



June 1, 2009

The Honorable William Euille  
Mayor  
Members of the City Council  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

Dear Mayor Euille and Members of the City Council:

As you know, Duke Realty Corporation ("Duke") was asked to be a member of the City's BRAC/Mark Center Advisory Group ("Advisory Group") created by City Council Resolution 2322 dated February 10, 2009. Since the formation of the Advisory Group, Duke has actively participated in all of the Advisory Group meetings and discussions and we continue to support receiving input from the citizens. As a member of the Advisory Group, we are familiar with their letter dated May 27, 2009 requesting that the City Council enact a resolution that would affect our ability to move forward with approved improvements to the arterial roads surrounding Mark Center. These road improvements, approved by the City in 2004, are necessary to accommodate the traffic to be generated by the BRAC 133 administrative office complex at Mark Center, scheduled to be fully operational in September 2011. We believe that the risk that the Advisory Group is requesting the City to undertake – to create a situation where BRAC 133 is fully occupied and the regional roadway system surrounding Mark Center is unimproved – is unwarranted and unwise.

Accordingly, although a member of the Advisory Group, we do not support the recommendation to delay the implementation of the previously City approved road improvements around Mark Center. First, although we strongly support direct access via a "slip ramp" from I-395 into the BRAC site, the project remains speculative. The time required for the review, design, funding and construction process for the interchange is such that BRAC 133 will be fully operational long before decisions can be made about the "slip ramp." In the event that a "slip ramp" is constructed, and the triple left from Seminary onto North Beauregard is no longer needed for effective traffic management, there are engineering solutions to modify the intersection and return it to the present double left alignment.

Second, conditions upon which the 2004 approval was based have not changed. Duke, in reliance on the City's 2004 SUP approval, intends to proceed with the transportation improvements to the local arterial roads required as a condition of that approval. These improvements have been fully coordinated by and with the City in accordance with its statutory and regulatory procedures. It is important to point out that the City approved improvements were fully coordinated with the community at the time they were imposed on Mark Center development in 2004. There were public hearings and many, if not all, of the arguments now raised in opposition to these roadway improvements were raised in 2003 and fully considered by the staff and Council.

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It is in reliance on that approval that significant funds have been expended and design completed for the road improvements. We must have final approval from the City of these road improvement plans as soon as possible, but in no event later than November 25, 2009, if we are to complete construction by the time BRAC 133 is fully occupied in September 2011. The worst case scenario would be the influx of several thousand more cars on the unimproved roadway system surrounding Mark Center.

Third, and finally, we believe that given the complexity of the road improvements under discussion, the on-going planning is proceeding in a coordinated manner. This is due in large part to the efforts of the City staff. We have worked, and are continuing to work, closely with the City staff on design and other issues to ensure that the complex reflects City design guidelines as much as possible. We have a good working relationship with City staff and significant progress has been made in incorporating many of the City's recommendations into our plans. We appreciate the City staff's efforts to expedite their review of our plans and their willingness to work collaboratively and offer suggestions that improve the design.

#### Timing of the "Slip Ramp"

There are presently several efforts underway to study potential improvements to the I-395 corridor. These include the "slip ramp" which would provide direct access into the BRAC 133 site from I-395. At the time Mark Center's development plans were under review in 2003, the City did not believe that it was realistic to pursue direct access into the complex from I-395, and that concept was eliminated from the conditions attached to our SUP approval. However, the selection of Mark Center for the BRAC 133 requirement has provided the impetus to pursue the improvement and we are strongly supporting the "slip ramp" as is the Department of the Army.

This is a well coordinated effort as noted in the City's letter dated January 21, 2009, to the National Capital Planning Commission ("NCPC"), in which the City expressed its official support for the "slip ramp." In its February 5, 2009 action approving the location, and preliminary and final building foundation plans for the BRAC 133 project, the NCPC recommended that the Army plan for the location of a slip-ramp to I-395 from the South Parking garage to accommodate federal employee traffic and include the final design of the ramp when the Army submits the BRAC 133 project for final review to the Commission.

The Virginia Department of Transportation ("VDOT") is currently preparing the required Interchange Justification Report (IJR) for submission to the Federal Highway Administration ("FHWA"). As stated, we strongly support the "slip ramp" and are hopeful that FHWA will approve a workable "slip ramp" design after completion of all of its required reviews and that funding, design and construction will expeditiously follow.

As noted by VDOT representatives at the May 20 Advisory Group meeting, the process for studying, reviewing, funding and designing this "slip ramp" is a lengthy one that is conservatively estimated to take a minimum of 3 ½ years – mid 2012 – not including its actual construction. Thus, the timeframe within which we could reasonably expect to know whether or not a "slip ramp" will even be constructed extends well beyond the date on which the BRAC 133 administrative complex will be fully operational in September 2011.

