

DOCKET ITEM 2A
MASTER PLAN AMENDMENT #93-006

PLANNING COMMISSION
THURSDAY, DECEMBER 2, 1993

ISSUE: Consideration of a request for an amendment to the King Street/Eisenhower Avenue Small Area Plan section of the 1992 Master Plan to increase heights and densities permitted within the Eisenhower Avenue Coordinated Development District.

APPLICANT: Hubert N. Hoffman, by J. Howard Middleton, Attorney.

LOCATION: Eisenhower Avenue CDD, east of Telegraph Road, north of the Capital Beltway, west and south of Mill Road.

ZONING: CDD#2 Eisenhower Avenue.

CITY COUNCIL ACTION, DECEMBER 11, 1993: City Council voted to approve the Planning Commission recommendation with the following changes on page 2, lines 2 and 3, that we delete the phrase: "that the average height shall not exceed 100 feet and"; which addresses the height and the F.A.R. question that was discussed earlier, and staff has already indicated that they would agree to accept a further amendment on page 2, line 5, after the word "building" add the phrase "on the area known as the Hoffman Tract and, in addition to any previously approved building in the Mill Race Project,".

PLANNING COMMISSION ACTION, DECEMBER 2, 1993: On a motion by Mr. Wagner, seconded by Mr. Komoroske, the Planning Commission voted to **recommend approval** of the amendments to the master plan listed below. The motion carried 7 to 0. [A detailed list of preliminary motions making specific amendments to the text is attached.]

[**bold/underline** indicates text recommended by Commission]

[~~strike-out~~ indicates text deleted by Commission]

Development Without a Special Use Permit

Within the designated CDD area, the OC Office Commercial zoning regulations shall apply provided that the **maximum** Floor Area Ratio without a Special Use Permit shall be 1.25, **and provided further that the maximum floor area ratio may be increased to 2.0 with an architectural design special use permit. The application requirements and criteria for review of such a special use permit shall be limited to issues of site and architectural design, including without limitation the criteria for review of a site plan set forth in Section 11-410 of the Zoning Ordinance. Matters such as density, traffic and other criteria for review set forth in Section 11-504(B) of the Zoning Ordinance shall not be applicable.** ~~within a distance of 1000 linear feet from the Eisenhower Avenue Metro Station as measured from the kiosk; the Floor Area Ratio without a Special Use Permit for that portion of the Eisenhower Avenue CDD outside of 1000 linear feet from the Eisenhower Avenue Metro Station shall be 1.0.~~ The maximum height without a Special Use Permit for all property within the Eisenhower Avenue CDD shall not exceed ~~77~~ **150** feet, **provided that the average height shall not exceed 100 feet and that there shall be a variety of heights, and provided further that one building may rise to 225 feet if the design of that one building is approved by architectural design special use permit.**

Optional Development With a CDD Special Use Permit

Coordinated Development shall occur subject to the following guidelines:

Land Use

1. that there be a mix of uses in the area including office, residential, and retail along with active and passive recreation opportunities, and day care centers.
2. the project shall provide adequate active and passive recreational facilities.
3. the project shall appropriately provide for bicycle lanes and trails in coordination with existing bicycle lanes and trails.

Design

4. that the area include a variety of architecture and building heights, which are in general conformance with the height guidelines for the area
5. that building heights ~~within 1000 feet of the Eisenhower Avenue Metro Station as measured from the station kiosk~~ shall not exceed 200 feet in height **except for one building which may be permitted to reach 225 feet in height**, provided that the average building height within the **CDD** project seeking SUP approval not exceed

~~150 feet in height; that the maximum height permitted for buildings located outside of 1000 feet of the Eisenhower Avenue Metro Station shall not exceed 150 feet. with a Special Use Permit.~~

6. that areas adjacent to physical barriers such as railroad tracks and highways be landscaped or buffered.

Density

7. that the maximum Floor Area Ratio not exceed 2.5, provided that in no event may the floor area, in any project which is placed in non-residential use, exceed 75% ~~50%~~ of the project's total floor area; that hotel uses be considered residential uses.

