

STAFF RECOMMENDATIONS FOR CDD #21

(~~Strikethrough~~ denotes text deleted by the Planning Commission and underline denotes text added by the Planning Commission)

Revised: Conditions 18c, 20b, 23a, 56, 100, 114, 118b

A. GENERAL

1. The Applicant(s) shall comply with the following: the Coordinated Development District (CDD) Approvals: 1) the CDD Conceptual Design Plan, hereafter referred to as CDD Concept Plan, prepared by Walter L. Phillips, Inc. and dated February 21, 2013; 2) the conditions contained herein; and, 3) the Beauregard Urban Design Standards and Guidelines prepared by Duany Plater-Zyberk and Company and Dover Kohl Partners, dated March 18, 2013. (P&Z)
2. All conditions, requirements, and standards herein shall have full and equal applicability and enforceability against the Applicant(s), except where the condition, requirement, or standard is expressly stated as applicable to a particular neighborhood or parcel, or by its context is clearly inapplicable. (P&Z)
3. Each block(s) and/or park(s) and/or building(s) shall obtain approval of a Development Special Use Permit (DSUP) and any other applicable approval(s). A DSUP may be submitted for a portion of a block when an Applicant(s) can provide sufficient information regarding the location, approximate size, type, uses, open space, parking, loading access and additional information as needed for the remainder of the block and adjoining blocks, streets and open space to the satisfaction of the Directors of P&Z and T&ES. (P&Z)(T&ES)
4. All rights-of-ways, easements, open spaces, developer contributions, and all other applicable requirements of these conditions specified to be provided by the Applicant(s) shall be provided at no cost to the City. (P&Z)(T&ES)
5. Neighborhoods, as referenced herein, shall be the boundaries depicted on the CDD Concept Plan. (P&Z)
6. The conditions, requirements, and standards herein are expressly enforceable against all persons or entities and their successors and assigns owning real property located within CDD #21.
 - a) If any such person or entity comprising the Applicant(s) fails to perform its obligations as required herein for its particular neighborhood, the City shall be entitled in its sole discretion to withhold all applicable approval(s) for New Development including but not limited to preliminary DSUP(s), final site plan(s) and building permits for the person or entity directly responsible for such default. The determination of whether or not a particular action, dedication, or

- easement should affect the issuance of permits shall be made by the Director of P&Z.
- b) If any such person or entity comprising the Applicant(s) fails to perform its obligations as required herein for the Ellipse and/or the Transitway, regarding the provision of right-of-way and/or easements, including all applicable construction and access easements, the City shall be entitled in its sole discretion to withhold all applicable approval(s) for New Development including but not limited to preliminary DSUP(s), final site plan(s) and building permits for all Applicant(s) within CDD # 21 and CDD# 22. The determination of whether or not a particular action, dedication, or easement should affect the issuance of permits shall be made by the Directors of P&Z and T&ES.
 - c) In the event that an Applicant(s) fails to dedicate right-of-way or easements for the Ellipse or Transitway as required herein, and it becomes necessary for the City to file a condemnation proceeding to acquire such an interest in real property, the value of the property being condemned shall be conclusively deemed to be ten dollars.
 - d) Without limiting the generality of the foregoing statements, the City shall have available to it all rights and remedies set forth in the City of Alexandria Zoning Ordinances or other City laws and ordinances, or as available at law or in equity. Any express or implied obligations of the City as set forth herein are subject to the legislative discretion of the City Council. (CAO)(P&Z)(T&ES)
- 7. Notwithstanding any contrary provisions in the Zoning Ordinance, the Beauregard CDD Concept Plan (CDD #21), shall remain valid until April 13, 2038. (P&Z)
 - 8. The Directors of T&ES, RP&CA and P&Z may require that infrastructure, open space, land uses and other matters adjacent to a subject neighborhood deemed necessary to review a preliminary DSUP application also be shown in the application. (P&Z) (T&ES) (RP&CA)
 - 9. The Applicant(s) shall coordinate, to the extent necessary, with other property owners and Applicant(s) within CDD #21 on the design of streets, parks-open spaces, sewer systems and other related infrastructure and construction. (P&Z) (RP&CA) (T&ES)
 - 10. If a dedication required herein results in a use, lot, or structure being no longer in conformity with applicable zoning requirements, such lot or structure shall be treated as noncomplying. After such dedication, the then-current use of the area(s) to be dedicated may continue until such time as the areas are needed by the City for construction of the Transitway, the Ellipse, the Fire Station and/or any other applicable improvements to be constructed by the City. Revisions to any site improvements necessitated by dedications and improvements for the interim Transitway, fire station and/or Ellipse may be approved administratively by the Directors of T&ES and P&Z.(T&ES)(P&Z)

B. DEFINITIONS

11. For purposes of the conditions herein, the following definitions shall apply:
- a) **Existing Development To Be Demolished:** The square footage of any building or structure in existence within CDD #21 as of the date of City Council's initial approval of CDD #21 but which will be demolished in accordance with the provisions and requirements within CDD # 21.
 - b) **New Development:** Any new square footage that is constructed in accordance with the provisions and requirements within CDD # 21.
 - c) **Net New Development:** The square footage of any New Development (as defined herein) in excess of the Existing Development To Be Demolished in accordance with the provisions and requirements within CDD # 21 (New Development - Existing Development To Be Demolished = Net New Development).
 - d) **Square Footage:** Shall be equivalent to floor area as defined by the Zoning Ordinance in effect as of the date of these conditions, except that the following shall not be counted for purposes of square footage:
 - i. Above grade parking structures, constructed in accordance with the conditions herein and the Beauregard Urban Design Standards and Guidelines;
 - ii. Loading areas required for retail uses; and
 - iii. The fire station, the Hillwood and Lynbrook buildings to be dedicated to the City for affordable housing, child care facilities, and other public buildings.
 - e) **CPI-U**, as used herein, shall be the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics. (P&Z)(CAO)
12. As part of each preliminary DSUP within a neighborhood, the Applicant(s) shall provide a table including the following information for development associated with the preliminary DSUP and for the cumulative approved development within that neighborhood as of the date of the preliminary DSUP application:
- a) The square footage of total Existing Development
 - b) The square footage of Existing Development To Be Demolished as part of the preliminary DSUP and cumulative to date.
 - c) The square footage of New Development and cumulative.
 - d) The square footage of Net New Development and cumulative. (P&Z) (T&ES)

C. DEVELOPER CONTRIBUTIONS

13. The Applicant(s) shall make a monetary contribution to a dedicated Beauregard Implementation Fund to be established by the City to account for the developer contributions required pursuant to the conditions required herein (hereinafter "Developer Contributions"). Developer contributions shall be provided for all New Development within CDD #21 and CDD #22, and shall be paid prior to the release of the first Certificate of Occupancy for each building within CDD #21 and CDD #22. The Developer Contribution rates and Total Contribution rates are as of the date of approval of CDD #21 and CDD #22, and shall escalate annually hereafter on January 1 of each year hereafter starting on January 1, 2014 in accordance with increases in

prior years in the CPI-U as defined herein. The resulting adjusted Developer Contribution per square foot of New Development shall be in effect for that calendar year. Interest earned on any funds deposited by any Applicant(s) will be invested by the City as per Code of Virginia investment laws for short-term investments. Interest accrued shall remain in the fund to be utilized as provided herein. The Developer Contributions are comprised of the Base Contribution and Neighborhood contributions which together shall comprise the Total Contribution as required herein.

