

STAFF: Robert M. Kerns, AICP, Chief of Development, Planning and Zoning;

Gary Wagner, ASLA, Principal Planner, Planning and Zoning; and Michael Swidrak, AICP, Urban Planner, Planning and Zoning.

#### CITY DEPARTMENT COMMENTS

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

#### Planning and Zoning

- C-1 The final subdivision plat(s) shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)
- C-2 The final subdivision plat(s) for property in Potomac Yard, Landbay G shall comply with the conditions of approval for DSUP#2017-0017 (or DSUP2007-0022, as amended).

#### **APPLICATION**



# SUBDIVISION OF PROPERTY

<b>SUB</b>	#				

			-			
PROPERTY LO		The second secon		ys F and G (Out	lot A)	
TAX MAP REF	ERENCE:	025.02-05-09	and 16.0	1-05-01		<b>ZONE:</b> CDD #10, CDD #19
APPLICANT:	IRG/Landh	ay G, LLC				
Name:	JDG/Landi.					
Address:		4445 Willard	Avenue	Suite 400, Che	vy Cha	ase, MD 20815
PROPERTY OV	WNER:					
Name:	1. CPYR S	hopping Center	r, LLC; 2.	APTA Centenn	ial Pro	perties, LLC
Address:	1. C/0	O Lionstone Gr	oup, 100	Waugh Drive, S	Suite 60	00, Houston, TX 77007
-	2. 1111 N	Fairfax Street,	Alexand	dria, VA 22314		
SUBDIVISION	DESCRIP'	TION				
Please see at	tached.					
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2200 Clarendo	=	ite 1300		703-528-4700		703-525-3197
Mailing/Street Addre				Telephone #		Fax #
Arlington, VA		22201		cpuskar@thela	andlaw	yers.com
City and State		Zip Code	_	Email address 6/13/19 Date	3	

DO NOT WRITE IN	THIS SPACE - OFFICE USE ONLY	
Application Received:	Fee Paid and Date:	
ACTION - PLANNING COMMISSION:		

Subdivision #
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#### ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1.		he applicant	•	•			
		the Owner subject prop		ct Purchaser	☐ Lessee or	✓ Other: Developer	_ of
appl than	icant, three		tity is a corp	•	• •	ntity owning an interest in the se identify each owner of mo	
or ot	her p	erson for whic	h there is so	me form of com	pensation, does th	gent, such as an attorney, realis agent or the business in words fAlexandria, Virginia?	
		•		City business license		cation, if required by the City	′
X	N/A.						

RE: Wesmond Drive – Rezoning and Resubdivision
Coordination of improvements between JBG/Landbay G, L.L.C., ("Landbay G")
and APTA Centennial Properties, LLC ("APTA") owners of certain parcels
located in Potomac Yard, Alexandria, and CPYR Shopping Center LLC
("CPYR"), owner of property located in North Potomac Yard, Alexandria

Pursuant to prior approvals in Potomac Yard, Landbay G, the Applicant, has an obligation to construct Dogue Street from Glebe Road to Potomac Avenue, with the east/west leg of the Dogue Street traversing Outlot A, immediately south of North Potomac Yard. Pursuant to the recently approved North Potomac Yard Small Area Plan, CPYR Shopping Center ("CPYR") has an obligation to construct Wesmond Drive from Route 1 to Potomac Avenue, immediately north of Potomac Yard, when it moves forward with redevelopment of the Shopping Center Property. To streamline the construction of the Wesmond Drive connection in a timely manner and in coordination with the APTA Development Special Use Permit ("DSUP"), the Applicant proposes to rezone and resubdivide part of Parcel G-A-1 and part of Landbay F. Please refer to the attached exhibits for more information.

The Applicant proposes the following steps to facilitate the construction of Wesmond Drive:

- 1. Rezone CDD #19 to CDD #10 and CDD #19 to CDD #10. The Applicant proposes to rezone the approximately 1,184 square foot portion of the plaza adjacent to APTA that is currently owned by CPYR and zoned Coordinated Development District ("CDD") #19 to CDD #10 to add the portion of North Potomac Yard that is to become part of the plaza on Outlot A in Potomac Yard to that CDD. The Applicant also proposes to rezone the approximately 1,205 square foot portion of Outlot A from CDD #10 to CDD #19.
- 2. **Resubdivide.** The Applicant proposes to resubdivide the property to create a clean parcel and CDD line that matches new Wesmond alignment.
- 3. Wesmond Dedication and Easement. CPYR will dedicate the land from face of curb to back of sidewalk on the southern side of interim Wesmond to the City and will also grant a public access easement for the remainder of the interim Wesmond connection to allow vehicles to traverse the interim Wesmond connection between Dogue Street and Potomac Avenue.
- 4. <u>Infrastructure Improvements.</u> Landbay G will install infrastructure plan improvements for Dogue Street and the southern curbline of Wesmond Drive.
- 5. **APTA Streetscape and Easement.** APTA will be responsible for bonding and installing the plaza and streetscape improvements from the back of the southern curb as part of DSUP 2017-0017. APTA will also grant a public access easement for the plaza pursuant to DSUP 2017-0017.