Height and Density Bonuses

8. Projects within 1000 feet of Metro shall also be considered for height and density bonuses if combined with a meaningful affordable housing program approved by the City Council. The affordable housing program must be on-site with an equivalent value of no less than \$1.05 [adjusted for inflation] per net square foot of total development, including commercial. The contribution from commercial development may be used for either on-site or off-site housing at the discretion of the Council. Height with bonuses shall not exceed 250 feet for a signature building with an overall average of 200 feet for the entire project. Density with bonuses shall not exceed 3.75 FAR overall, with a minimum of 2.75 for the residential component.

The Commission also inserted the following text into the resolution approving the amendments:

The Commission recommends that City Council provide by ordinance that this Master Plan Amendment 93-006, together with the associated Text Amendment 93-037 and Rezoning 93-010, become effective only at such time as the litigation pending with Hubert Hoffman and related parties before the Alexandria Circuit Court, Hoffman v. City of Alexandria, Chancery Nos. 910421, 920031 and 920746, shall have been dismissed with prejudice as settled.

Reason

The Planning Commission felt that more density and height are appropriate on this site without a special use permit, primarily because of its location in the valley and proximity to Metrorail and the beltway. They felt that the higher density and building height should be reviewed for architectural design through a special use permit process. The Commission did not recommend increasing density with a special use permit, because they did not want to

raise the total maximum permitted densities in the valley over what was originally approved in the Small Area Plan process.

Speakers

Howard Middleton spoke, representing the applicant.

Jack Sullivan expressed reservations about the proposal.

Ken Segal, American Trucking Association, spoke in support of the application.

Ralph Avellant, Taylor Run Civic Association, spoke against the proposed amendment.

Marilyn Doherty spoke against the proposed amendment.

Ellen Pickering spoke against the proposed amendment.

Zabih Sadighian spoke against the proposed amendment.

PLANNING COMMISSION ACTION, NOVEMBER 4, 1993: On a motion by Mr. Wagner, seconded by Ms. Fossum, the Planning Commission voted to **defer** this item. The motion carried 6 to 0.

Reason:

The Planning Commission deferred the item in order to the community additional time to consider the staff's recommended alternative changes to the CDD.

Speakers:

Howard Middleton spoke, representing the applicant.

Jack Sullivan, representing the Seminary Hill Association, spoke against the applicant's proposal and asked for a deferral in order to consider the staff recommendations.

Zabih Sadighian, representing Shooter's Hill Association, spoke against the applicant's proposal.

STAFF RECOMMENDATION: Staff recommends denial of the applicant's proposal, but recommends approval of the attached resolution amending the Eisenhower Avenue CDD guidelines as shown below:

[**Bold Underline** indicates text recommended by staff]

[~~Strike-out~~ indicates deleted text]

Development Without a Special Use Permit

Within the designated CDD area, the OC Office Commercial zoning

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regulations shall apply provided that the maximum Floor Area Ratio without a Special Use Permit shall be 1.25 ~~within a distance of 1000 linear feet from the Eisenhower Avenue Metro Station as measured from the kiosk; the Floor Area Ratio without a Special Use Permit for that portion of the Eisenhower Avenue CDD outside of 1000 linear feet from the Eisenhower Avenue Metro Station shall be 1.0.~~ The maximum height without a Special Use Permit for all property within the Eisenhower Avenue CDD shall not exceed ~~77~~ **100** feet.

Optional Development With a CDD Special Use Permit

Coordinated Development shall occur subject to the following guidelines:

Land Use

1. that there be a mix of uses in the area including office, residential, and retail along with active and passive recreation opportunities, and day care centers.
2. the project shall provide adequate active and passive recreational facilities.
3. the project shall appropriately provide for bicycle lanes and trails in coordination with existing bicycle lanes and trails.

Design

4. that the area include a variety of architecture and building heights, which are in general conformance with the height guidelines for the area
5. that building heights ~~within 1000 feet of the Eisenhower Avenue Metro Station as measured from the station kiosk~~ shall not exceed 200 feet in height **except for one building which may be permitted to reach 250 feet in height**, provided that the average building height within the **CDD** project seeking SUP approval not exceed 150 feet in height; ~~that the maximum height permitted for buildings located outside of 1000 feet of the Eisenhower Avenue Metro Station shall not exceed 150 feet. with a Special Use Permit.~~
6. that areas adjacent to physical barriers such as railroad tracks and highways be landscaped or buffered.