- A. **BASE CONTRIBUTION:** A base contribution of Ten Dollars and Thirty Eight Cents (\$10.38) in 2013 dollars per square footage of floor area of New Development shall be made for all New Development within CDD #21 and CDD #22. Included in this Base Contribution is an amount equal to \$0.03 per square foot in 2011 dollars (\$301,179 total in 2011 dollars) which the City may use for water quality and storm water management improvements or enhancements within or benefiting CDD#21 and CDD #22.
- B. **NEIGHBORHOOD CONTRIBUTION:** An additional contribution shall be provided for each Neighborhood within CDD #21 and CDD #22, which shall consist of the following:

Table #1: Neighborhood Contributions

Neighborhood	NEIGHBORHOOD Contribution Per Square Footage of New Development (2013 dollars)
Greenway	\$2.96
Garden District	\$3.14
Town Center	\$2.82
Adams	\$1.57
Upland Park	\$3.42
Southern Towers	\$1.57
Seminary Overlook	\$3.33

- C. **TOTAL CONTRIBUTION:** All New Development within CDD #21 and CDD #22 shall be subject to the total Developer Contributions as required herein. The total contribution shall be the sum of the base contribution and the neighborhood contribution set forth in the preceding

sections (Base Contribution + Neighborhood Contribution = Total Contribution). No reference to CDD #22 in these Conditions shall obligate any Applicant(s) within CDD #21 for the performance of any condition, including any Developer Contribution, required by conditions for CDD#22). The total Developer Contribution for each neighborhood shall consist of the following:

Table #2: Total Developer Contributions

Neighborhood	TOTAL Contribution Per Square Footage of New Development (2013 dollars)
Greenway	\$13.34
Garden District	\$13.52
Town Center	\$13.20
Adams	\$11.95
Upland Park	\$13.80
Southern Towers	\$11.95
Seminary Overlook	\$13.71

Note: The amount of development has been reduced by 75,000 square feet due to the fact that TM parcel #0.10.04-03-19 is not participating in CDD #21. Any subsequent revisions to the existing zoning of parcel #0.10.04-03-19 will require approval of a subsequent rezoning(s) and Developer Contributions.(CAO)

14. Implementation of the Public Benefits as generally depicted within Table 2 of the staff report as of the date of approval by City Council of these conditions and comparable improvements consistent with the intent of the Beauregard Small Area Plan will be phased based on the funds available from time to time in the Beauregard Implementation Fund. All other improvements, other than those listed within the staff report and required by the CDD zoning, CDD Concept Plan, these Conditions, the Beauregard Urban Design Standards and Guidelines, and as required as part of the DSUP process, shall be the sole responsibility of the Applicant(s). (CAO)(P&Z)(T&ES)
15. While the City will proceed in good faith to design and construct the Ellipse, the Transitway, and other Transportation Improvements being funded through the Developer Contributions required herein, the City is not obligated to approve development applications, DSUPs and/or permits in excess of amounts allowed pursuant to various conditions herein due to delays in the implementation of the Ellipse or the Transitway and other transportation improvements to be constructed by the City. Alternatively, if agreed upon by the Applicant(s) and City Council, the

Applicant(s) may be permitted to construct the Ellipse, Transitway and any other Transportation Improvements. In such event the actual cost of the design and construction shall be credited against the Developer Contributions required to be made by the Applicant(s) constructing such Improvements. (CAO)(P&Z)(T&ES)

16. The City will provide an inception-to-date type update on the amount of Developer Contributions received, as part of the preliminary DSUP process. In addition, at the expense of the Beauregard Implementation Fund, the City will create and provide a publicly available annual report to City Council showing the sources and uses of all such funds. (CAO)(P&Z)
17. If New Development is transferred between Neighborhoods as permitted herein, the Developer Contribution for the New Development shall be the Developer Contribution required from the transferring neighborhood, such that the total Developer Contribution shall, in no event, be decreased. (CAO)(P&Z)

D. CDD CONCEPT PLAN

18. **(REVISED BY THE PLANNING COMMISSION)** The Applicant(s) shall submit a revised CDD Concept Plan within ninety (90) days from final approval(s) by the City Council for administrative review and approval by the City. The CDD Concept Plan shall be reviewed and approved by the City prior to any demolition, construction, and/or preliminary DSUP submission. The CDD Concept Plan shall be revised to include the following:
 - a) All the sheets for CDD #21 and CDD #22 Tile Blocks need to reference the CDD Special Use Permit/Rezoning. Include the correct application number;
 - b) The CDD #21 Beauregard Corridor Concept Plan Set shall revise a portion of Mark Center Drive to reflect its current street name. The portion of Mark Center Drive from the intersection of Seminary Road heading west along the southern frontage of the Hilton Hotel to the point where the road changes direction to the north is named Mark Center Avenue. The portion of Mark Center Drive that runs along the western frontage of the Hilton Hotel and intersects with North Beauregard Street remains Mark Center Drive;
 - ~~c) The CDD #21 EXHIBIT 4: "BRT Transitway in Southern Towers" shall be revised to highlight only areas of the City's responsibility for cost and construction, including the removal of the southbound right turn lane from the transitway to the future east west road within Southern Towers;~~
 - d) The CDD #21 Exhibit 1 shall be revised to delineate parcels only within CDD #21; and
 - e) The CDD Concept Plan shall be revised to incorporate all exhibits referenced herein. (P&Z)(T&ES)(PC)

E. PRE-DEVELOPMENT DEDICATIONS – EASEMENTS

19. All applicable general, predevelopment, phasing and submission requirements herein shall be completed prior to the submission of a preliminary DSUP and/or associated applications, within CDD #21. (P&Z)
20. **(REVISED BY THE PLANNING COMMISSION)** In addition to the pre-development dedications and easements identified within the Neighborhood conditions herein, the following shall be required:
 - a) With the exception of the Transitway through the Southern Towers neighborhood, within ninety (90) days of written request by the City, based on plans provided by the City, the Applicant(s) shall submit all necessary plans and documentation to dedicate and/or provide easement(s) for the Transitway, including any associated temporary construction and maintenance easements for the interim dedication as set forth in the CDD Concept Plan. The City shall design and provide the temporary easements to the Applicants based upon plans provided by the City;
 - b) Within 90 days of written request by the City, Southern Towers shall enter into a written agreement with the City for the interim route of the Transitway and ~~existing bus routes~~ a license agreement for on-site bus service;
 - c) As part of the preliminary DSUP for development fronting the Transitway, the Applicant(s) shall submit all necessary plans and documents to dedicate and/or provide easements for the ultimate condition of that section of the Transitway as set forth in the Beauregard Urban Design Standards and Guidelines; and
 - d) Upon approval by the City, the Applicant(s) shall promptly record any dedications and/or easements. (T&ES)(P&Z)(PC)

F. INFRASTRUCTURE PHASING

21. New Development Preceding the Construction of the Dedicated Transitway:
 - a) The Transitway shall be operational prior to release of a final site plan for greater than 1,500,000 sq. ft. of New Development within CDD #21 and #22. An operational Transitway is defined as providing enhanced bus service within the Beauregard Small Area Plan area as determined by the Director of T&ES. The enhanced bus service includes greater passenger capacity, enhanced headways, more frequent service and greater reliability than currently exists in the Beauregard Corridor.
 - b) Phasing within the Greenway neighborhood shall maintain transit operations on either existing Sanger or new Sanger at all times. (T&ES)
22. New Development Preceding the Ellipse at the intersection of Seminary Road and Beauregard Street:
 - a) Each redevelopment site fronting onto the Ellipse (EXHIBIT 1) shall dedicate all necessary right-of-way for the Ellipse at the intersection of Seminary Road and North Beauregard Street. The amount, size, and location of the right-of-way shall be based on a 30% engineered plan (prepared by the first developer adjacent to