Subdivision #	
	- 11

#### **WAIVER OF RIGHT TO AUTOMATIC APPROVAL**

#### **SUBMITTED TO** THE DEPARTMENT OF PLANNING AND ZONING **CITY OF ALEXANDRIA, VIRGINIA**

Wesmond Drive

PROJECT NAME:	Wesmond Drive
PROJECT ADDRESS:	Potomac Yard Landbays F and G (Outlot A)
DESCRIPTION OF RE	EQUEST:
Resubdivision of par	t of Parcel 025.02-05-09 and 16.01-05-01.
·	
11-1708 (B)(2) of the Z	hereby waives the right to the 45 day automatic approval provision of Section Coning Ordinance of the City of Alexandria, Virginia, for the application stated er 2018 Planning Commission Public Hearing.
Date: 4 13 18	
☐ Applicant	
Agent	
Signature:	Pusker
Printed Name:	Catharine Piskar

#### 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
<sup>1</sup> JBG Landbay G LLC	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 North Potomac Yard Part of Landbays G and F (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.

Address	Percent of Ownership
See attached.	
See attached.	
	See attached.

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 the12-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 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	Member of the Approving Body (i.e. City Council,
	Ordinance	Planning Commission, etc.)
<sup>1.</sup> APTA; A 501(c)(6) corporation	None	None
<sup>2.</sup> CPYR Shopping Center, LLC	None	None
<sup>3</sup> JBG Landbay G, LLC	Publicly traded; None	Publicly traded; None

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 Printed Name Signature



JBG/Landbay G, LLC c/o Jay Kelly 4445 Willard Avenue, Suite 400 Chevy Chase, Maryland 20815

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

Re:

Authorization to File a Rezoning Application, a Resubdivision Application and

Any Requests Associated with the Wesmond Drive Connection

Tax Map ID: 025.01-05-09 and Part of 016.01-05-01 (the "Property")

Dear Mr. Moritz:

JBG/Landbay G, LLC, hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of a rezoning application, a resubdivision application, and any related applications or requests to allow for the construction of Wesmond Drive on the Property.

#### JBG/LANDBAY G, L.L.C.,

a Delaware Limited Liability Company

JBGS/Company Manager, L.L.C., By:

its Managing Member

By:

Name: Andrew Vanhorn Title:

Authorized Signatory



1111 North Fairfax Street Alexandria, VA 22314 1488 703 684 2782 703 684 7343 fax www.apta.org

#### APTA Centennial Properties, LLC

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

Re:

Consent to File a Rezoning Application, a Resubdivision

Application and Any Requests Associated with the

Wesmond Drive Connection Applicant: JBG/Landbay G, LLC

3050 Potomac Avenue, Tax Map ID: 025.01-05-09 (the

"Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, APTA Centennial Properties, LLC hereby consents to the filing of a rezoning application and a resubdivision application by JBG/Landbay G, LLC (the "Applicant") on the Property and any related requests.

Very truly yours,

APTA CENTENNIAL PROPERTIES, LLC

By: June 1 Mone, coo

Its: JUSTIN MODEL, COO

Date: 6/7/2018

#### **CPYR Shopping Center, LLC**

c/o Lionstone Investments 100 Waugh Drive, Suite 600 Houston, Texas 77007

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

Re:

Consent to File a Rezoning Application, a Resubdivision Application and Any

Requests Associated with the Wesmond Drive Connection

Applicant: JBG/Landbay G, LLC

3601 Jefferson Davis Highway, Tax Map ID: 016.01-05-01 Part (the "Property")

Dear Mr. Moritz:

CPYR Shopping Center, LLC (the "Owner"), the Owner of the above-referenced Property, hereby consents to the filing of a rezoning application, a resubdivision application, and any related applications or requests by JBG/Landbay G, LLC (the "Applicant"), as it relates to a portion the Property, solely for the purpose of allowing the construction of the Wesmond Drive extension and installation of hardscape, landscape and streetscape improvements associated with Development Special Use Permit #2017-0017 and associated site plan. This consent is granted subject to lender approval, and subject to the Owner's review and approval of conditions that impact its Property associated with the rezoning and resubdivision applications.