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Density

7. that the maximum Floor Area Ratio not exceed 2.5, provided that in no event may the floor area, in any project which is placed in non-residential use, exceed 25% ~~50%~~ of the project's total floor area; that hotel uses be considered residential uses.

Height and Density Bonuses

8. Projects within 1000 feet of Metro shall also be considered for height and density bonuses if combined with a meaningful affordable housing program approved by the City Council. The affordable housing program must be on-site with an equivalent value of no less than \$1.05 [adjusted for inflation] per net square foot of total development, including commercial. The contribution from commercial development may be used for either on-site or off-site housing at the discretion of the Council. Height with bonuses shall not exceed 250 feet for a signature building with an overall average of 200 feet for the entire project. Density with bonuses shall not exceed 3.75 FAR overall, with a minimum of 2.75 for the residential component.

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sketch--zoning/surrounding land use

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sketch-small area plan

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BACKGROUND

The Eisenhower Avenue CDD encompasses 53.5 acres around the Eisenhower Avenue Metro Station. Most of the land, 43.1 acres, is under the ownership of the applicant, Hubert N. Hoffman. The other major landholders within the CDD are the Mill Two Associates Partnership, with a 3.89 acre parcel approved for the Mill Race project, and a 2.97 acre parcel owned by the American Trucking Association. A detailed list of owners and parcels is provided by the applicant as part of the attached application form (Attachment 3).

The King Street Eisenhower Avenue Small Area Plan set forth principles for the development of the Eisenhower Avenue CDD. The applicant is asking for an increase in the maximum heights and densities permitted both with and without a special use permit. The applicant is also asking for a change to the height and density bonuses the CDD provides for affordable housing. The full text of the CDD guidelines, with the applicant's proposed changes, are shown in the applicant's application, and are summarized below:

Eisenhower Avenue CDD Guidelines

<u>Existing Guidelines</u>	<u>Applicant's Proposal</u>
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Development Without A CDD Special Use Permit

Maximum F.A.R.:	1.25 within 1000 feet of Metro; 1.0 elsewhere	3.0
Maximum Height:	77 feet	150 feet, with one building to 250 feet

Development With A CDD Special Use Permit

Maximum F.A.R.:	2.5	4.5
Maximum Height:	200 feet with an average of 150 feet within 1000 feet of Metro;	250 feet with an average of 150 feet within 1000 feet of Metro;

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150 feet elsewhere 150 feet elsewhere

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The applicant is also requesting a change to the guideline which allows height and density bonuses, up to a 250 feet in height and a 3.75 FAR, for parcels within 1000 feet of Metro that provide an on-site affordable housing program meeting specified conditions. The applicant proposes to remove the height and density limitations for this bonus, to extend it to all sites within the CDD (not just those within 1000 feet of Metro), and to link the bonus to transportation facilities and a less stringently defined affordable housing program.

STAFF ANALYSIS

The applicant is essentially requesting a restoration of the zoning densities and heights it had before adoption of the new zoning ordinance within the Eisenhower Avenue CDD. The development densities and heights being sought *without a special use permit* (3.0 FAR, 150-250 foot heights) are equivalent to the highest densities and heights now permitted in the City *with* a special use permit (without bonuses). And, the development levels being sought with a special use permit (4.5 FAR, 150-250 foot heights) are well beyond the densities permitted anywhere else in the City.

The applicant has cited as justification for the increases the unique opportunities this site provides: isolation from established residential areas and proximity to Metrorail, a regional highway facility and other public facilities. Staff agrees that these factors do indeed present unique development opportunities for this site, and other sites in the eastern Cameron Valley; however, these same factor were present when the King Street/Eisenhower Avenue Small Area Plan was discussed and adopted and none of these factors has changed since that time. The small area plan also identified a number of significant constraints on development: physical barriers such as the Metrorail Tracks and Telegraph Road, soil and drainage problems which limit underground parking and significantly increase mass of development because of above-grade parking structures, the poor and fragmented quality of existing development in the area, and the limitations of the transportation system relative to the overall development potential for the area.