- the Ellipse to request a DSUP), including all necessary information required by the Director of T&ES. The 30% engineered plans shall be coordinated with all Applicant(s) fronting onto the Ellipse and be submitted to the City prior to the submission of the preliminary DSUP application and approved by the City prior to the approval of the preliminary DSUP application for any of the redevelopment sites fronting onto the Ellipse (EXHIBIT 1) . The final design of the Ellipse shall be determined by the Director of T&ES
- b) Prior to the release of a final site plan for more than 2,400,000 square feet of Net New Development within the CDD #21 and CDD #22, the Ellipse shall be constructed and operational. (T&ES)
23. **(REVISED BY THE PLANNING COMMISSION)** In the event that redevelopment sites within CDD #21 and CDD #22 other than properties fronting onto the Ellipse (EXHIBIT 1) exceed 2,400,000 sq. ft. of Net New Development, and thereby necessitate design, construction, and operation of the Ellipse, the following shall apply:
- a) Pursuant to the conditions herein, the redevelopment sites fronting onto the Ellipse (EXHIBIT 1) shall, within 90 days of written request by the City, submit all necessary plans and documentation to dedicate right-of-way for the Ellipse, including any associated temporary construction and maintenance easements. Construction and maintenance easements shall be mutually agreed upon by the City and the Applicants and shall minimize impact on existing surface parking spaces.
- b) If properties fronting onto the Ellipse have not yet redeveloped and existing improvements preclude the implementation of the ultimate streetscape section, an interim streetscape design shall be developed to provide safe passage for all modes during the interim period, to the satisfaction of the Director of T&ES. At such time as any property fronting on the Ellipse redevelops, that property shall be responsible for constructing the ultimate streetscape section along its frontage, including any transitions as part of the redevelopment.
- c) Prior to the release of a final site plan for more than 2,400,000 square feet of Net New Development within the CDD #21 and/or CDD #22, the Ellipse shall be constructed and operational. (T&ES)(PC)
24. **Transitions.** For roadways, sidewalks, or trails to be provided by the Applicant(s), pursuant to the conditions herein, the Applicant(s) shall coordinate with the adjacent property owner(s) to build any necessary transition(s) from the street cross section pursuant to the Beauregard Urban Design Standards and Guidelines to the existing street on the adjacent property owner(s)'s land. In the event the adjacent property owner does not cooperate through granting easements or otherwise, the Applicant(s) shall build the transition on the Applicant(s)'s land. If this occurs and the transition was built on the original Applicant(s)'s property, at the time the adjacent property redevelops, the final street cross-section as depicted in the Beauregard Urban Design Standards and Guidelines shall be completed by the new Applicant(s). (T&ES)

G. INFRASTRUCTURE PLAN AND REQUIRED DEDICATIONS AND EASEMENTS

25. The framework streets depicted on the CDD Concept Plan shall be constructed in the general locations depicted within the CDD Concept Plan. The cross-section for the framework streets shall comply with the Beauregard Urban Design Standards and Guidelines. The location of the non-framework streets shall be determined as part of the preliminary DSUP process, and shall be determined by the required block sizes and applicable provisions of the Beauregard Urban Design Standards and Guidelines and the conditions herein. The framework streets in the Adams neighborhood shall be determined as part of the preliminary DSUP process, and shall be determined by the required block sizes and applicable provisions of the Beauregard Urban Design Standards and Guidelines and the conditions herein. (T&ES)(P&Z)
26. The Applicant(s) shall be responsible for dedicating all necessary rights-of-way and/or public access easement(s) as required herein and as required by the Beauregard Urban Design Standards and Guidelines. Where a public access easement is provided for streets and/or sidewalks, the easement(s) shall be a perpetual public access easement for vehicles and/or pedestrians. (T&ES)(CAO)(P&Z)(RP&CA)
27. All streets within CDD #21 and CDD #22 shall be public dedicated streets or public access easements as depicted in Diagram 7A of the Beauregard Urban Design Standards and Guidelines. As part of the preliminary DSUP process, the Director of T&ES may permit some of the public streets to be public access easements. However, no block shall be served solely by public access easements in neighborhoods other than Southern Towers. (T&ES)
28. The Applicant(s) shall submit a CDD Infrastructure Phasing Plan with the first preliminary DSUP for each neighborhood and shall update the Infrastructure Phasing Plan concurrently with each subsequent preliminary DSUP submission. The Plan shall include the following:
 - a) A general outline and the up-to-date projection of the dates when construction of the different land uses (i.e., office, retail, hotel, residential, open space parks and community facilities) for each neighborhood and/or block shall commence; and
 - b) The general location and layout of the major components of infrastructure, and the projected dates when construction of the infrastructure shall commence (provided, that the projected dates for the commencement of construction of these components shall be consistent with the conditions required herein) and required as part of the development review process. The information shall include:
 - i. The street layouts;
 - ii. Transitway corridors and stations;
 - iii. Sidewalk/trail connections – circulation; andThe conceptual locations of:
 - iv. Bicycle connections – circulation;
 - v. The sanitary sewer system and associated facilities;
 - vi. The storm water management system and ponds;

- vii. The utility systems to be constructed within the CDD (e.g., electricity, water, gas, phone communications and cable); and
- viii. Park-open spaces. (T&ES)(P&Z)(RP&CA)

H. BEAUREGARD URBAN DESIGN STANDARDS AND GUIDELINES

- 29. Within thirty (30) days of final approval(s) of the CDD Concept Plan by the City Council, The Beauregard Urban Design Standards and Guidelines, dated March 18, 2013, shall be revised administratively to incorporate the following:
 - a) Chapter 6 – Parking, standard (2) shall be revised to be revised to state: “Each building is required to provide a minimum of one level of parking below the building. The underground parking need not be entirely under the building as long as it complies with the following:
 - i. The configuration is a result of dimensional requirements of typical parking bays;
 - ii. Does not decrease the amount of permitted development;
 - iii. Increases the amount of open space – courtyards that do not have underground parking below the open space -courtyards; and
 - iv. Increases the total amount of ground level open space. (P&Z)
- 30. All applications subject to the provisions and requirements of CDD #21 shall be reviewed by a Design Advisory Committee which shall be established by the City. The purpose of the Design Advisory Committee is to review applications required herein for compliance with the applicable Beauregard Urban Design Standards and Guidelines and to make recommendations on such applications to the Planning Commission and City Council through the Director of Planning and Zoning. All applications are expected to comply with the applicable standards. To the extent a modification from the standards is required, the Advisory Committee shall forward a recommendation on any modification from a standard and how the modification is consistent with the intent of the Beauregard Small Area Plan. Any modification from the standards shall also be approved by the Planning Commission and City Council as part of the preliminary DSUP. (P&Z)

I. PARKING

31. The maximum parking ratios for New Development within CDD # 21 shall comply with the applicable requirements herein:

Table #3: Maximum Parking Ratios

Land Use	Phase I: Prior to Operational Dedicated Transit	Phase II: Operational Dedicated Transit
Residential (Multi-Family)	1.75 sp/unit	1.3 sp/unit
Townhouse & Stacked Townhouses	2.0 sp/unit	1.5 sp/unit
Residential(Affordable Housing)	1.0 sp/unit	0.75 sp/unit
Office	2.8 sp/1,000 sq. ft.	2.5 sp/1,000 sq. ft.
Retail	4.0 sp/1,000 sq. ft.	3.5 sp/1,000 sq. ft.
Hotel	1.0 sp/room	0.75 sp/room

(P&Z)(T&ES)

32. In addition to the maximum parking ratios herein, parking within CDD #21 shall be subject to the following:
- a) Provision of parking below 20% of the parking maximums shall be justified through the provision of a parking study as part of the preliminary DSUP.
 - b) Additional residential visitor parking may be required, up to 15 % of the provided parking as part of the preliminary DSUP. On-street parking on new or reconfigured public streets (dedicated and/or public access easement) within each neighborhood may be considered when determining the amount of required on-site visitor parking.
 - c) On-street parking adjacent to the Required Retail shall be metered.
 - d) All uses, with the exception of residential, but including residential visitor parking, shall participate as part of the comprehensive shared parking strategy, for the Town Center and Adams neighborhoods. The details of the shared parking strategy shall be part of the parking management plan as set forth below.
 - e) The amount of parking for accessory dwelling units shall be determined as part of the preliminary DSUP. (P&Z)(T&ES)
33. The Applicant(s) shall develop a parking management plan for each neighborhood which includes mechanisms for market-rate parking, on-street parking and unbundled residential parking (the cost to purchase or lease a parking space is separate from the cost to purchase or lease a residential unit)
- a) Market rate parking: Office and retail parking rates for all underground and structured parking shall be consistent with comparable office/retail buildings located in the vicinity.
 - b) Unbundled Parking: All residential parking shall be unbundled (i.e., the cost to purchase or lease a parking space is separate from the cost to purchase or lease the residential unit). Unbundled parking for all other uses is encouraged and shall be explored as part of the Plan.

