

Docket Item #7
DEVELOPMENT SPECIAL USE PERMIT #2003-0031
Cameron Station, Phase I - Amendment

Planning Commission Meeting
November 6, 2003

ISSUE: Consideration of a request to amend the development special use permit to expand the definition of “retail uses” permitted in commercial condominium units to include business and professional office and medical offices.

APPLICANT: Main Street Retail, L.C.
by Duncan Blair, attorney

LOCATION: 4951 Brenman Park Drive and 171 Somerville Street
Cameron Station, Phase I

ZONE: CDD-9/Coordinated Development District

A. OVERVIEW:

Staff is recommending approval of the development special use permit amendment for Phase I and Phase III to permit business, professional office and medical spaces up to a maximum of 30% of the commercial space. The staff recommendation would permit up to 40% of the commercial space to be office if the applicant can demonstrate that these spaces cannot be leased for an extended period of time (two years).

A recommendation of approval also excludes personal service and retail uses such as contractors offices, laundromats, pawnshops, etc., which are not typically pedestrian oriented uses.

B. HISTORY/BACKGROUND:

The applicant requests approval to amend the development site plans for Phases I and III of Cameron Station to permit business and professional office uses in addition to the retail and personal services uses that are currently permitted within the commercial area. The applicant requests that business and professional offices be permitted in up to 50% of the 22,688 sq. ft. of commercial floor area within Cameron Station. The commercial floor area is limited to approximately two blocks on each side of Brenman Park Drive, within the Main Street condominium buildings. In addition to the retail and personal service uses that are permitted, restaurants are permitted as a special use permit. The Zoning Ordinance defines personal service, retail, business and professional office uses as follows.

Personal Service Use:

A store or shop providing personal, financial, technical or repair services, assistance or advice to individual consumers, including but not limited to: arts and crafts studios or stores; appliance repair and rental; banks, savings and loans, and credit unions; bicycle repair; barbershops and beauty shops; contractors' offices, without accessory storage; dressmakers and tailors; dry-cleaning and laundry pickup stations; laundromat; locksmiths; musical instrument repair; optical center; pawnshops; professional photographer's studios; shoe repair; furniture upholstery shops; watch repair; printing and photocopy service. Personal service establishments do not include, as either a primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; or any use separately listed in a zone.

Retail Use:

A store or shop engaged in the sale of commodities or goods to individual consumers for personal use rather than for resale, including but not limited to: antique and secondhand articles; appliances; art galleries, commercial; art supplies; auto parts without service or installation on premises; bakeries (limited to a maximum of 3,500 square feet); books; candy; clothing, clothing accessories and dry goods; department stores; drugstores; floor coverings; florists; furniture; groceries; hardware, paint and wallpaper; household goods; jewelry, leather goods and luggage; lawn and garden supplies; musical instruments; photographic equipment and supplies; sporting goods; tobacco; toys; variety goods; video rental and sales. Retail shopping establishments do not include, as either primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; or any use separately listed in a zone.

Business and Professional Office:

Any room, studio, clinic, suite or building in which the primary use is the conduct of a business such accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by a salesman, sales representative or manufacturer's representatives; or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents and landscape architects but not including offices for dentists, physicians, or other medial practitioners, or for day labor agencies.

The rationale for limiting uses to retail and personal service uses and restaurants (with a special use permit) as part of the approval for Phase I and Phase III was to encourage the establishment of active and vibrant pedestrian-oriented uses along Brenman Park Drive, which would serve as Cameron Station's Main Street. While other uses are not permitted, the current approval permits the Director of Planning and Zoning to allow other uses as long as they are "consistent with the goal of generating pedestrian activity." The discretion of permitting uses that are "pedestrian-oriented" creates uncertainty regarding potential future uses for the applicant attempting to lease the spaces, the residents and the City.