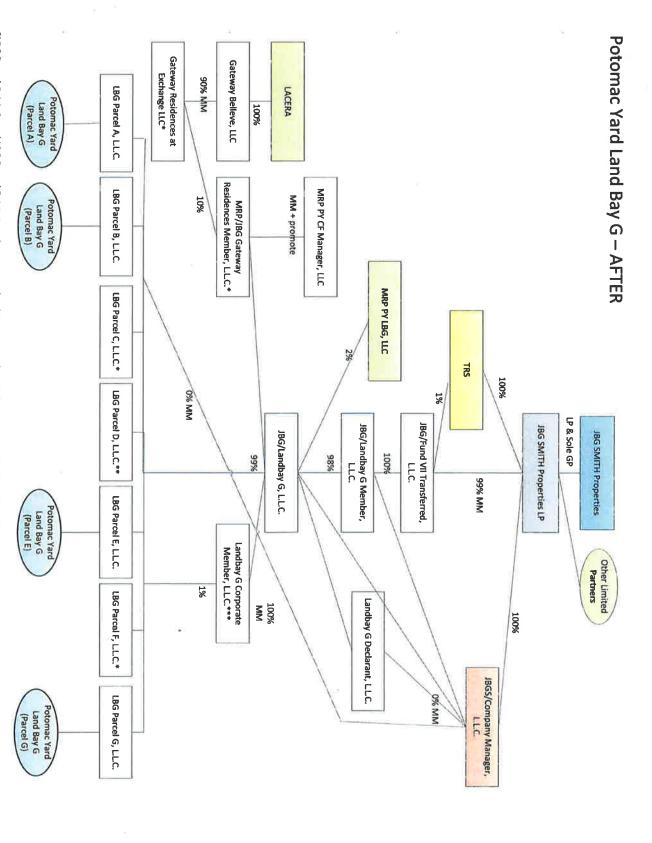
Very truly yours,

CPYR SHOPPING CENTER, LLC

By:

Its: Vice President

Date: 6/12/18



entities was recaptialized into "The Alric" and subsequently sold.
\*\* This entity sold its land but may be entitled to additional purchase price so remains in existence. \*LBG Parcel C, LL.C. and LBG Parcel F, LL.C. no longer own land. However, they do have outstanding bonds so they remain active entities. The land owned by these

<sup>\*\*\*</sup> Entity will elect to be treated as a disregarded entity.

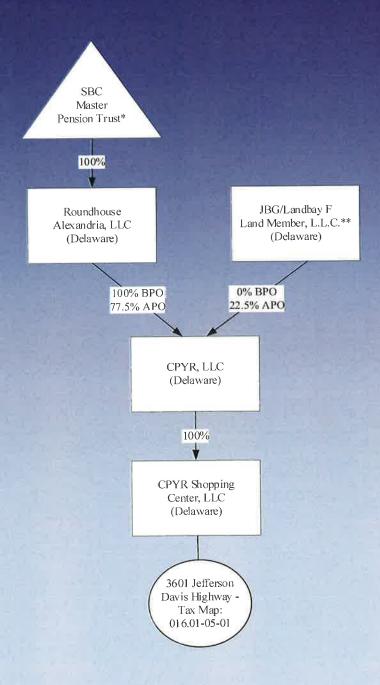
# APTA Centennial Properties, LLC – Ownership Chart February 9, 2018

APTA Centennial Properties, LLC
Applicant and Owner: Tax Map 025.01-05-09 & 025.01-05-17
Address: 1111 N. Fairfax Street Alexandria, VA 22314

American Physical Therapy Association, a 501(c)(6) corporation Sole Member of APTA Centennial Properties, LLC Address: 1111 N. Fairfax Street Alexandria, VA 22314

Neither entity listed above has any business or financial relationship as defined by Section 11-350 of the Zoning Ordinance.

# Organizational Chart - Ownership of CPYR Shopping Center, LLC



<sup>\*</sup> No individual has an interest in SBC Master Pension Trust that would result in a greater than 3% interest in CPYR Shopping Center, LLC.

<sup>\*\*</sup> No individual has an interest, in JBG/Landbay F Land Member, L,L,C. that would result in a greater than 3% interest in CPYR Shopping Center. LLC.



#### **APPLICATION**

[ ] Master Plan Amendment MPA#

e, and, /irginia,
s-" 10
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MPA #	
REZ#	-

#### **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	Land Us Existing	se Proposed	Master Designa Existing -		Zoning Designa Existing	ation Proposed	Frontage (ft.)  Land Area (acres)
1 016.01-05-01	Vacant	ROW	CDD10	CDD19	CDD10	CDD19	190.13 ft
2 025.01-05-09	Vacant	Plaza	CDD19	CDD10	CDD19	CDD10	1,205 sf 129.02 ft 1,184 sf
3						-	en elevision
4		-				-	

#### **PROPERTY OWNERSHIP**

[] Individual Owner

	tify each person or individual with ownership interest. e than 10% interest in such corporation or partnership	If corporation or partnership owner, identify each person with o.
1.	Name: Please see attached.	Extent of Interest:
	Address:	
2.	Name:	Extent of Interest:
	Address:	
3.	Name:	Extent of Interest:
	Address:	
4 .	Name:	Extent of Interest:
	Address:	

[] Corporation or Partnership Owner

MPA #	
REZ#	

#### **JUSTIFICATION FOR AMENDMENT**

(attach separate sheets if needed)