- c) Priority Parking: Priority spaces for carpool/vanpool use shall be provided within all structured parking in commercial structures. (P&Z)(T&ES)
- 34. All the parking for the blocks as depicted in BSAP Figure 32A (EXHIBIT 5) within CDD #21 shall be located below grade. The final location of parking of the two blocks within the Town Center neighborhood shall be determined as part of the preliminary DSUP process. (P&Z)
- 35. If mutually agreed upon by ACPS and the Applicant(s), the New Development within the Town Center and Adams neighborhoods should consider making parking available to the Alexandria City Public Schools (ACPS) at applicable market rates. (ACPS)
- 36. Adequately sized loading docks based upon use shall be provided and potential noise impacts associated with truck loading should be mitigated. (T&ES)

J. LAND USE

37. The allowable land uses, open space, height, parking, amount of New Development and building types, shall be governed by the following, in addition to the conditions contained herein.

Table #4: Development Summary Table

Neighborhood	Greenway	Garden District	Town Center	Adams	Upland Park	Southern Towers	TOTAL (sq. ft. or units)
Principal Land Use(s)	Residential	Residential/ Retail	Residential/ Office/Retail/ Hotel	Office/Retail/ Hotel	Residential/ Office/Retail/ Hotel	Office/Retail/ Hotel	--
Land Area (±Acres)	±63.35	±25.5	±48.21	±19.16	±9.25	±8.28	±173.75
Public Open Space (Acres)	24.47	4.5	8.15	3.02	0.85	0.43	41.42
Open Space (%)	20%	15%	15%	15%	15%	15%	--
Maximum Building Height	45-60	45-60	60-130	45-110	45-110	45-110	--
Required Parking	See table #3	See table #3	See table #3	See table #3	See table #3	See table #3	--
Office (sq. ft.)	0	0	405,165	1,020,765	78,469	195,000	1,699,399
Residential Units							
Multi-Family Units (maximum)	1,579	728	2,269	0	505	0	5,181
Townhouses and Stacked (2/2) Townhouses (maximum)	250	200	50	0	30	0	430
Total Residential Units	1,829	928	2,319	0	535	0	5,611
Required Retail (sq. ft.)	0	0	200,000	0	8,000	25,000	233,000
Optional Retail (sq. ft.)	13,250	21,355	109,245	15,000	8,000	80,000	246,850
Hotel	0	0	237 rooms	187 rooms	140 rooms	187 rooms	751 rooms

- a. Land area is approximate based on the CDD Concept Plan.
- b. Additional residential units may be permitted above the fire station, subject to approval of a DSUP.
- c. Public open space acreage identified as part of the CDD Concept Plan is the minimum required publicly accessible open space. The public open space shall be public through the provision of a public access easement or dedicated as required herein. Public open space in Upland Park includes a parcel owned by the City. The open space total excludes the 1.75 acres of City-owned open space that will be provided within the Ellipse.
- d. In addition to the public open space, the open space percentages (15-20%) required herein shall be provided within each neighborhood. A maximum of 50% of the open space percentage pursuant to Table #4 shall be permitted to be roof-

top open space; the remainder shall be located at grade level. This percentage of open space shall exclude public right-of-ways, streets with public access easements, and required public open spaces reflected in the CDD Concept Plan. The ground level open space may be required to provide a public access easement if deemed appropriate as part of the preliminary DSUP.

- e. Community facilities, public buildings and associated accessory uses may be provided within any neighborhood in addition to the maximum permitted development; however, the uses shall be subject to the Beauregard Urban Design Standards and Guidelines, and other applicable requirements as part of the preliminary DSUP.
- f. The square feet and units defined for each block within CDD #21 is a maximum subject to compliance with the Beauregard Small Area Plan, the Beauregard Urban Design Standards and Guidelines, the CDD conditions required herein, and applicable requirements of the Zoning Ordinance, except as provided below.
- g. The number of dwelling units (Table #4) is the maximum number of dwelling units unless additional dwelling units are permitted pursuant to § 7-700 of the Zoning Ordinance.
- h. Accessory dwelling units are permitted as part of the preliminary DSUP, subject to all applicable requirements herein. Each accessory dwelling unit shall be deducted from the residential units within each neighborhood.
- i. Optional Retail may be provided if approved as part of the preliminary DSUP, subject to the locations depicted in the Beauregard Urban Design Standards and Guidelines. To the extent that Optional Retail is not utilized for retail, the square footage of the optional retail shall revert to the primary use of the building.
- j. The amount of New Development within each neighborhood within CDD #21 shall be permitted to be transferred to another neighborhood as part of the preliminary DSUP subject to the following:
 - i. No transfer shall cause the square footage (Office, Hotel, Retail) or the number of dwelling units, in any neighborhood to increase or decrease by more than 15%;
 - ii. Retail floor area (square feet) for the Required Retail areas shall not be permitted to be transferred;
 - iii. The building(s) shall comply with all applicable minimum and maximum heights and applicable provisions of the Beauregard Urban Design Standards and Guidelines and conditions herein; and
 - iv. A use shall not be permitted to transfer to another neighborhood unless the use is permitted within the receiving neighborhood. (P&Z)
- k. The maximum number of townhouses/stacked townhouses may be increased as part of a preliminary DSUP, within the Greenway and Garden District neighborhood(s), subject to the following:
 - i. Any increase in the number of townhouses/stacked townhouses shall continue to result in a significant variety of building types (townhouses [townhouses and stacked townhouses] and multi-family buildings) within each neighborhood;

- ii. The variety of building types shall generally be consistent with the intent and Figures within the BSAP for the Greenway and Garden District neighborhoods; and
- iii. In the event that the number of townhouses/stacked townhouses is increased within the Greenway or Garden District neighborhood(s), there shall be an equal reduction in the number of multi-family units, within each neighborhood(s).

The intent of this recommendation is to allow a limited amount of flexibility, within the two neighborhoods, but not substantial changes in the building types (the number of townhouses and multi-family buildings) or reduction in density within the neighborhood(s).

- I. A limited conversion of uses within each neighborhood within CDD #21 shall be permitted, subject to the following:
 - i. The Greenway and Garden District neighborhoods shall not be permitted to convert uses.
 - ii. The conversion of uses within the Town Center, Adams, Upland Park and Southern Towers neighborhoods may be permitted as part of the preliminary DSUP, subject to the following:
 - (a) A balanced mix of uses shall continue to be provided within each neighborhood, consistent with the intent of the Beauregard Small Area Plan; and
 - (b) The amount of Required Retail uses shall not be reduced within each neighborhood.

The intent of the conversion is that conversion would not exceed 15% of the amount of square footage in the neighborhoods referenced herein, but would allow flexibility for market conditions. (P&Z)

K. RETAIL – GENERAL

- 38. For purposes of CDD #21, “Retail” shall be defined to include retail, personal service uses, amusement enterprises, and restaurants, as defined by the Zoning Ordinance, with the exceptions identified below:
 - a) Retail shopping establishments shall not include appliance stores and auto parts stores;
 - b) Personal service uses shall not include appliance repair and rental, contractors' offices, laundromats, and pawnshops;
 - c) Personal service uses on the ground floor, shall be minimized within the Required Retail areas. Banks shall occupy no more than 5% of the Required Retail square footage within each neighborhood;
 - d) Other similar pedestrian-oriented uses as approved by the Director of P&Z to meet the intent of providing active pedestrian-oriented neighborhood-serving retail uses are allowed;
 - e) The Required Retail areas as depicted in the Beauregard Urban Design Standards and Guidelines shall be limited to retail uses as defined herein; and

- f) Within mixed-use buildings, lobbies for the uses above the retail (residential, hotel, office) shall be permitted on the Required Retail frontages; however, the lobby shall be the minimum size necessary for the non-retail use. (P&Z)
- 39. Required Retail shall comply with the Beauregard Urban Design Standards and Guidelines. Additional retail and/or live-work units may be provided within the Optional Retail areas and where consistent with the intent of the Beauregard Small Area Plan and the conditions contained herein, and comply with the Beauregard Urban Design Standards and Guidelines, as part of the preliminary DSUP process. (P&Z)
- 40. Daycare/childcare facilities may be permitted through an administrative approval within existing buildings. (P&Z)