This application for a major amendment was prompted by a request to the Planning Department to permit a dentist's office, which is defined as a medical office by the Zoning Ordinance and, therefore required approval by the Director of Planning & Zoning. It was deemed that this use was in fact a pedestrian-oriented use and was a neighborhood serving use and, therefore was permitted. A condition of approval of the medical office tenant by staff was that the applicant would submit a

major site plan amendment for Phase I and Phase III to permit any additional business or professional office tenants. The intent of the major amendment was to clarify to future tenants, the residents and City staff, the permitted uses including the possibility of a limited amount of office uses.

C. STAFF ANALYSIS:

Staff supports a limited amount of business and professional office uses within the ground floor commercial area on Brenman Park Drive, because uses such as medical and dentist offices and travel agents could be neighborhood serving uses and are uses that have historically been located within retail and commercial areas.

Proposed Professional and Business Office Use:

Although staff supports a limited amount of professional and office uses, staff does not support the 50% office use that is requested by the applicant. While the desire of the applicant, the City and the community is to ensure that these commercial spaces are filled with viable businesses a large preponderance of office uses may significantly impact the vitality of the street and the remaining retail space. The concern regarding permitting a high percentage of office uses is that the uses typically operate during normal working hours (9-5) and may decrease the opportunity to provide a “critical mass” of retail uses. Staff also understands the applicant’s concern over securing retail and personal service tenants to fill the leasable space and the concern regarding long-term vacant space.

Currently only the Phase I portion of the commercial space is completed; in that portion four tenants are operating (main street market, dry cleaners, day-spa salon, and an ATM), three tenant spaces are undergoing renovation, including a coffeeshop that was approved by a special use permit. Two tenant spaces remain vacant. Upon completion of Phase III, a comparable amount of commercial space will be available to lease. The minor expansion of the types of uses permitted at this location would encourage additional tenants to fill those vacant spaces in both phases. In addition, members of the community attending meetings regarding the proposed development special use permits for Phases VI and VII have expressed support for the expansion in permitted uses and the desire to fill the vacant commercial units.

A recommendation of approval is that business and professional office occupy a maximum of 30% of the gross floor area of the commercial space within Phase I and III, rather than the 50% proposed by the applicant. However, staff acknowledges that vacant commercial space does not benefit the City or the community. Therefore, staff has also included a provision that if a commercial space is not leased within two years after the certificate of occupancy permit or within one year after the closing of a retail/personal service use that these spaces could be utilized as a professional/business office use up to a maximum of 40% of the total commercial space within Phase I and Phase III.

In addition to permitting office uses staff has also forwarded a condition that will more specifically address which personal service and retail use are permitted. For example, although included in the Zoning Ordinance definition of personal service uses, staff has excluded uses such as contractors offices, laundromats, pawnshops, etc., which are not typically pedestrian oriented uses. A recommendation of approval is to more clearly identify the signage requirements and provisions to provide a more unified sign scheme for the retail uses.

Parking

The number of parking spaces for the commercial space was determined at the approval of each phase and is based on a ratio of 41.3% retail and 58.7% personal service. The Zoning Ordinance requires that retail uses provide 1.2 spaces per 210 sq. ft. and personal service uses require 1 space per 400 sq. ft. The total number of spaces required for the retail spaces is 54 and 34 spaces for personal service, for a total of 88 spaces, which are currently provided to serve both phases. The proposed office uses have a lower parking requirement than that of retail or personal service uses, the requirement for office uses is 1 space per 475 sq. ft. If 30% of office uses were permitted in the commercial space, a total of 15 parking spaces would be required for that use. The amount of floor area available for retail and personal service uses would be reduced proportionately and in turn reduce each of the parking requirements. The table below illustrates the parking requirements and parking provided for each current and proposed use.