Please s	ee attached.
	co attached.
amendme	ow and why the proposed amendment to the Zoning Map(s) is consistent with the proposent to the Master Plan, or, if no amendment to the Master Plan is being requested, how the zoning map amendment is consistent with the existing Master Plan:
Please s	ee attached.
1 10000 0	
•	ow the property proposed for reclassification will be served adequately by essential public
•	ow the property proposed for reclassification will be served adequately by essential public and services such as highways, streets, parking spaces, police and fire, drainage structur
facilities a	
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facilities a refuse dis	and services such as highways, streets, parking spaces, police and fire, drainage structuresposal, water and sewers, and schools.  ee attached.
facilities a refuse dis	and services such as highways, streets, parking spaces, police and fire, drainage structures posal, water and sewers, and schools.  ee attached.  Dication is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordin
facilities a refuse dis	and services such as highways, streets, parking spaces, police and fire, drainage structuresposal, water and sewers, and schools.  ee attached.
facilities a refuse dis Please s  If this app identify a	and services such as highways, streets, parking spaces, police and fire, drainage structures posal, water and sewers, and schools.  ee attached.  Dication is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordin
facilities a refuse dis Please s If this app identify a Section 1	and services such as highways, streets, parking spaces, police and fire, drainage structures posal, water and sewers, and schools.  ee attached.  Dication is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinal proffered conditions that are to be considered part of this application (see Zoning Ordinal 1-804 for restrictions on conditional zoning):
facilities a refuse dis Please s  If this application 1  Section 1	and services such as highways, streets, parking spaces, police and fire, drainage structures posal, water and sewers, and schools.  ee attached.  Dication is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinal proffered conditions that are to be considered part of this application (see Zoning Ordina)

RE: Wesmond Drive – Rezoning and Resubdivision
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- 2. **Resubdivide.** The Applicant proposes to resubdivide the property to create a clean parcel and CDD line that matches new Wesmond alignment.
- 3. Wesmond Dedication and Easement. CPYR will dedicate the land from face of curb to back of sidewalk on the southern side of interim Wesmond to the City and will also grant a public access easement for the remainder of the interim Wesmond connection to allow vehicles to traverse the interim Wesmond connection between Dogue Street and Potomac Avenue.
- 4. <u>Infrastructure Improvements.</u> Landbay G will install infrastructure plan improvements for Dogue Street and the southern curbline of Wesmond Drive.
- 5. <u>APTA Streetscape and Easement.</u> APTA will be responsible for bonding and installing the plaza and streetscape improvements from the back of the southern curb as part of DSUP 2017-0017. APTA will also grant a public access easement for the plaza pursuant to DSUP 2017-0017.



#### DESCRIPTION

Parcel of land to be conveyed from CPYR SHOPPING CENTER, LLC
To
APTA CENTENNIAL PROPERTIES, LLC

and to be rezoned from CDD#19 to CDD#10

Tax map 025.01-05-09

City of Alexandria, Virginia

Beginning at a point on the westerly line of Potomac Avenue said point also being the northeast corner of Outlot A;

Thence with the northerly line of Outlot A:

S 83°21'10" W a distance of 64.25 feet to a point on the southerly line of CPYR Shopping Center, LLC;

Thence departing Outlot A and with a new line through the lands of CPYR Shopping Center, LLC the following courses and distances:

N 42°53'47" E a distance of 41.10 feet to a point of curvature;

27.60 feet along an arc of a curve to the right whose radius is 15.00 feet and whose delta is 105°24'55" and whose chord bears S 84°23'45" E a distance of 23.87 feet to a point on the westerly line of Potomac Avenue;

Thence with the westerly line of Potomac Avenue 23.67 feet along an arc of a curve to the right whose radius is 705.00 feet, whose delta is 1°55'24", whose chord bears \$ 30°43'36" E a distance of 23.66 feet to the point and place of beginning and containing 1,184 square feet of land more or less.



#### DESCRIPTION

Parcel of land to be conveyed from APTA CENTENNIAL PROPERTIES, LLC **CPYR SHOPPING CENTER, LLC** 

and to be rezoned from CDD#10 to CDD#19 Tax map 016.01-05-01 City of Alexandria, Virginia

Beginning at a point on the northerly line of Douge Street - 64' R/W (Inst # 110021554) 15.67 feet east of the centerline intersection with the southerly line of CPYR Shopping Center, LLC, said point being the southwest corner of Outlot A;

Thence with the westerly and northerly lines of Outlot A: N 06°38'50" W a distance of 56.84 feet to a point; N 83°21'10" E a distance of 48.02 feet to a point;