L. PARKS - OPEN SPACE

- 41. With the first preliminary DSUP within each neighborhood, the Applicant(s) shall submit a Comprehensive Open Space Programming Plan identifying the required parks-open spaces and character for each park-open space within that neighborhood. At the request of the Director of RP&CA, this plan shall be amended if necessary with subsequent preliminary DSUP applications. The following amenities shall be required within the Comprehensive Open Space Programming Plan:
 - a) At least one fenced, 0.5 acre public dog park to accommodate large and small breeds shall be provided within the Greenway Park neighborhood, which shall be located outside the Resource Protection Area (RPA), and shall meet the requirements of the City of Alexandria's Dog Park Master Plan.
 - b) A minimum of one tot-lot/children's play area shall be provided within each residential and mixed-use neighborhood.
 - c) A minimum of one community garden shall be provided within the Greenway Park neighborhood with access to water and space for composting and storing equipment. Community gardens may extend no greater than 25 feet into the outer RPA boundary (shall not reduce the RPA below 75 feet) and shall be managed consistent with organic gardening principles. No pesticides, herbicides, or fertilizers shall be stored within the floodplain or RPA.
 - d) Additional elements deemed necessary within each neighborhood as part of the preliminary DSUP. The remaining open space programming within each neighborhood shall be required as part of the comprehensive open space plan for each neighborhood. (RP&CA)
- 42. With the exception of the multi-purpose field adjacent to Ramsey Elementary School, which shall be designed and constructed by the City using Developer Contributions, all public parks-open space shall be designed by the Applicant(s) as part of the preliminary DSUP process and shall be constructed by the Applicant(s) in accordance with the timing set forth herein or in the applicable DSUP. (RP&CA)

43. The public parks-open spaces required herein shall be dedicated, or provide a public access easement, to ensure public access as depicted in the CDD Concept Plan. The Greenway and Dora Kelley Nature Park Extension shall be dedicated to the City. The remainder of the designated public open space shall provide a perpetual public access easement and shall be privately maintained. Maintenance for all privately owned public parks/open space shall comply with the City of Alexandria Landscape Guidelines as amended. The parks-open space dedicated to the City shall be submitted and dedicated as individual parcels. Private maintenance of the proposed storm water management pond, while on land to be dedicated, shall be required by the Applicant(s). (RP&CA)
44. Roof-top open space shall be designed as high-quality open space with active and/or passive uses for residents and building tenants. Amenities such as swimming pools, exercise facilities, or comparable amenities are encouraged as part of each building or block. Roof-top open space on office buildings may be accessible to the public if compatible with the building use if mutually agreed upon by the Applicant(s) and the City as part of the preliminary DSUP. (RP&CA)(P&Z)
45. Where publicly accessible open spaces have underground parking below the public open space (Adams and Upland Park neighborhoods) the parking shall be designed in a manner to provide sufficient soil depth for plantings and trees in appropriate areas to minimize the use of raised planters. (RP&CA) (P&Z)
46. The neighborhoods within CDD #21 shall provide 40% tree canopy. In no case, shall tree canopy coverage be less than the applicable City requirements and provisions at the time of the approval for each redevelopment area. To the extent that the tree canopy cannot be accommodated on-site, tree canopy may be provided off-site within the Plan area, Dora Kelley Park, and/or other nearby areas as determined by staff and supported by the Planning Commission and City Council. (RP&CA)
47. At the time of future preliminary DSUP approval for each neighborhood, the Applicant(s) should consider pre-contracting with a licensed tree grower for dedicated stock so as to ensure the size and health of the stock to be planted. (RP&CA)
48. Private storm water management structures (at grade or below grade), other than the streetscape-storm water elements permitted by the Beauregard Urban Design Standards and Guidelines and required herein, shall be prohibited with the required public parks-open spaces that will be dedicated to the City, exclusive of the storm water pond permitted within the Greenway Park neighborhood. Storm water structures may be permitted within the required public parks-open spaces that are privately owned with a public access easement, providing that any such structure does not limit the public use of that open space. (RPCA) (P&Z)(T&ES)
49. As part of each preliminary DSUP, the Applicant(s) for each neighborhood shall incorporate the on and off-street bicycle network as depicted in the Beauregard Urban Design Standards and Guidelines. All bicycle signage, consistent with the proposed

bicycle system and required herein, shall be installed prior to the issuance of Certificate of Occupancy for each building and/or block. (RP&CA)(T&ES)(P&Z)

M. URBAN ECOLOGY AND SUSTAINABILITY

50. The Applicant(s) shall submit a comprehensive neighborhood Storm Water Master Plan prior to, or as part of the first preliminary DSUP for each neighborhood to address storm water quality and quantity to the satisfaction of the Director of T&ES. The neighborhood Storm Water Master Plan shall be updated with each preliminary DSUP within that neighborhood. (T&ES)
51. New Development within each neighborhood shall meet the Virginia Storm Water Regulations and/or the provisions of the Environmental Management Ordinance (Chesapeake Bay Preservation Act) as adopted by the City of Alexandria. There shall be no grandfathering. At the time of the first DSUP in a neighborhood, the Applicant shall provide a storm water management plan for such neighborhood complying with the aforementioned standards, and shall construct neighborhood storm water management improvements consistent with such plan. The stormwater master plan shall be amended with each subsequent DSUP should it be necessary. Once storm water management improvements are constructed for a neighborhood, subsequent changes in law or regulations shall not require reconstruction of built infrastructure, unless the reconstruction of previously approved and constructed storm water management infrastructure is mandated by state or federal law. However, changes in applicable law or regulations for storm water management will be applicable to newly constructed buildings or parcels and there shall be no grandfathering of individual buildings or parcels by virtue of previously constructed neighborhood storm water management improvements. (T&ES)
52. Each individual parcel shall, at a minimum, be in compliance with the aforementioned water quality standards at the time of development unless the regulated nutrients are compensated for by another BMP within the neighborhood as evidenced by the stormwater master plan, subject to the approval of the Director of Transportation and Environmental Services. (T&ES)
53. The water quality volume from impervious surfaces within new public rights-of-way shall receive treatment from storm water Best Management Practice (BMP) facilities in accordance with Memo to Industry #01-2012 or applicable City policy at the time of approval. Under the conditions outlined, such facilities may be located within the right-of-way. (T&ES)
54. Sidewalk BMP planters may be placed in all rights-of-way that are composed of at least 14 feet of width for planting areas and sidewalks combined, or alternative roadway storm water treatment, consistent with City standards. Other measures that might be employed to reduce runoff and improve water quality could be (but are not limited to) permeable paving, disconnected pavement sections, green screen/green wall irrigated with street or building roof runoff, conveying street runoff to

constructed wetlands within floodplain and RPA areas, and other new techniques that evolve. (T&ES)(P&Z)

55. The Applicant(s) shall remove existing impervious surfaces within the resource protection areas at the time of redevelopment for a particular DSUP. (T&ES)

N. GREEN BUILDING

56. **(REVISED BY THE PLANNING COMMISSION)** The Applicant(s) shall, for each neighborhood, submit a Sustainability Plan with the submission of the first preliminary DSUP within each neighborhood, which shall identify common environmental elements to be utilized throughout each neighborhood that can be used to help individual parcels satisfy the requirements of the City's most recent green building policy. Elements that should be addressed within the Sustainability Plan ~~should correlate to~~ shall be in conformity with the Urban Ecology and Sustainability goals of the Beauregard Small Area Plan and include, but not be limited to, the key areas given below.