Use	Parking Required	Current Gross Floor Area	Current Number of Spaces Provided	Proposed Gross Floor Area	Proposed Number of Required Spaces
Retail	1.2 sp/210 sq. ft.	9,375 sq. ft.	54	6,559 sq. ft.	38
Personal Service	1 sp/400 sq. ft.	13,313 sq. ft.	34	9,323 sq. ft.	24
Office (proposed)	1 sp/475 sq. ft.	0 sq. ft.	0	6806 sq. ft.	15
TOTAL		22,688 sq. ft.	88	22,688 sq. ft.	77

D. STAFF RECOMMENDATION:

Staff recommends **approval** of the request to permit some business and professional offices, with conditions, as the additional uses permitted will encourage occupancy while continuing to provide active, pedestrian-oriented, and neighborhood-serving uses.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffrey Farner, Chief, Development;
Lorrie Pearson, Urban Planner.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

Conditions brought forward from SUP #95-0188, as amended by SUP #95-0188, SUP #96-0099, and SUP #98-0075:

Conditions 89-95 are new conditions.

1. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning (P&Z) and Transportation and Environmental Services (T&ES). (P&Z)
2. Reduce the height of the front stoops for the E type units, where feasible. (P&Z)
3. Improve the usability of small "remnant" common open space areas by consolidating such areas, where possible, with abutting lots, to the satisfaction of the Director of P&Z. (P&Z)
4. Provide landscaping and other amenities, such as seating, fountains, activity areas, etc., as appropriate, within the public traffic circle park and median strip areas, to the satisfaction of the City Landscape Architect and the Director of P&Z. (Recreation)
5. Provide landscaping and other amenities within the oval neighborhood park and other common areas to encourage use of these open space areas by future residents, to the satisfaction of the Director of P&Z and the City Landscape Architect. (Recreation)
6. The streetscape of the public road along the western edge of the eastern park shall include curb, gutter, lighting, and street-trees and shall be designed to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
7. Street trees shall be a minimum 4" caliper along all major entrance roads, including the traffic circle, entrances from Duke Street, and adjacent to the proposed park land. All street trees shall generally be no more than 40 feet on center. (P&Z)
8. Provide pedestrian connections between the traffic circle park, the landscaped median area to the east, and the proposed City park, to integrate these open space areas and to encourage their active use, to the satisfaction of the City Landscape Architect. (Recreation)

9. Condition deleted. (P&Z)
10. Provide a pedestrian crossing along Duke Street and bicycle paths within or adjacent to the proposed public streets in Phase I, to encourage pedestrian and bicycle access to the proposed City library site across Duke Street and to the proposed pedestrian path along Backlick Run, to the satisfaction of the City Landscape Architect and the Director of T&ES. (P&Z)(Recreation)
11. Provide detailed drawing(s) showing all proposed fences, walls, as well as all streetscape improvements, identifying all materials and dimensions, to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
12. The minimum distance between rear facing units with bump-out additions and decks shall be 20 feet. (P&Z)
13. Provided a minimum clear 4-foot emergency access, unobstructed by fencing, to the rear of all units which are not sprinklered. (City Council)
14. Provide elevation drawings of typical bump-out addition (with and without deck) in the final development plan, to the satisfaction of the Director of P&Z. (P&Z)
15. Show all utility structures, including transformers, on the final development plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or property. When such a location is not feasible, such structures shall be located and screened to the satisfaction of the Director of P&Z. (P&Z) (T&ES)
16. Place underground utilities and utility structures under proposed streets or away from proposed landscaped areas to the extent feasible, to minimize any impact on the root systems of the proposed landscaping, to the satisfaction of the Director of T&ES and the City Arborist. Conduits may be located off-site on park adjoining Phase I of Cameron Station, as shown on the plan submitted with this amendment (SUP #98-0008). The utilities may be placed in the park adjacent to Phase I only; adjacent to Phase III, the utilities must be placed under Somerville Street. (T&ES) (P&Z) (RP&CA)
17. Show the location of trash and recycling containers storage areas on the plan. If dumpsters or other permanent trash storage bins are proposed, identify their location on the plan. Dumpsters and other permanent storage bins shall be screened to the satisfaction of the Director of P&Z. (P&Z)