The development guidelines for the Eisenhower Avenue CDD were formulated in response to both the opportunities and the constraints afforded by the site's location. One of the fundamental objectives of the King Street/Eisenhower Avenue small area plan is to encourage quality, high density mixed use development around the Eisenhower Avenue Metrorail station. Staff does not believe such high quality, mixed use development can occur unless coordinated planning occurs for most of the land within the CDD area; without coordinated planning, large structures planned in isolation, with no relationship to other

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buildings on the site, surrounding development, or even the metro station are likely to be proposed and built. The existing buildings on the site structures are evidence of the type of development that might occur in the future without CDD review. Site plans submitted by Hubert N. Hoffman in the past decade for large portions of the site are further evidence of the type of development that is likely to occur without coordinated development in accord with a set of design principles and a special use permit process.

The Eisenhower Avenue CDD is designed to provide the incentives necessary to achieve this high quality of mixed use development, by allowing a moderate level of development without the special use permit process and the higher levels of development with a special use permit. The changes the applicant is asking for would remove almost all incentive to use the special use permit process because it would allow development of almost 7 million sq. ft. of building space within the CDD at heights of 150-250 feet, by right. That amount is probably more than could reasonably be built on the site, given restraints of parking, open space, and height.

Development Without A CDD Special Use Permit

Staff continues to believe that it is essential that this site be developed comprehensively in accord with a comprehensive plan. Staff, therefore, is unwilling to recommend any significant increase in density for development with a CDD special use permit. Staff is willing, however, to recommend a slight increase in allowable heights to 100 feet. Heights of 100 feet are not inappropriate in this area. Further, staff is prepared to recommend deletion of the differential densities at 1000 feet from the Metro station and allow a 1.25 FAR on the entire CDD. An FAR of 1.25 is not inappropriate for this area along Eisenhower Avenue, near the Metro station, and will still provide incentive to develop under the CDD guidelines.

Development With A CDD Special Use Permit

The applicant is asking that development densities be permitted to increase from 2.5 FAR to a maximum of 4.5 FAR with a CDD special use permit, and that heights be increased from a maximum permitted 150-200 feet to 150-250 feet. Staff believes that the densities the applicant is asking for are excessive, well beyond what is appropriate anywhere in the City. However, staff is willing to support some adjustments to the CDD with a special use permit:

- 1) Staff is willing to recommend lowering the requirement that 50% of the use be residential. The marketability of this area for residential development has yet

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to be proven. Although Mill Race has proposed a large scale residential development, the developer has as yet to obtain financing for that proposal. The level of residential development should be determined by the Planning Commission and City Council in the process of approving the CDD concept plan. Staff sees no reason to tie the hands of those two bodies in advance to a standard of 50%.

2) Staff sees no reason why the Commission and Council should not have the right to consider a single building within the complex of up to 250 feet. Currently, heights are permitted to rise to 150 feet, except within 1000 feet of the Metro, where heights are permitted to rise to 200 feet with an average of 150 feet. Height analysis contained in the King Street/Eisenhower Avenue Small Area Plan found that buildings up to about 200 feet can be constructed without blocking views of the temple. Tall buildings are not inappropriate, as long as they are carefully planned and evaluated. Therefore, staff recommends extending the provisions for within 1000 feet of the Metro station to the entire site, allowing buildings throughout the tract to rise to 200 feet, with an average of 150 feet, except that one building may be allowed to rise to 250 feet. It is critical that heights be varied, and that heights of the buildings in the project relate to each other and what is around them. Staff believes the CDD process can ensure that this occurs, and therefore has no objection to these higher heights. As in the case of development without a SUP, staff also recommends abolishing the distinction between land lying within 1000 feet of a Metro and land lying beyond that point, since all of the land within the CDD is within easy walking distance of the Metro station.

Affordable Housing Provision

The applicant has also requested a change to the CDD guideline which allows height and density bonuses for a substantially residential project located next to the Metro station which provides a significant on-site affordable housing. The program must have a value of at least \$1.05 per square foot, more than double the City's current affordable housing policy. The applicant proposes that height and density bonuses should also be provided on the basis of infrastructure improvements, that the specific nature of the affordable housing program should not be defined, and the amount of the bonus should not be limited. Staff is not recommending any change to this provision, which was designed in conjunction with the Mill Race project, which received the height and density bonus for providing a significant on-site affordable housing program.

STAFF: Sheldon Lynn, Director, Planning and Community Development.