- a) Overall neighborhood sustainability plans shall:
 - i. Include a commitment to achieving LEED-ND certification where applicable, in addition to the City's Green Building Policy in effect at the time of preliminary DSUP;
 - ii. Design new public streets to include emerging best practices for storm water management (quality and quantity) and green infrastructure;
 - iii. Specify LED or comparably efficient lighting throughout the neighborhood including lighting for public streets; and,
 - iv. The Sustainability Plan is encouraged to incorporate the aspirational goals of the Beauregard Small Area Plan such as energy utilization and conservation measures throughout the neighborhood including on-site energy generation and use of renewable energy sources such as geothermal or solar where feasible and cogeneration and district energy systems..
- b) Non-neighborhood related sustainability items identified in the Beauregard Small Area Plan shall be addressed during the DSUP process. These items shall include the following:
 - i. New Development shall be subject to the City's Green Building Policy at the time of approval of each Development Special Use Permit ;
 - ii. Designing roof areas for use as multi-purpose spaces that could include open space, green roofs and/or power generation;
 - iii. Utilizing building footprints and ceiling heights that encourage different uses over the lifespan of the building; and
 - iv. Utilizing low or ultra-low flow plumbing.
 - v. The Applicant(s) are encouraged to incorporate aspirational sustainability goals identified in the Beauregard Small Area Plan including:
 - (a) Use of photovoltaics;
 - (b) Rainwater capture;

- (c) Grey water use; and
- (d) Green building requirements consistent with Eco-City goals.
(T&ES)(P&Z)(PC)

O. SEWER

- 57. Sanitary sewer collection system capital improvements shall be required and paid for by individual development projects as needed to provide adequate conveyance capacity and demonstrate adequate outfall for proposed development as per the standards applicable at the time of approval of each DSUP. (T&ES)
- 58. The Applicant(s) shall submit a letter to the Director of Transportation & Environmental Services prior to release of the final site plan acknowledging that this property will participate, if the City adopts a plan prior to release of the building permit, to require equal and proportionate participation in an improvement plan to provide additional capacity in the Holmes Run Trunk Sewer sanitary sewer shed. (T&ES)
- 59. **King Street and Beauregard Intersection**
 - a) To reimburse the City for the cost of constructing approximately 350 linear feet of a parallel sanitary sewer in the intersection of King Street and Beauregard Street, any Applicant filing a DSUP for New Development in the Upland and Southern Towers neighborhoods shall pay the City an amount equal to fifty one cents (\$0.51) per gallon per day of increased sewer flow from such New Development, over and above the sewer flow from any existing development. The calculation of existing sewer flow, and the calculations of new sewer flow, shall be computed based on the City's standard methodology. The \$0.51 per gallon per day contribution shall escalate annually hereafter on January 1 of each year in accordance with increases in prior years in the CPI-U as defined herein. Contributions will be required prior to release of the final site plan for such New Development. Until these sewer improvements are constructed and operational, sewer capacity in the sewer-shed and the Upland Park and Southern Towers neighborhoods shall be limited accordingly.
 - b) In addition to the above improvement, other segments of sanitary sewer may be inadequate to convey the increased flow associated with development projects in this Plan. Each development project will be required to perform an adequate sanitary sewer capacity analysis and provide any necessary capital improvements to the sanitary sewer system to convey the proposed flows.(T&ES)

P. AFFORDABLE HOUSING

- 60. Prior to the submission of the first preliminary DSUP within each neighborhood, the Applicant(s) shall submit an affordable housing plan for the entire neighborhood reflecting the proposed distribution of affordable and workforce units within the neighborhood. This plan shall reflect at least 10% of the total new units to be

developed (and for the Southern Towers Neighborhood, 10% of the units to remain within the Berkley Building), as well as all of the Lynbrook and Hillwood units scheduled to be conveyed to the City with the Greenway and Town Center neighborhoods in order to achieve the goal of 800 units set forth in the BSAP within CDD#21 and CDD#22. This plan shall be amended with subsequent DSUPs, as necessary, to reflect any revisions to the plan.(Housing)

61. Unless otherwise mutually agreed by the Applicant(s) and the City, the Applicant(s) shall:
- a) Allow the City to buy down up to 15% of the units in any new building developed within the CDD.
 - b) Upon approval of the first DSUP within either CDD#21 or CDD#22, allow the City to buy down up to 10% of the existing units in the Southern Towers Berkley Building.
 - c) The buy-down methodology used to determine the cost of affordable and workforce housing units shall be consistent with the formula set out in the Beauregard Affordable Housing Buy-Down Formula, which may be amended from time to time, as mutually agreed by the City and the Applicant(s).
 - d) The City and the Applicant for the Southern Towers neighborhood may negotiate a mutually agreed upon alternative to the 10% buy down in the existing Berkley Building to maximize availability of affordable units during the first phases of redevelopment. Such an agreement may include, but is not limited to, providing additional units for a shorter time at a discounted buy down price or potentially no buy down price to the City. If an alternative plan that is mutually agreed upon by the City and the Applicants is not finalized within one year of the approved CDD zoning, the City shall have the ability to proceed with the buy down of 10% of the existing units subject to other conditions herein.
 - e) The buy-down of affordable and workforce housing units within the existing Berkeley building, as renovated, within the Southern Towers neighborhood may occur prior to the start of new development. If renovations do not begin in time to be completed at the Berkley building by the end of 2015, the Applicant will provide the City the opportunity to buy down units that have yet to be renovated in the Berkley Building and/or other buildings within the Southern Towers property.
 - f) The number, unit mix, and levels of affordability for affordable and workforce units to be bought down within new buildings shall be determined as part of the DSUP approval, taking into consideration the timetable and phasing of development for such DSUP. If sufficient funds are not available prior to the issuance of the final certificate of occupancy for the building, the Applicant(s) shall permit the City to buy down the affordable and workforce housing units consistent with the approval and subject to the buy-down formula as of the date of the actual buy-down for a period of time extending for fifteen (15) years after the completion of the Ellipse and Transitway improvements identified in Beauregard Small Area Plan.

- g) The buy-down shall be made using resources from the Beauregard Implementation Fund and/or other resources provided by or leveraged by the City and its partners for the purpose of creating dedicated affordable and workforce housing.
 - h) The dedicated affordable and workforce housing units shall be dispersed throughout each neighborhood within the CDD boundaries and shall include a variety of unit sizes consistent with the market rate mix, unless otherwise mutually agreed upon by the Applicant(s) and the City, as well as a mix of affordability levels (i.e., various ranges of incomes). Specifically, dedicated units shall be priced to serve households with incomes ranging from 40% AMI to 75% AMI in accordance with the proportions established at the time of the rezoning, and as may be amended over time. No one project should include a disproportionate share of any income range or any bedroom size, with the understanding that the general income mix in existing units to be bought down or dedicated may differ from that in new units, and that the mix of affordable unit sizes may vary based on the unit sizes available in a particular project.
 - i) The Applicant(s) agree to coordinate with the City, if requested during the DSUP process, to make a good faith effort to include three bedroom dedicated affordable and workforce units within projects that would not typically include three bedroom units. Provision of such three bedroom units shall not require larger units than those contemplated in the market rate unit mix.
 - j) All dedicated affordable and workforce housing units within the CDD shall remain affordable for a minimum of 40 years. (Housing)
62. Any Applicant(s) obtaining a DSUP for development which necessitates demolition of existing units shall abide by the provisions of the Beauregard Tenant Assistance and Relocation Plan in effect as of the date of this approval, which may be amended from time to time, as mutually agreed by the City and the Applicant(s). (Housing)
63. Residents of committed affordable and workforce units within the Plan area who receive Housing Choice Voucher assistance (or any future equivalent) shall not be denied admission on the basis of receiving this assistance. Minimum income requirements shall not be applied to Voucher holders who are otherwise qualified based on other selection criteria. (Housing)
64. Residents of affordable housing units shall not be precluded from obtaining parking in the same manner which is available to market rate households. (Housing)
65. If mutually agreed upon by the City and the Applicant(s), resources from the Beauregard Implementation Fund and/or other resources provided by or leveraged by the City and its partners may be used to acquire sites or parcels for affordable and/or mixed income development and/or to develop and construct units above public structures if/when feasible. (Housing)