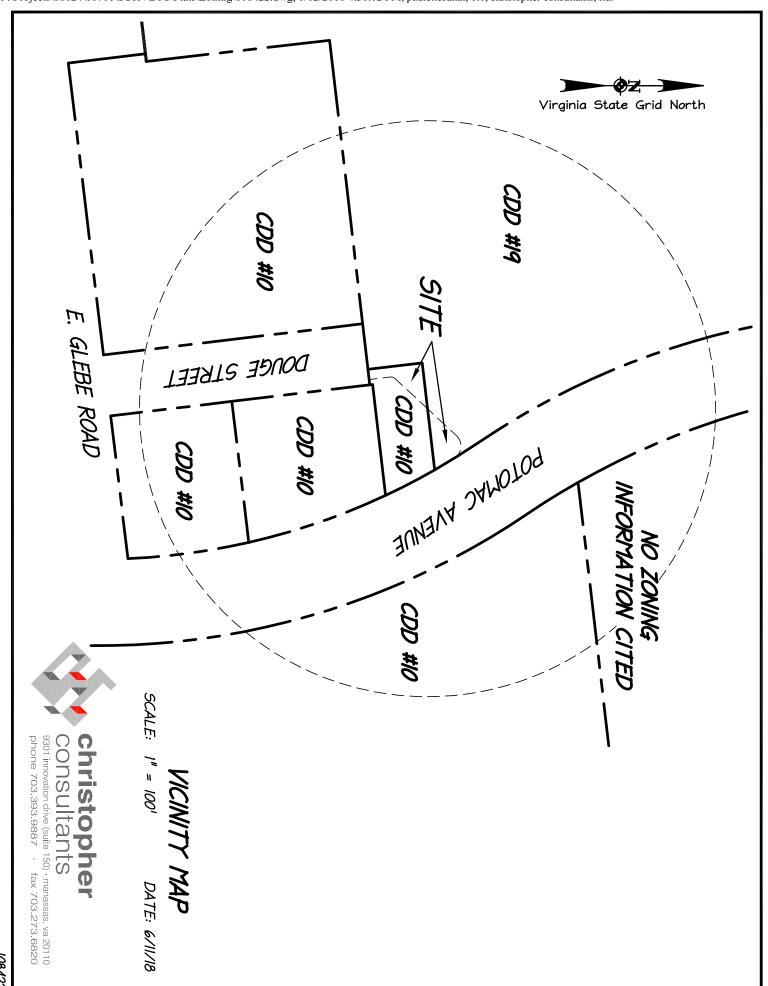
Thence with a new line through Outlot A:

S 42°53'47" W a distance of 46.43 feet to a point of curvature;

4.78 feet along an arc of a curve to the left whose radius is 5.50 feet, whose delta is 49°45'03", and whose chord bears S 18°01'16" W 4.63 feet to a point;

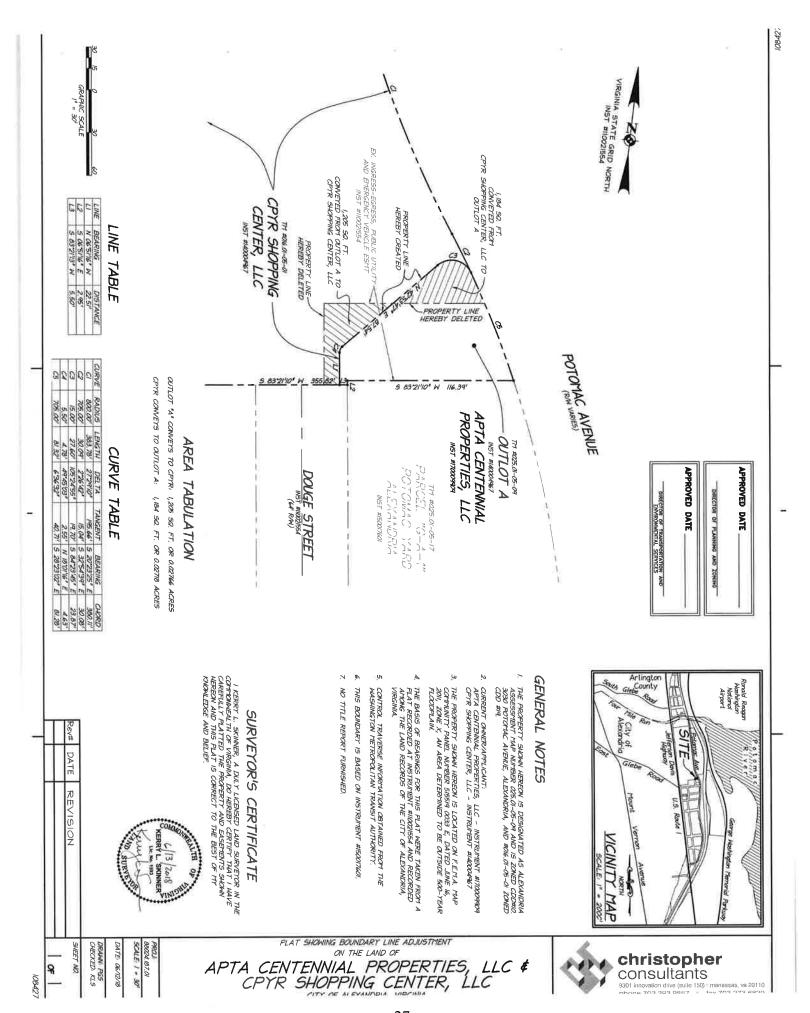
S 06°51'16" E a distance of 22.51 feet to a point on the northerly R/W line of Douge Street;

Thence with Douge Street S 83°21'10" W a distance of 10.83 feet to the point and place of beginning and containing 1,205 square feet of land more or less