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Attachments:

1. Draft Resolution
2. Chronology of Changes to Eisenhower Avenue
CDD guidelines in the King/Eisenhower SAP
3. Master Plan Application MPA #93-006

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RESOLUTION NO. MP-93-0006

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the **KING STREET/EISENHOWER AVENUE SMALL AREA PLAN** section of the 1992 Master Plan was filed with the Department of Planning and Community Development in September 1993 for changes in the CDD Principles for the Eisenhower Avenue CDD; and

WHEREAS, the Department of Planning and Community Development met with the community on October 20, 1993 to discuss the proposed revision; and

WHEREAS, the Department of Planning and Community Development has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on November 4, 1993 with all public testimony and written comment considered; and

WHEREAS, the Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the **KING STREET/EISENHOWER AVENUE** section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the **KING STREET/EISENHOWER AVENUE** section of the 1992 Master Plan; and
3. The proposed amendment shows the Commission's long range recommendations for the general development of the **KING STREET/EISENHOWER AVENUE AREA**; and

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4. Based on the foregoing findings and all other facts and circumstances of which the Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the **KING STREET/EISENHOWER AVENUE** section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

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NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the **KING STREET/EISENHOWER AVENUE** section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

Change the CDD principles for the Eisenhower Avenue Coordinated Development District as follows:

Development Without a Special Use Permit

Within the designated CDD area, the OC Office Commercial zoning regulations shall apply provided that the **maximum** Floor Area Ratio without a Special Use Permit shall be 1.25 ~~within a distance of 1000 linear feet from the Eisenhower Avenue Metro Station as measured from the kiosk; the Floor Area Ratio without a Special Use Permit for that portion of the Eisenhower Avenue CDD outside of 1000 linear feet from the Eisenhower Avenue Metro Station shall be 1.0.~~ The maximum height without a Special Use Permit for all property within the Eisenhower Avenue CDD shall not exceed ~~77~~ **100** feet.

Optional Development With a CDD Special Use Permit

Coordinated Development shall occur subject to the following guidelines:

Land Use

1. that there be a mix of uses in the area including office, residential, and retail along with active and passive recreation opportunities, and day care centers.
2. the project shall provide adequate active and passive recreational facilities.
3. the project shall appropriately provide for bicycle lanes and trails in coordination with existing bicycle lanes and trails.

Design

4. that the area include a variety of architecture and building heights, which are in general conformance with the height guidelines for the area
5. that building heights ~~within 1000 feet of the Eisenhower Avenue Metro Station as measured from the station kiosk~~ shall not exceed 200 feet in

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height except for one building which may be permitted to reach 250 feet in height, provided that the average building height within the CDD project seeking SUP approval not exceed 150 feet in height; that the maximum height permitted for buildings located outside of 1000 feet of the Eisenhower Avenue Metro Station shall not exceed 150 feet. with a Special Use Permit.

6. that areas adjacent to physical barriers such as railroad tracks and highways be landscaped or buffered.

Density

7. that the maximum Floor Area Ratio not exceed 2.5, provided that in no event may the floor area, in any project which is placed in non-residential use, exceed 25% 50% of the project's total floor area; that hotel uses be considered residential uses.

Height and Density Bonuses

8. Projects within 1000 feet of Metro shall also be considered for height and density bonuses if combined with a meaningful affordable housing program approved by the City Council. The affordable housing program must be on-site with an equivalent value of no less than \$1.05 [adjusted for inflation] per net square foot of total development, including commercial. The contribution from commercial development may be used for either on-site or off-site housing at the discretion of the Council. Height with bonuses shall not exceed 250 feet for a signature building with an overall average of 200 feet for the entire project. Density with bonuses shall not exceed 3.75 FAR overall, with a minimum of 2.75 for the residential component.

2. This resolution shall be signed by the Chairman of the Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED THE 4TH DAY OF NOVEMBER, 1993.