66. If mutually agreed upon by the City and the Applicant(s), land for the purposes of construction of dedicated affordable and workforce housing may be donated in lieu of a monetary contribution. (Housing)
67. In the event of an acquisition of land through purchase or donation for an affordable housing project, the contract between the Applicant and the City or its designee shall include terms detailing the allocation of units to be developed that will count toward the percentage goal of affordable units for that neighborhood. (Housing)
68. The Applicant(s) shall convey 56 units located at 5741-5743 Leverett Court (Hillwood) to the City prior to the issuance of a certificate of occupancy for 1.5 million square feet of development in the Town Center. The Applicant(s) shall be responsible for consenting to the filing of a subdivision application by the City for subdivision of Hillwood to create a separate lot of record for these buildings. The lot shall include the two Hillwood buildings, all necessary easements for ingress/egress and utilities, as well as the adjacent open space and parking to serve the Hillwood buildings. The Applicant(s) shall coordinate with the City to determine the exact limits of the subdivision at the time of the subdivision application and shall prepare the subdivision plat and deed of conveyance, including all necessary easements in consultation with the City to permit the recordation of a subdivided plat by the City. Until the Hillwood units are transferred to the City, they shall be maintained in good repair, with all building systems operable, the common areas clean and functional, and unit interiors habitable, with appliances and fixtures in working order. (Housing)
69. The Applicant(s) shall convey 44 units located at 5561, 5563, 5581, and 5583 Trent Court (Lynbrook) to the City prior to the issuance of a certificate of occupancy for 4.3 million square feet of development in the Town Center, Greenway, and Garden District neighborhoods. The Applicant(s) shall be responsible for consenting to the filing of a subdivision application by the City for subdivision of Lynbrook to create a separate lot of record for these buildings. The lot shall include the two Lynbrook buildings, all necessary easements for ingress/egress and utilities, as well as the adjacent open space and parking to serve the Lynbrook buildings. The Applicant(s) shall coordinate with the City to determine the exact limits of the subdivision at the time of the subdivision application and shall prepare the subdivision plat and deed of conveyance, including all necessary easements in consultation with the City to permit the recordation of a subdivided plat by the City. Until the Lynbrook units are transferred to the City, they shall be maintained in good repair, with all building systems operable, the common areas clean and functional, and unit interiors habitable, with appliances and fixtures in working order. In addition, until such time as the 44 Lynbrook units are transferred to the City, upon approval of the first DSUP within either CDD #21 or CDD #22, as units become available the Applicant(s) will allow the City to use affordable housing funds to subsidize rents to be affordable at such rents/income levels to be determined by the City. The City shall make an annual payment to the owner of the buildings based on the difference between the market rent and desired level of affordability. Applicant will cap the growth of market rents at the rate of inflation as determined by the CPI-U as defined herein. When the

parcels adjacent to the dedicated Lynbrook buildings redevelop, any necessary streetscape, infrastructure, and utility improvements associated with the dedicated units shall be completed at the Applicant(s)'s expense. (Housing)

70. Within ninety (90) days from final approval(s) by the City Council, the Applicant(s) shall provide a report detailing the current condition of Hillwood and Lynbrook parcels referenced herein. The condition of the building at the time of rezoning shall be considered the base condition at which the properties shall be conveyed to the City at the time designated herein. (Housing)

Q. TRANSPORTATION MANAGEMENT PLAN

71. All development within CDD #21 shall require a Transportation Management Plan Special Use Permit (TMP SUP) to implement strategies to encourage residents and employees to take public transportation or share a ride, as opposed to being a sole occupant of a vehicle. The details of each TMP shall be included in the general staff conditions of each TMP SUP associated with this CDD. (T&ES)
72. Two TMP Associations shall be established: a North TMP Association will include all properties north of Seminary Road within the CDD, and the South TMP Association shall include all properties south of Seminary Road within the CDD. All development shall integrate into one of these two neighborhood Transportation Management Plan Associations when the districts are organized. The objective of these Associations is to make optimum use of transportation resources for the benefit of residents and employees within these Associations through economies of scale. No increase or decrease in TMP contributions will be required as a result of participation in the TMP Associations. (T&ES)
73. An annual Beauregard TMP fund rate shall be established and included in each TMP SUP. The base Beauregard TMP fund rate for each development from July 1, 2012 to June 30, 2013 shall be \$80.00 per residential unit, \$0.20 per square foot of retail space, \$0.25 per square foot of commercial, \$40.00 per hotel room, and \$0.10 per square foot of industrial or warehouse space. The rate for uses not listed will be determined during the preliminary site plan review process. Beginning on July 1, 2013, the Beauregard TMP rate shall escalate annually hereafter on July 1 of each subsequent fiscal year in accordance with increases in prior years in the CPI-U as defined herein. The rate for each TMP-SUP will be determined by the current Beauregard TMP fund rate at the date of request for the initial certificate of occupancy. (T&ES)
74. The TMP fund shall be used exclusively for the approved transportation activities as set forth in the TMP SUP. (T&ES)
75. Each TMP SUP shall participate in the revised Transportation Management Program when established. The revised program will include the elements outlined in the December 8, 2010 Docket Memorandum entitled "Consideration of Transportation Management Plan (TMP) Policy Review Changes" that was presented to, and

approved by, the City Council. The revised TMP program will go before the City Council for approval. The revision to the Program includes a periodic review of the TMP to determine if goals are being met. Fund rates and adjustments shall be consistent with the revised TMP program when it is established. Participation in the Program will not initially increase the base contribution established in this SUP; however, the base contribution would be subject to adjustment up or down, up to a percentage cap, based on the final revised TMP program language. (T&ES)

76. The Applicant(s) shall coordinate with the existing Mark Center Transportation Management Plan (TMP) to promote transit connections between the existing office buildings and the Required Retail areas. (P&Z)(T&ES)

R. UTILITIES

77. No transformers or switch gears shall be installed in the public right-of-way, streets, or streets with a public access easement. All electrical transformers and associated utilities shall be located within the central portion of the blocks and alley(s), and screened to the satisfaction of the Directors of P&Z and T&ES, or provided in underground vaults which shall comply with all applicable Dominion Virginia Power (DVP) standards. Ventilation grates shall not be located within dedicated open space, sidewalks or streets - public right-of-way. The final location of the transformers and/or vaults shall be approved as part of the preliminary DSUP for each building/block. (P&Z) (T&ES)
78. All existing and new utilities along the frontage of the property extending to the nearest power poles on each side beyond the frontage within each DSUP shall be located below grade at the cost of Applicant(s). All utilities, with the exception of those having a franchise agreement with the City, shall be located outside the public right-of-way unless for the conveyance of storm water, and approved by the Director of T&ES. (T&ES)

S. PUBLIC ART

79. All New Development subject to the provisions of CDD #21 shall be subject to the City's Public Art Policy and the Public Art Master Plan at the time of preliminary DSUP. (RP&CA)

T. ARCHAEOLOGY

80. The Applicant(s) shall hire a consultant to complete a Documentary Study and Archaeological Evaluations for projects within the each neighborhood, as part of the first preliminary DSUP for each neighborhood. If significant resources are discovered, the consultant shall complete a Resource Management Plan, as outlined in the City of Alexandria Archaeological Standards. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented. (Archaeology)

81. The Applicant(s) shall explore incorporation and interpret elements of the historical character and archaeological findings into the design of the open space and other aspects of development. Themes that could be explored include: Native American use of the area; plantations, tenants and enslaved African Americans; smaller farms, agriculture, and tobacco, wheat, livestock; Civil War, regimental campsite nearby; 20th-century transportation history, Shirley Highway. Incorporation of these themes could be reflected in:
- a) Use of streams as the focal point of interpretation of natural environment and Native Americans;
 - b) Creation of roads and trails following the historic roadways (and streams) that are evident on Civil War period maps;
 - c) Use of architectural and hardscape materials that reflect the historical character, for example, river cobbles used by Native Americans to make tools, earthenware showing surface treatments on Indian pottery, wood/logs to reflect architecture of small tenant houses; and,
 - d) Use of the names of enslaved African Americans, which are known from wills and other documents. (Archeology)
82. If this project is a Federal undertaking, requires Federal permits, or involves the use of any Federal funding, the applicant shall comply with Federal preservation laws, in particular Section 106 of the National Historic Preservation Act of 1966. The applicant will coordinate with the Virginia Department of Historic Resources and the Federal agency involved in the project, as well as with Alexandria Archaeology and other City staff. (Archeology)