18. Private solid waste and recycling services shall be provided for the development. (T&ES)
19. The final design treatment of the project along Duke Street shall be handled in a manner which creates open views into the project and minimizes the potential "fortress-effect" of a perimeter wall or fence along Duke Street, to the satisfaction of the Director of P&Z. The proposed entrance wall on the City's Park property shall be built by the developer to mirror the wall on the private property to the City's satisfaction or the wall on the applicant's parcel shall be redesigned. (P&Z)
20. Design of the streetscape along Duke Street shall be coordinated with design for the library across the street, including the tree plan and street lighting to the satisfaction of the Director of P&Z. Special street lights shall be provided along Duke Street if approved by the Directors of T&ES and P&Z. (P&Z)
21. The proposed bus stop along Duke Street shall provide seating and shelter integrated with the design of proposed wall and pedestrian entrance gate, to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
22. The total number of parking spaces required by the zoning ordinance shall be provided. Where other aspects of the required parking does not comply with the requirements in the zoning ordinance (including compact and tandem parking), the developer shall notify prospective buyers of the affected units, in its sales and marketing materials, the reason that the parking provided for such units does not comply with the City's parking requirements. (P&Z)
23. Provide in condominium agreement for the H type units a statement indicating the extent to which parking spaces are compact sized measuring 8' X 16', to the satisfaction of the City Attorney. (P&Z)
24. All parked vehicles shall be prohibited from encroaching upon the proposed streets, pedestrian walkways or emergency vehicle easements, and all purchasers shall be notified of this prohibition to the satisfaction of the Director of P&Z. (P&Z) (T&ES)
25. All private driveways serving individual garages shall have a minimum length of 18.5 feet (measured from garage door to edge of sidewalk in front of unit or the inside edge of curb if no sidewalk is planned in front of unit). Where that is not feasible, and where the driveway space is not required parking, the maximum depth of the front driveway shall be 10.5 feet. Where sidewalks are proposed in front of units, the driveway materials, color or texture will be distinguishable from the sidewalk materials, color or texture. Parking in these areas shall be prohibited as identified in the Homeowner's Agreement (HOA) and consistent with Condition #42. The HOA will also provide for enforcement of this condition. (City Council)

26. Taper driveways serving units with double garages, if possible, to allow for increased landscaping in front of such units. The landscape areas in front of units shall be well landscaped, to include street trees where possible, to the satisfaction of the Director of P&Z. (P&Z)
27. No parking spaces shall be provided along the proposed traffic circle. (T&ES)
28. Provide a minimum of 15 percent visitor parking. (P&Z)
29. Provide a pedestrian walkway from the main entrance street at the traffic circle to the interior private street (the diagonal street parallel to the main entrance street), running between Units 278 and 279 and between Units 224/225 and 226/227, to improve pedestrian access from the visitor parking spaces along the proposed main entrance street to the interior of the site, to the satisfaction of the Director of P&Z. (P&Z)
30. Install "Visitor Parking Only" signs along the visitor parking spaces on the private streets and "Resident Only" signs along the required spaces on the private streets. (P&Z)
31. Sidewalks and handicap access ramps must be continuous on one side of private streets throughout the development and on both sides of the public streets, to the satisfaction of the Director of T&ES. (T&ES) (PC)
32. Define the location (metes and bounds) of the street along the east side of Phase I to the satisfaction of the Director of T&ES. (T&ES)
33. Show proposed improvements on Duke Street, including turning lanes and stacking lengths consistent with the traffic report, to the satisfaction of the Director of T&ES. The developer shall pay for all modifications to the roadway and traffic signal equipment. (T&ES)
34. Show proposed street entrances as City standard entrances (CSES-1A). (T&ES)
35. Identify curb and gutter inlets on the plan. City standard is required within the public right-of-way and public easements. (T&ES) (PC)
36. Show all existing and proposed public and private easements, including emergency vehicle easements. (T&ES)