William B. Hurd, Chairman

ATTEST:

Sheldon Lynn, Secretary

CHRONOLOGY: EISENHOWER AVENUE COORDINATED DEVELOPMENT DISTRICT GUIDELINES

Without a CDD Special Use Permit

	<u>Uses</u>	<u>FAR</u>	<u>Height</u>
Staff Draft-2/90	OCM	1.25	77'
Staff Draft-4/90	OCM	1.25	77'
P.C.-4/90	OCM	1.25 within 1000' Metro 1.0 elsewhere	77'
C.C.-6/90	OC	1.25 within 1000' Metro 1.0 elsewhere	77'

With a CDD Special Use Permit

	<u>Uses</u>	<u>FAR</u>	<u>Height</u>
Staff Draft-2/90	MIX	no limit specified	no limit specified
Staff Draft-4/90	MIX	3.5 with 35% residential 4.0 with 50% residential	200' with one building to 300'
P.C.-4/90	MIX	2.5 with 50% residential	200'/150' avg. within 1000' Metro 150' elsewhere
C.C.-6/90	MIX	2.5 with 50% residential	200'/150' avg. within 1000' Metro 150' elsewhere

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LIST OF PLANNING COMMISSION ACTIONS
DECEMBER 2, 1993

1. On a motion by Mr. Wagner, seconded by Mr. Ragland, the Planning Commission voted to approve the following substitute text for the staff recommended text for "Development Without A CDD Special Use Permit" in the Eisenhower Avenue CDD:

Within the designated CDD area, the OC Office Commercial zoning regulations shall apply provided that the maximum Floor Area Ratio without a Special Use Permit shall be 1.25, and provided further that the maximum floor area ratio may be increased to 2.0 with an architectural design special use permit. The application requirements and criteria for review of such a special use permit shall be limited to issues of site and architectural design, including without limitation the criteria for review of a site plan set forth in Section 11-410 of the Zoning Ordinance. Matters such as density, traffic and other criteria for review set forth in Section 11-504(B) of the Zoning Ordinance shall not be applicable. The maximum height without a Special Use Permit for all property within the Eisenhower Avenue CDD shall not exceed 150 feet, provided that the average height shall not exceed 100 feet and that there shall be a variety of heights, and provided further that one building may rise to 225 feet if the design of that one building is approved by architectural design special use permit.

On motion by Mr. Leibach, seconded by Ms. Burke the Commission voted to amend the major motion by changing the maximum height from '225' feet to '200' feet. The motion to amend failed, 3-4, with Mssrs. Hurd, Ragland, Komoroske and Wagner voting against.

The original motion passed, 6-1, with Mr. Leibach voting against.

2. On a motion by Mr. Wagner, seconded by Mr. Ragland, the Planning Commission voted to change condition #5 for Development with a CDD special use permit to increase permitted heights from '150' up to '225' feet. The motion carried, 6-1, with Mr. Leibach voting against.

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3. On a motion by Mr. Wagner, seconded by Mr. Ragland, the Planning Commission voted on changing condition #7 for Development with a CDD Special Use Permit to allow non-residential development to increase from '75%' of the total in any project to '85%' of the total in any project.

On a motion by Ms. Fossum, seconded by Ms. Burke, the Commission voted on amending the motion to change '85%' to '75%'. The motion to amend the major motion passed 4-3, with Mssrs. Ragland, Wagner and Komoroske voting against.

The amended motion passed 7-0.

4. On a motion by Mr. Wagner, seconded by Mr. Komoroske, the Commission voted on including the following language in the resolution approving the Master Plan amendment:

The Commission recommends that City Council provide by ordinance that this Master Plan Amendment 93-006, together with the associated Text Amendment 93-037 and Rezoning 93-010, become effective only at such time as the litigation pending with Hubert Hoffman and related parties before the Alexandria Circuit Court, Hoffman v. City of Alexandria, Chancery Nos. 910421, 920031 and 920746, shall have been dismissed with prejudice as settled.

The motion carried, 7-0.

5. On a motion by Mr. Wagner, seconded by Komoroske, the voting Commission voted on approving the resolution to amend the Master Plan as recommended by staff as amended by the Commission. The motion carried 7-0.

Eisenhower Avenue CDD Guidelines

**Existing
Guidelines**

**Commission's
Proposal**

Development Without A CDD Special Use Permit

Maximum F.A.R.:	1.25 within 1000 feet of Metro; 1.0 elsewhere	1.25
Maximum Height:	77 feet	150 feet, with variety of heights and a maximum average of 100 feet, except one building to 225 feet with an architectural design SUP

Development With A CDD Special Use Permit

Maximum F.A.R.:	2.5	2.5
Maximum Height:	200 feet with an average of 150 feet within 1000 feet of Metro; 150 feet elsewhere	225 feet with an average of 150 feet

(heights up to 250 feet and an FAR of up to 3.75 permitted as a bonus for affordable housing if certain conditions are met)