McGuireWoods LLP 1750 Tysons Boulevard Suite 1800 Tysons, VA 22102-4215 Phone: 703.712.5000 Fax: 703.712.5050 www.mcguirewoods.com

Jonathan P. Rak
Direct: 703.712.5411

MCGUIREWOODS

jrak@mcguirewoods.com Fax: 703.712.5231

November 2, 2020

## <u>Via Email</u>

Chairman Nathan Macek and Members Alexandria Planning Commission Room 2100 301 King Street Alexandria, VA 22314

> Re: SUP #2020-0065 – 765 John Carlyle Street and 1900 Eisenhower Avenue – Carlyle Block P

Dear Chairman Macek and Members of the Planning Commission:

I am writing on behalf of Carlyle Plaza, LLC ("Applicant") in support of the application listed above to increase the allocation of gross square footage in Block P from the overall approved maximum for Carlyle, to convert approved office/retail gross square footage to a residential (elderly housing) use, and to amend the Design Guidelines for Block P and the Carlyle Land Use Allocation table all as described in the Staff Report.

We appreciate the diligent efforts of the city staff to move this SUP forward, and while both the Applicant and city staff have come to an agreement on a majority of the proposed amendments to conditions for Block P, the Applicant disagrees with the staff's proposed language for Condition #115 as described on page 48 of the Staff Report, requiring a mandatory level of nonproprietary surface BMPs.

Physical site constraints already limit the use of nonproprietary surface BMPs on the site, and adherence to this proposed condition would significantly reduce the rooftop space available for utilization by the residents of the proposed elderly housing development. The Applicant believes revised condition language would permit the Applicant and staff to work towards staff's goal of reducing the use of manufactured treatment devices, without unnecessarily restricting a significant amenity for residents of the building. Accordingly, we request the Planning Commission consider the following change to the language of proposed Condition #115:

CONDITION ADDED BY STAFF (SUP#2020-0065): The Applicant shall work with the staff prior to submission of an amended final site plan to determine whether it is practical to provide a portion of the total phosphorous removal for Block P's South Tower using nonproprietary surface BMPs given physical site constraints and utilization of rooftops for residents' open space. Per Memo to Industry No. 01-18, a minimum of 65% of the total phosphorus (TP) removal required

by the Virginia Stormwater Management Program (VSMP) must be achieved using nonproprietary surface BMPs approved by the Virginia Stormwater BMP Clearinghouse. A maximum of 35% of the TP removal required by the VSMP may be achieved using manufactured treatment devices (MTDs) and/or sand filters approved by the Virginia Stormwater BMP Clearinghouse. Any approved BMP may be used to meet the balance of the Alexandria Water Quality Volume Default (WQVD). (T&ES)

Thank you for your consideration of this revision.

Sincerely,

Jonathan P. Rak

cc: Karl Moritz Nathan Imm



October 27, 2020

Nate Macek, Chairman Members of the Planning Commission City of Alexandria, Virginia

Re: November 5, 2020 Docket – Special Use Permit #2020-0065 765 John Carlyle Street and 1900 Eisenhower Avenue Carlyle Block P

Mr. Chairman and Members of the Planning Commission:

The Eisenhower Partnership Board of Directors writes in support of the application being considered by the Planning Commission on November 5, 2020 for proposed amendments to the Carlyle SUP for Block P, including the conversion of existing approved density to residential, senior living use. Accordingly, we support a recommendation of approval by the Planning Commission for the proposed special use permit amendment.

Sincerely,

**Daniel Beason** 

Vice President

The Eisenhower Partnership

Cc: Eisenhower Partnership Board of Directors

Members of the Planning Commission Mayor and Members of City Council