37. All emergency vehicle easements must be designed and constructed in accordance with City standards (CSAP-1A). Provide a detail of pavement structure. (T&ES)
38. Provide City standard signs for "Handicap Parking" and "No Parking--Emergency Vehicle Easement." Acquisition and installation of such signs shall be to the approval of the Department of T&ES. (T&ES)
39. Provide a detail of the parking bay and parking lot pavement structure. (T&ES)
40. Provide lay-down or other curb treatment along the frontage of the front-loading townhouse units where such units include a front sidewalk and are located on a private street, where approved by the Directors of T&ES and P&Z. With that exception, all private streets and alleys must be designed and constructed in accordance with the City's minimum standards for same as specified in the City Design and Construction Standards. Label each street with the appropriate private street standard. (T&ES) (P&Z)
41. The developer and/or future homeowners' association(s) shall be responsible for maintenance of landscaped median and traffic circle areas, to the satisfaction of the Director of T&ES. (P&Z)
42. The applicant shall submit homeowner's agreement (HOA) for approval by the City Attorney, prior to applying for the first certificate of occupancy permit. Such HOA shall include the conditions listed below, which shall be clearly expressed in a separate section of the HOA. Also, such section within the HOA shall include language which makes clear that the SUP conditions listed shall not be amended without the approval of City Council.
 - A. The principal use of the individual garages shall be for passenger vehicle storage only.
 - B. Exterior building improvements by future residents, including above ground decks not included on the approved plans or different from the approved plans, shall require the approval of the Director of Planning and Zoning or City Council, as determined by the Director.
 - C. Vehicles shall be prohibited from parking in the emergency access easements, and vehicles parked in unit garages or driveways shall be prohibited from encroaching upon such easements or adjacent pedestrian walkways.
 - D. No decks, balconies, bay windows, or any other improvements shall encroach into the space above an emergency vehicle easement.

- E. Parking spaces designated for visitor parking shall be restricted to visitor parking use only.
- F. All required landscaping and screening, including landscaping in the median and traffic circle areas in the proposed public right-of-ways, shall be maintained in good condition. (P&Z)
- 43. Temporary structures for construction or sales personnel, as well as sales/marketing signs, shall be permitted, and the period such temporary structures are to remain on site, as well as the size and site design for such structures, including signs, shall be subject to the approval of the Director of P&Z. (P&Z)
- 44. Developer shall arrange to have the Alexandria Police Department conduct security surveys of the temporary sales trailers, prior to occupancy of such trailers. (Police)
- 45. Discuss specifications for all Best Management Practices with the City Engineer before finalizing the stormwater management plan. (T&ES)
- 46. The stormwater Best Management Practices (BMPs) required by this project shall be constructed and installed under the direct supervision of the design engineer or his/her designated representative. The design engineer shall make a written certification to the City that the Best Management Practices are constructed and installed as designed and in accordance with the approved final development plan. In addition, aggregate layers and collector pipes may not be installed unless said engineer or his/her representative is present. (T&ES)
- 47. Provide vehicular access to the pond for maintenance purposes, to the satisfaction of the Director of Transportation and Environmental Services. (City Council)
- 48. Revise the pavement structure details on sheet 13 to conform to City standard CSAP-1 and note that the actual pavement thickness shall be determined by the VDOT/Vaswani method, but shall be no less than the City standard. (T&ES)
- 49. Revise the connection to the existing road shown on sheet 14 to align with the proposed boulevard. (T&ES)
- 50. City standard parallel parking spaces are 8' x 22' and compact spaces are 7.5' x 20'. Revise the plan accordingly. (T&ES)
- 51. The minimum radius for curb returns for private streets is 25 feet, except for alleys, which