#### CURVE TABLE RADIUS LENGTH BEARING CURVE **DELTA TANGENT** CHORD 27°29′10″ S 20°23'25" E 800.00' 383.78 195.661 380.11' Virginia State Grid North C2 705.00' 53.75° 4°22'06" S 31°56'57" E 53.74 26.89' 4°41'08" *C3* 705.00' 57.65 28.84' S 27°25'20" E 57.64 C4 105°24'55" 5 84°23'45" E 15.00 27.60' 19.70' 23.87 49°45′03″ 2.55' 5 18°01'16" W 4.63 5.50' 4.78 DOUGE STREET N 06°38'50" W 56.84' N/F CPYR SHOPPING (64' R/W) S 06"51"16" E 10.831 CENTER, LLC 22.51 INST #140004967 1,205 SQ. FT. 5 06.51'16" E REZONE FROM TM #016.01-05-01 2.95' CDD #10 TO CDD #19 ZONE: CDD #19 N/F APTA USE: SHOPPING CENTER CENTENNIAL PROPERTIES, LLC 1,184 SQ. FT. INST #170009909 REZONE FROM TM #025.01-05-09 CDD #19 TO ZONE: CDD #10 CDD #10 USE: VACANT REZONING PLAT CPYR SHOPPING PARCEL CENTER, LLC \$ POTOMAC KARD APTA CENTENNIAL POTOMAC AVENUE (R/W VARIES) PROPERTIES, LLC INST #150017601 CITY OF ALEXANDRIA, VIRGINIA ZONE: CDD #10 SCALE: I" = 30' DATE: 6/11/18 USE: VACANT christopher 9301 innovation drive (suite 150) - manassas, va 20110

phone 703.393.9887 fax 703.273.6820



BY THIS FIRM ON MARCH 13, 2014.

AFFECTING THE SUBJECT PROPERTY ARE AS SHOWN PER COMMITMENT NUMBER NCS-657489-HOUL BY PRO FORMA

RECEIVED BY CHRISTOPHER CONSULTANTS ON APRIL 3, 2014. 5.) BOUNDARY AND PHYSICAL IMPROVEMENTS SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY PERFORMED

6.) HORIZONTAL DATUM SHOWN HEREON IS RECORD NORTH AS SHOWN IN INSTRUMENT NO. 080018802, AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA.

7.) NO CERTIFICATION IS MADE AS TO THE LOCATIONS OF UNDERGROUND UTILITIES SUCH AS, BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, CATV, WATER, SANITARY AND STORM SEWERS.

8.) NO GEOTECHNICAL, SUBSURFACE, FIELD REVIEWS, RESEARCH, AGENCY OR GOVERNMENTAL RECORD REVIEWS, OR OTHER INVESTIGATIONS HAVE BEEN MADE FOR THE PURPOSE OF LOCATING, OR DETERMINING THE EXISTENCE OF WETLANDS, HAZARDOUS MATERIALS, OR OTHER ENVIRONMENTAL CONCERNS ON SITE IN THE PERFORMANCE OF CHRISTOPHER CONSULTANTS, LTD SERVICES FOR THE PROJECT AS SHOWN HEREON.

9.) ALL BUILDING DIMENSIONS ARE MEASURED AT THE OUTSIDE GROUND LEVEL OF BUILDING. OVERALL SQUARE FOOTAGE HAS BEEN DETERMINED BY EXTERIOR DIMENSIONS AT GROUND LEVEL. THE TOTAL AREA FOR ALL BUILDINGS ON SITE IS 524,160 SQUARE FEET.

IO.) AS TO OPTIONAL TABLE A ITEM #16, THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS ON SITE.

II.) AS TO OPTIONAL TABLE A ITEM #IT, THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK

I2.) AS TO OPTIONAL TABLE A ITEM #18, THERE WAS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL

13.) AS TO OPTIONAL TABLE A ITEM #19, NO WETLAND AREAS ON SITE.

VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

# FLOOD ZONE NOTE

THE PROPERTY SHOWN HEREON IS LOCATED ON THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 515519 0033E, REVISED ON JUNE 16, 2011.

BY GRAPHIC DEPICTION ONLY, THE PROPERTY SHOWN HEREON IS SHOWN IN: • FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN A FIELD SURVEY WAS NOT PERFORMED TO DETERMINE THE FLOOD ZONES LISTED HEREON. AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A

### LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF ALEXANDRIA, COUNTY OF CITY OF ALEXANDRIA, STATE OF VIRGINIA, DESCRIBED

TRACT I: ALL OF PARCEL 525, AS SHOWN ON PLAT ENTITLED .SUBDIVISION PLAT CPYR INC. CITY OF ALEXANDRIA, VIRGINIA., MADE BY CHRISTOPHER CONSULTANTS LTD., DATED MAY 29, 2007, REVISED THROUGH OCTOBER 18, 2007, ATTACHED TO AND MADE A PART OF THE DEED OF SUBDIVISION AND DEDICATION RECORDED AS INSTRUMENT NO. 080018802, AMONG THE LAND RECORDS OF THE CITY OF

LESS AND EXCEPT THEREFROM 0.73905 ACRES DEDICATED FOR PUBLIC STREET PURPOSES AND CONVEYED TO THE CITY OF ALEXANDRIA, VIRGINIA, BY DEED OF DEDICATION AND RELEASE RECORDED AS INSTRUMENT NO. 120027161, AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA

TRACT II: EASEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AGREEMENT, RECORDED AS INSTRUMENT NUMBER 010007098, RE-RECORDED AS INSTRUMENT NO. 030032936; AND AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED AS INSTRUMENT NUMBER

TRACT III: EASEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AGREEMENT DATED AS OF \_\_\_ AND RECORDED AS INSTRUMENT NUMBER \_\_\_\_\_\_, AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA.