The possibility of a "slip ramp" does not render the approved road improvements unnecessary. Even if the decision is made to fund, design and construct the slip ramp, there will be a significant period of time during which traffic must be managed. The existing studies have shown that there must be road improvements to accommodate the traffic to be generated by the Mark Center development. In the event

that the “slip ramp” is ultimately approved and actually constructed, there are engineering solutions that would modify the triple left from Seminary onto North Beauregard and would return it to a double left.

#### Conditions Have Not Changed

Conditions have not changed since the City's 2004 SUP approval. The BRAC 133 office complex is bringing **no** additional density to Mark Center beyond that which was approved by the City Council when it approved the Mark Center development in January 2004. More importantly, the BRAC 133 office complex is bringing **no** additional traffic to Mark Center beyond that which was approved by the City Council in January 2004. In fact, given the Department of Defense's aggressive plans with respect to trip reduction, we expect that traffic in and out of Mark Center will be significantly **less** than the estimates upon which the City based its January 2004 Mark Center SUP approval.

The security requirements applicable to BRAC are not a “changed condition” that affects the road improvements. The traffic studies that have been completed and provided to the City staff clearly demonstrate that to the extent that any queuing occurs, it does not reach the public roads, much less I-395. Similarly, the fact that the BRAC 133 project provides the opportunity to develop a transit center, providing mass transit opportunities to Mark Center employees and visitors, as well as the public, does not represent a “changed condition” affecting the soundness of the City's 2004 approval.

Finally, as discussed above, the potential for a “slip ramp” providing direct access from I-395 to the BRAC site is not a changed condition, for the simple reason that it will be many months – if not years – before any conclusion is reached as to whether a “slip ramp” is viable.

#### Traffic Planning

The Advisory Group supports its request for City Council action in part because of its perception that the on-going planning and implementation of improvements is not well coordinated. Clearly, multiple jurisdictions – local, state, and federal – necessarily are involved in planning and executing roadway improvements. Notwithstanding the complexity of the regulatory scheme surrounding the road improvements, we believe that the City staff effectively is coordinating the on-going planning. We do not believe that the type of analysis the Advisory Group appears to request from the City by October 2009 is consistent with the on-going planning efforts and it is unclear whether such a “full analysis” would add appreciable value to the in-depth review by the Virginia Department of Transportation (VDOT) that is underway regarding the “slip ramp.” Given the complexity of the various jurisdictions, the transportation improvements and planning are proceeding in as logical fashion as can be reasonably expected. Specifically:

- The Army, in deciding to select an Alexandria site for the BRAC relocation, relied on the City approvals in place, and is expecting that Duke comply with City imposed transportation improvement approvals. As indicated, these improvements were fully coordinated by the City and were the subject of public hearings.
- Transportation management for the BRAC project is being actively considered by the National Capital Planning Commission (NCP), the federal government's central planning agency for development within the National Capital Region. The Army is preparing a comprehensive Traffic Management Plan (TMP) for Mark Center, which will be submitted to NCP and which will reflect City and citizen input. The Army anticipates that its TMP will be completed within six months.

- Duke, working under direction of the Army, and in coordination with the City, is preparing its building design to accommodate the construction of a “slip ramp” should one be approved and funded in the future.
- VDOT has initiated the IJR for the “slip ramp”, at the request of the Army, the City, and Duke, that will study the traffic and determine whether there is a need for direct access in to the BRAC site. Consistent with federal and state requirements, VDOT will submit the results of its review to the FHWA for its review, and then will conduct any necessary environmental reviews. At the request of City staff, a VDOT representative attended the most recent Advisory Group meeting and provided substantial detail regarding timing, scope, and other information regarding the Interchange Justification Report for the “slip ramp” as well as the Bus Rapid Transit Operational Study.
- VDOT is also coordinating the Bus Operational Rapid Transit study and the HOTLanes Interchange Justification Reports.

As noted above, we believe that the City staff already is fully engaged in these various efforts, each of which is either based on comprehensive traffic analyses or will produce comprehensive traffic analysis. We agree that it is important to have a coordinated effort and believe that the City staff is providing the necessary coordination.

#### Conclusion

We recognize how the critical nature of the transportation issue. As a substantial property owner in the West End community, Duke is sensitive to the effects of the BRAC 133 project on the area. We want the right solution and truly believe that timely completion of the road improvements is part of that multi-step solution.

We believe that the action requested of the City Council by the Advisory Group is neither necessary nor warranted. The City staff should continue to be actively engaged in coordinating the various transportation initiatives and the staff should continue to process our road improvement plans in a timely manner, in accordance with the 2004 SUP. We would encourage the City to take appropriate action to influence VDOT to complete the IJR for the “slip ramp” as quickly as possible.

Sincerely,



Peter S. Scholz  
Senior Vice President  
Washington DC Operations

cc: BRAC/Mark Center Advisory Group  
James C. Turkel  
Eugene Keller