- may be 15 feet. The minimum width for private streets is 26 feet. Correct the width if shown otherwise. (T&ES)
52. Street names shall be labeled on the final site plan. Private street names shall be determined in conjunction with the Department of P&Z. Public street names shall be approved by the Planning Commission. (P&Z) (T&ES)
 53. Provide information (drainage area and computations) on which the proposed 36-inch pipe that will replace the existing 18-inch pipe in Duke Street, is based (see sheet 17). Also, provide a valve in this vicinity, but on-site, that can be used to regulate flow to the pond. (T&ES)
 54. Show all public sewers in easements and identify private sewers as such. (T&ES)
 55. Provide stormwater drainage computations and show drainage divides. (T&ES)
 56. Pick up street water on the high side of returns and at intervals sufficient to prevent ponding of water in the street. Maximum spread not to exceed 6 feet on the boulevard and 10 feet on the private streets. (T&ES)
 57. Show size, type, and class of pipe for sewers. The minimum size and class for sewers within the public right-of-way or easement, including the emergency vehicle easements, are as follows:
 - Sanitary Sewer: PVC SDR-35 or approved equal, a minimum of 10 inches in diameter. ASTM C-76, CL.IV RCCP may also be used for sizes not manufactured in PVC.
 - Storm Sewer: ASTM C-76 CL.IV RCCP or approved equal, a minimum of 18 inches in diameter, except that curb inlet leads may be 15 inches in diameter. (T&ES)
 58. Show a definite shape for the swale or a ditch that will pick up the overland flow at the westerly side of the site and include the slope, velocity, capacity, etc., in the drainage computations. (T&ES)
 59. Submit a site lighting plan and calculations on a separate sheet (include photometric data) in accordance with City standards, with the exception that lighting of on-street parking areas, parking lots, and all walkways/bike paths shall be provided at a minimum level of two foot candles or as approved by the Director of T&ES and the Alexandria Police Department. (T&ES) (Police)

60. Show all existing and proposed street lights and indicate the type of fixture, strength of light in lumens, and mounting height. (T&ES)
61. Furnish manufacturer's specifications for site lighting fixtures, showing type of fixture, strength of light in lumens, and mounting height. (T&ES)
62. Describe in the development narrative on the cover sheet how existing utilities which run through Phase I to buildings which are to remain occupied (temporarily) are to be maintained. (T&ES)
63. Add "recyclable materials" to note 3 on sheet 1 and revise note 4 on sheet 1 to indicate that the Water Company is private. (T&ES)
64. Show the grade on the garage ramps (maximum 10%), location of columns and width of parking spaces. (T&ES)
65. Condition deleted. (City Council)
66. Provide adequate back-up aisle for units #132 to #135 to the satisfaction of the Director of T&ES. (T&ES)
67. Paint interior walls and ceiling of Building H parking garage white, provide controlled access to the garage, and provide a minimum of two foot candles of lighting in the garage and "help-buttons," to the satisfaction of the Alexandria Police Department. (Police)
68. Consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware and security systems. (Police)
69. Provide house numbers on the front and rear of all units, except H type units, to the satisfaction of the Alexandria Police Department. (Police)
70. All shrubs, hedges and similar landscaping shall be set back a minimum of five feet from all proposed walkways and bike paths or to the satisfaction of the Director of T&ES. (Police)
71. Describe in the development narrative on the cover sheet how existing utilities which run through Phase I to buildings which are to remain occupied (temporarily) will be maintained. (T&ES)

72. Use of any portion of the Cameron Station site for staging operations, or for the recycling of building materials (brick, concrete and asphalt) or storage of nursery stock, shall be to the satisfaction of the Directors of P&Z, T&ES, and Health. (Health)
73. The developer or its agent shall furnish each prospective buyer with a statement disclosing the prior history of the Cameron Station site, including previous environmental conditions and on-going remediation, to the satisfaction of the Directors of Health and P&Z.
74. If any fireplaces are provided in the development, the applicant shall install gas fireplaces to reduce air pollution. (Health)
75. The developer shall require that its building contractor(s), prior to commencing any construction, meet with a representative of the Office of Employment Training to describe what kinds of construction employees will be hired and to learn about employment services offered by OET. The applicant shall require its contractor(s) to give good faith consideration to applicants for employment who are referred by OET. (Human Services)
76. The applicant shall be permitted to make minor adjustments to lot lines and/or building foot prints to accommodate the final design of buildings, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)
77. The final subdivision plat shall be consistent with the Phase I final development plan, and shall be recorded after the Phase I final development plan has been approved by the Directors of P&Z and T&ES. (P&Z)
78. Submit a development phasing plan prior to the release of the final development plan for Phase I of Cameron Station to the satisfaction of the Directors of T&ES and P&Z. The phasing plan would address interim site conditions and infrastructure improvements and the timing of improvements located outside the boundaries of Phase I, including improvements to the pond area, Backlick Run, location of the shelter and--to the extent approved by Council--improvements within the park area. (P&Z)
79. The applicant shall attach a copy of the released final development plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the released final development plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z)
80. Submit building location survey or partial as-built plan for Planning staff approval when applying for certificate of occupancy permits for the A thru F type units. For the G and