# SURVEYOR'S CERTIFICATION

TO: CPYR, INC., FIRST AMERICAN TITLE COMPANY, LLC, CPYR SHOPPING CENTER LLC, A DELAWARE LIMITED LIABILITY COMPANY, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY AND ITS PARTICIPANTS AND CO-INVESTORS, AND EACH OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, CORNERSTONE REAL ESTATE ADVISERS LLC AND ITS SUCCESSORS AND ASSIGNS; THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIRES FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS: 1, 2, 3, 4,

6a, 6b, 7a, 7bl, 7c, 8, 9, 11a, 13, 14, 16, 17, 18, and 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON:

MARCH 13, 2014

Lic. No. 2607

CHRISTOPHER C. FILLMORE, LS LICENSED LAND SURVEYOR NO. : 2607 COMMONWEALTH OF VIRGINIA

#### NOTES CORRESPONDING TO SCHEDULE B-SECTION 2 THE FOLLOWING EASEMENTS AND/OR EXCEPTIONS AS LISTED IN SCHEDULE B - SECTION 2 OF THE COMMITMENT FOR TITLE INSURANCE FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCS-657409-HOUI, BY PROFORMA RECEIVED BY CHRISTOPHER CONSULTANTS ON APRIL 3, 2014, WAS REVIEWED AND ADDRESSED AS FOLLOWS AS TO THEIR CONNECTION WITH THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN SCHEDULE A OF SAID COMMITMENT:

COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN DEED BOOK 1583 AT PAGE 405; AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN DEED BOOK 1607 AT PAGE 1018, BUT DELETING ANY COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN DEED BOOK INDIVIDUAL PAGE 1010, BUT DELETING ANY COVENANTS, CONDITIONS OR RESTRICTIONS INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). REMARKS: PERTAINS TO SUBJECT PROPERTY. NOT A SURVEY MATTER.

COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE COVENANT RECORDED IN DEED BOOK 1588 AT PAGE 379, AMENDED BY FIRST AMENDMENT TO COVENANT RECORDED IN DEED BOOK 1643 AT PAGE 1152, BUT DELETING ANY COVENANTS, CONDITIONS OR RESTRICTIONS INDICATING A PREFERENCE, CONDITION OR RESTRICTIONS INDICATING A PREFERENCE. DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).

REMARKS: PERTAINS TO SUBJECT PROPERTY. NOT A SURVEY MATTER.

DECLARATION OF NOTICE, RECORDED IN DEED BOOK 1634 AT PAGE 407.
REMARKS: PERTAINS TO SUBJECT PROPERTY. NOT A SURVEY MATTER.

6 TERMS AND CONDITION NUMBER 990024911. TERMS AND CONDITIONS OF ORDINANCE NO. 4076 ATTACHED TO THE CERTIFICATE, RECORDED AS INSTRUMENT REMARKS: PERTAINS TO SUBJECT PROPERTY. NOT A SURVEY MATTER.

EASEMENTS GRANTED THE CITY OF ALEXANDRIA, VIRGINIA, BY INSTRUMENTS RECORDED IN DEED BOOK 504 AT PAGE 1703. <u>REMARKS: DEED BOOK 504 AT PAGE 298 NOT LEGIBLE. DEED BOOK 1614 AT PAGE 1703 PERTAINS TO SUBJECT</u> PROPERTY AS SHOWN HEREON.

EASEMENTS GRANTED TO VIRGINIA-AMERICAN WATER COMPANY BY INSTRUMENTS RECORDED IN DEED BOOK REMARKS: DEED BOOK 1599 AT PAGE 92 PERTAINS TO SUBJECT PROPERTY AND IS SHOWN HEREON.

easements granted to bell atlantic-virginia, inc. By instruments recorded in deed book 1662 at page

REMARKS: DEED BOOK 1662 AT PAGE 705 PERTAINS TO THE SUBJECT PROPERTY AND IS SHOWN HEREON. EASEMENTS GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY, RECORDED IN SECOND AMENDMENT AND RESTATED DEED OF EASEMENT RECORDED AS INSTRUMENT NUMBER 050000049, AND SHOWN ON THE

REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

EASEMENTS GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENTS RECORDED IN DEED BOOK 1674 AT PAGE 1566 AND AS INSTRUMENT NUMBER 050000048, REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN THE DEED OF EASEMENT, RECORDED IN DEED BOOK 1676 AT PAGE 885.
REMARKS, PERTAINS TO SUB-ITEM. REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN THE DEED OF EASEMENT, RECORDED IN DEED BOOK 1694 AT PAGE 1185.
REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AGREEMENT, RECORDED AS INSTRUMENT NUMBER 010007048, RE-RECORDED AS INSTRUMENT NO. 030032936; AND AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED AS INSTRUMENT REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

EASEMENT GRANTED TO THE COMMONWEALTH OF VIRGINIA, RECORDED IN DEED BOOK 1165 AT PAGE 1247, REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

DEED OF EASEMENT WITH THE CITY OF ALEXANDRIA, VIRGINIA, RECORDED AS INSTRUMENT NUMBER 0700201557.

REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON. TERMS, PROVISIONS, RESTRICTIONS, CONDITIONS, EASEMENTS, NOTES AND RESERVATIONS CONTAINED WITHIN THE DEED OF SUBDIVISION RECORDED IN DEED BOOK 1691 AT PAGE 316 AND ANY AND ALL MATTERS AS SET FORTH ON THE PLAT ATTACHED THERETO AND MADE THEREOF.

TERMS, PROVISIONS, RESTRICTIONS, CONDITIONS, EASEMENTS, NOTES AND RESERVATIONS CONTAINED WITHIN THE DEED OF SUBDIVISION AND DEDICATION RECORDED AS INSTRUMENT NUMBER 080018802 AND ANY AND ALL MATTERS AS SET FORTH ON THE PLAT ATTACHED THERETO AND MADE THEREOF. REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN THE DEED OF TEMPORARY SIDEWALK TRAIL EASEMENT AND SUBORDINATION WITH THE CITY OF ALEXANDRIA, VIRGINIA RECORDED AS INSTRUMENT REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN THE CIRCULATION AGREEMENT WITH THE (28) CITY OF ALEXANDRÍA, VIRGINIA, RECORDED AS INSTRUMENT NUMBER 120027162, AND SHOWN ON THE SURVEY. REMARKS: PERTAINS TO SUBJECT PROPERTY AND SHOWN HEREON.

Potomac/ /River Washington National Airport George Washington Memorial Parkway Arlington County Alexandria SCALE: I" = 2000

# **LEGEND**

Utilities - Water ⋈⊗ WATER VALVE FIRE HYDRANT WATER METER SIAMESE CONNECTION Utilities - Sanitary SANITARY MANHOLE SANITARY CLEANOUT Utilities - Storm STORM DRAIN MANHOLE STORM CATCH BASIN (CB) EE DI STORM DRAIN INLET (DI) Utilities - Electric LAMP POLE ELECTRIC BOX ELECTRIC MANHOLE Utilities - Gas 66 TRAFFIC SIGNAL HANDICAP PARKING SPACE UNIDENTIFIED MANHOLE PARKING SPACE COUNT TITLE REPORT EXCEPTION # REFERENCE **Abbreviations** SCRIBE MARK SET CURB AND GUTTER

Linetypes CURB & GUTTER ----- ADJOINER LINE Surfaces

CONCRETE SURFACE

PROPOSED ACCESS EASEMENT TO BE RECORDED INSTRUMENT #\_\_

#### ZONING INFORMATION E SUBJECT PROPERTY IS CURRENTLY ZONED "CDD #10", COORDINATED DEVELOPMENT DISTRICT #10.

ZONING INFORMATION SHOWN BELOW AS REFERENCED FROM MUNICODE.COM, TAKEN FROM SECTION 5-600 OF THE ZONING ORDINANCES OF THE CITY OF ALEXANDRIA, VIRGINIA AS ADOPTED JUNE 24, 1992. THIS INFORMATION IS FOR REFERENCE ONLY, NO CERTIFICATION IS MADE TO THE GENERAL ZONING COMPLIANCE OF THE SITE SHOWN

DESCRIPTION MIN. LOT SIZE MIN LOT WIDTH (FEET)		REQUIRED	OBSERVED	NOTES AS REFERENCED FROM:	
		NA	AS SHOWN	MUNICODE.COM:	
		NA	AS SHOWN		
MINIM	UM YARD REQUIREMENTS (FEET)				
	FRONT	N/A	AS SHOWN		
	SIDE	NA	AS SHOWN		
	REAR	NA	AS SHOWN	1	
MAX. HEIGHT OF BUILDINGS (FEET)		NA	AS SHOWN		
NO. OF HANDICAP SPACES		N/A	53	1	
NO. O	F REGULAR SPACES	NA	2247	1	

BECAUSE THERE MAY BE A NEED FOR INTERPRETATION OF THE APPLICABLE ZONING CODES, PLEASE REFER TO THE CITY OF ALEXANDRIA APPLICABLE ZONING CODES. COMPLIANCE OF THESE CODES ARE AT THE DISCRETION OF THE CITY OF ALEXANDRIA'S

> DRAWN: MB CHECKED: CCF SHEET No.

SCALE: N/A

DATE: 03/19/14

42

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4

4

DATE REVISION 2 4/14/14 Comments

3/25/14 Lender Comments

101931

PROJECT: 88024.171.00

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