H type units, such survey shall apply to the entire site of building in which the unit is located. (P&Z)

81. The applicant shall submit final "as-built" plan for Phase I prior to applying for certificate of occupancy permit for any of the last five dwelling units in Phase I. (P&Z)
82. The applicant shall provide a contribution of \$0.50/gross square foot of building to the City's Housing Trust Fund, with a credit given to the Developer for the net cost of relocating Carpenter's Shelter and the Food Bank (net cost = total cost - value to developer of the land freed for development).
Alternatively, at least 10% of the housing constructed shall be affordable, subject to the following provisions:
 - A. the developer shall provide 10% of the total units as affordable set-aside units for households with incomes not exceeding the Virginia Housing Development Authority (VHDA) income guidelines through purchase price discounts, if necessary. Sales prices must not exceed the maximum sales prices under VHDA's Single Family First Mortgage Program. Some of the units shall be affordable to households with incomes at or below the limit for two or fewer persons.
 - B. Whatever incentives are offered to any potential homebuyers will also be offered to households that meet VHDA income guidelines;
 - C. Long-term affordability shall be provided either through deed restrictions or by repayment by the purchaser to the City of an amount equal to the reduction in sales prices, as determined by the City Manager;
 - D. These units must be affordable to and sold to households that meet the VHDA income guidelines.

If some portion of the 10% units are provided, the applicant shall contribute a prorated share of the \$.50 per gross square foot amount to the Housing Trust Fund (with the developer given the Carpenter's Shelter and Food Bank credit). (Office of Housing) (P&Z)

83. All fire hydrants shall be located so as not to block the roadway with hose, (Move hydrants to interior side of development.) (Code Enforcement)
84. ALL conduits located in the park and in the streets shall be encased with concrete to minimize future maintenance requirement. (P&Z) (T&ES)

85. A. The applicant shall be responsible, until the release of the Phase 1 maintenance bond, for all costs of restoration or reconstruction of park facilities and landscaping reasonably attributable to the maintenance, repair or replacement of the utility conduits located in the parkland;
- B. Such restoration or reconstruction shall be performed to the reasonable satisfaction of the Directors of Transportation and Environmental Services and Parks and Recreation. In the event of damage to any existing tree or other landscaping, the replacement stock shall, to the maximum extent feasible, be of equivalent size and maturity and shall be of the same species, and in no event shall any replacement tree be less than 4 inches in caliper; and
- C. The applicant shall, prior to completion of the utility conduits, post with the City a bond with corporate surety satisfaction to the City Attorney, in the penalty of \$165,446.00, to secure the obligations imposed by this condition, such bond to continue in force and effect until the maintenance bond for Phase 1 shall have been released by the City. (City Council)
86. In exchange for allowing utilities to be located within the City Park, the applicant shall:
- A. Install the second row of trees along the asphalt trail along the entire length of Somerville Street, at no cost to the City, in addition to the trail and single row of trees already required to be installed by the applicant in the park east of Somerville Street. The variety of tree installed along the trail shall be Willow Oaks. (P&Z) (T&ES) (RP&CA) (PC)
- B. Install all utilities required for the park headquarters building, including electric service, telephone service, cable TV service, and water and sewer service. The electric and water service shall, in addition, be sufficient to support street lights and the park irrigation system. (PC)
87. The applicant may substitute up to five “R” type units for the seven “F” type units located on the curve of the traffic circle, with the final siting to the satisfaction of the Director of P&Z and T&ES. (P&Z)
88. Provide additional landscaping and pedestrian amenities to compensate for the elimination of the pedestrian path through the center of the project, as generally shown on sheets 22A, 22B and 22C of the revised Cameron Station Phase I site plan, dated July 30, 1998, to the satisfaction of the Director of P&Z and the City Landscape Architect. (P&Z) (PC)

The following are new conditions:

89. **CONDITION ADDED BY STAFF:** Retail and personal service uses shall be permitted uses. The square footage of these uses shall be limited to the amount depicted in the approved final site plans for Phase I and Phase III. (P&Z)
90. **CONDITION ADDED BY STAFF:** Personal service uses shall be limited to arts and crafts studio, bank, savings and loans, and credit unions, bicycle repair, barbershop and beauty shops, dressmaker and tailor, dry-cleaning (pick-up only does not include a plant), musical instrument repair, optical center, professional photographers studios, furniture upholstery, and printing photocopying. (P&Z)
91. **CONDITION ADDED BY STAFF:** Retail uses shall be limited to antiques, appliances, commercial art galleries, art supplies, bakeries, books, candy, clothing, clothing accessories, dry goods, department stores, drugstores, floor coverings, florists furniture, groceries, hardware, paint and wallpaper, household goods, jewelry, leather goods, luggage, lawn and garden supplies, musical instruments, photographic equipment and supplies, sporting goods, tobacco, toys and variety goods and video rental and sales. (P&Z)
92. **CONDITION ADDED BY STAFF:** Professional and business offices shall also be permitted as long as they do not occupy more than 30% of the gross floor area of the total commercial space within Phase I and Phase III. However, if the retail space/personal service space remains vacant for a period of two-years from the certificate of occupancy for the building, or subsequently one year after the closing of a retail/personal service tenant, the use may be permitted to be converted to business or professional office use for a maximum 40% of the total commercial space within Phase I and Phase III.. (P&Z)
93. **CONDITION ADDED BY STAFF:** Professional and medical offices shall be limited to any use in which the primary use is the conduct of business of accounting, correspondence, research editing, sales representative, manufacturers representative, engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, landscape architects, dentistry, chiropractic, psychiatry, and clinical psychology offices. The medical offices shall be limited to uses as defined by the Zoning Ordinance and that are for the occupant's own patients and not for patients of unrelated outside practitioners. (P&Z)
94. **CONDITION ADDED BY STAFF:** Restaurant uses within the ground-floor commercial space shall require a separate special use permit. (P&Z)
95. **CONDITION ADDED BY STAFF:** The colors and materials of the retail tenant signs shall be designed of high quality materials and shall be designed as an integral part of the building that shall relate in materials, color and scale to the building to the satisfaction of the Director of Planning and Zoning.

- a. The sign area for each wall sign shall be limited to a maximum of one square foot of sign for every one linear foot of tenant frontage. Sign messages shall be limited to logos, names and street address information.
- b. Illuminated or non-illuminated parapet signs or wall signs above the first level for retail uses are prohibited.
- c. Signs applied to storefront windows shall cover no more than twenty percent of the glass.
- d. Box signs shall be prohibited.
- e. Any exterior decorative exterior banners/flags shall be deducted from the overall permitted sign area. Permanent or temporary advertising banners shall be prohibited.
- f. Display cases, storage, carts or other obstructions shall not be designed to be temporarily or permanently located adjacent to the retail windows. Tables and other active uses adjacent to the window are encouraged.
- g. No permanent freestanding signs, with the exception of traffic/directional signage, shall be permitted. (P&Z)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

No additional comments.

Code Enforcement:

No additional comments.

Health Department:

No additional comments.

Police Department:

No additional comments.

Historic Alexandria (Archaeology):

No additional comments.

Parks & Recreation (Arborist):

No additional comments.