U. NEIGHBORHOOD REQUIREMENTS

GREENWAY

83. **Beauregard Multi-Use Trail.** The Applicant(s) shall design and construct a minimum 10' wide (exact width to be determined during DSUP) multi-use trail and associated signage on the east side of Beauregard Street to connect from the south end of the redevelopment area to the Holmes Run Trail. The trail shall be complete and operational prior to the first certificate of occupancy permit associated with the neighborhood. (T&ES)
84. **Greenway Park – Natural Area and Public Open Space.** The minimum 22.75 acre park (inclusive of the potential storm water pond) shall be constructed and made operational concurrently with the development of the adjoining blocks, and dedicated to the City after completion of the entire 22.75 acre park (EXHIBIT 2). An interim public trail connection in the Greenway Park between North Beauregard Street and Winkler Botanical Preserve shall be provided and operational at all times from the first DSUP within the neighborhood until the completion of the entire Greenway Park. (P&Z)(T&ES)(RP&CA)

85. Storm water management may be incorporated into the Greenway park design to the satisfaction of the Directors of P&Z, T&ES and RP&CA. Any interim pond design shall be functional as a BMP. The storm water pond shall be:
- a) Part of the Storm Water Master Plan for the Greenway Neighborhood;
 - b) A Level II storm water pond, outside the RPA;
 - c) Designed using advanced technology and to have high quality native landscaping as well as an aquatic shelf;
 - d) Reduced in size according to necessary volume;
 - e) No larger than generally depicted within the CDD Concept Plan;
 - f) Compliant with the applicable provisions of the Beauregard Urban Design Standards and Guidelines;
 - g) Integrated into the design of the Park; and
 - h) Consolidated in the southeastern portion of the Park near Holmes Run to enable consolidation of the ground-level open space. (P&Z)(T&ES)(RP&CA)
86. Turkey Run and the portions of Holmes Run within the Greenway neighborhood shall be restored/stabilized, to the satisfaction of the Director of T&ES, using natural channel design to reduce erosive capacity as well as functionally increase water quality. The RPA shall be stabilized with native species in a natural state to maximize water quality improvements. (T&ES)(RP&CA)
87. The Applicant(s) shall be responsible for the design and installation of two pedestrian bridges in Greenway Park in the general locations depicted in the Beauregard Small Area Plan. The design of the bridges shall be approved as part of the preliminary DSUP for the Park. The bridges shall be installed and made operational prior to the completion of the Park as required herein. (RP&CA)
88. The remaining required public open space within the neighborhood, required pursuant to the CDD#21 Concept Plan, shall be constructed concurrently with the New Development adjoining the required public open space. (RP&CA)

GARDEN DISTRICT

89. **East West Greenway.** The minimum 1.45 acre portion of the East West Greenway (EXHIBIT 2) shall be constructed concurrently with development of each block fronting onto such open space. The final phasing for construction of the East West Greenway shall be approved as part of the Comprehensive Open Space Programming Plan submitted as part of the first DSUP for the neighborhood. (RP&CA)
90. **Dora Kelley Nature Park.** The approximately 1.8 acre portion of the Dora Kelley park expansion adjacent to the Garden District neighborhood, as depicted in the CDD Concept Plan, shall be constructed and made operational concurrently with the development of the adjoining blocks, and dedicated to the City after completion of the entire 7.4 acre expansion. The addition to Dora Kelley Nature Park shall be designed and landscaped in a manner to be a visual extension of the existing Park and the edge

- of the Park shall be designed and landscaped, including the selection of appropriate tree species, to minimize disturbance to the existing Dora Kelley Nature Park. (RP&CA)
91. The 0.73 acre mid-block pedestrian connection (EXHIBIT 2) shall be constructed and completed concurrently with each adjoining block. (P&Z)(RP&CA)
 92. The remaining required public open space within the neighborhood, required pursuant to the CDD#21 Concept Plan, shall be constructed concurrently with the New Development adjoining the required public open space. (RP&CA)
 93. **Fire Station.** The Applicant(s) shall dedicate the land and associated conveyances to the City for a fire station and associated facilities above the fire station, as generally depicted in the CDD Concept Plan. The final area to be dedicated shall be based on a conceptual site plan as part of the DSUP process. In addition, the Applicant(s) shall be responsible for the provision of any necessary temporary and/or permanent easements such as grading, construction, etc., deemed necessary by the City to construct the fire station and/or associated facilities. The land shall be dedicated by within 90 days of written request by the City at such time as the City is preparing for the development of the fire station. Access and use of the existing parking lot shall remain until such time as the City is preparing for the development of the fire station. (P&Z) (Fire)

TOWN CENTER

94. **Town Square Park – Open Space.** The minimum 0.60 (EXHIBIT 2) acre Park shall be constructed, operational and a public access easement provided concurrently with the New Development within any block fronting onto the park or prior to the issuance of the first Certificate of Occupancy permit for 2,000,000 square feet of New Development within the Town Center neighborhood, whichever occurs first. The Town Center Park shall be designed to accommodate large gatherings such as markets, art shows, festivals, and special events. The design of the park should consider space for outdoor (possibly indoor or covered) entertainment events. The design of the Town Square shall incorporate lighting, landscaping, furnishings and should consider other amenities such as water features. In addition, the Applicant shall permit the City, upon an advance written request from the City, to host up to 10 City-public events/festivals annually at no cost to the City. (RP&CA)(P&Z)
95. **Greenway.** The minimum 1.62 acre portion of the Greenway adjacent to North Beauregard Street (EXHIBIT 2) shall be constructed concurrently with New Development within each block fronting onto the Greenway. (RP&CA)
96. **Dora Kelley Nature Park.** The approximately 5.6 acre portion of the Dora Kelley park expansion adjacent to the Town Center neighborhood, as depicted in the CDD Concept Plan, shall be constructed, and made operational concurrently with the development of the adjoining blocks, and dedicated to the City after completion of the entire 7.4 acre expansion. The addition to Dora Kelley Nature Park shall be designed

and landscaped in a manner to be a visual extension of the existing Park and the edge of the Park shall be designed and landscaped, including the selection of appropriate tree species, to minimize disturbance to the existing Dora Kelley Nature Park. (RP&CA)

97. The remaining required public open space within the neighborhood, required pursuant to the CDD#21 Concept Plan, shall be constructed concurrently with the New Development adjoining the required public open space. (RP&CA)
98. **Retail.**
 - a) To ensure a comprehensive and coordinated approach for the retail leasing for the Required Retail within the Town Center Neighborhood, as depicted in the Beauregard Urban Design Standards and Guidelines, the retail shall be operated through a coordinated management agreement, entity or district. The final role and composition of the retail management entity and overall governance shall be approved as part of the first DSUP containing the first retail space within the Town Center neighborhood.
 - b) Prior to the release of the first Certificate of Occupancy permit for the first building within the Town Center neighborhood, the Applicant(s) shall establish the retail management entity as required, which shall be responsible for the following items to the satisfaction of the Directors of P&Z, T&ES, RP&CA and City Attorney:
 - i. Open Space. Repair and maintenance of Town Center Park.
 - ii. Open Space. The entity shall be responsible for appropriate programming within the Town Center Park-open space.
 - iii. Parking. Coordination and management of the shared parking management plan between the owner(s) and/or buildings within the Town Center.
 - iv. Signage. Maintenance, repair, and coordination of locations and messaging for all identification signs, way-finding signs, directional signs, and seasonal/event banners.
 - v. Retail Management and coordination of retail use and tenants as defined herein. (P&Z) (T&ES)

ADAMS

99. At a minimum, the Adams Neighborhood Parallel Road (EXHIBIT 3) shall have connectivity to Beauregard via an east-west road at both the northern terminus and the southern terminus during any interim phase to the extent possible with existing development. The roadway shall be designed to make a connection at the southern terminus at Rayburn Avenue to the future planned roadway extension through the Town Center neighborhood as depicted in (EXHIBIT 3). The Applicant(s) shall be responsible for all costs associated with reconfiguring the John Adams Elementary School site to construct the streets and drive aisles as generally depicted within EXHIBIT 3. (T&ES)

100. **(REVISED BY THE PLANNING COMMISSION) ~~Parallel Road.~~ Adams Neighborhood Roads.** As part of the first DSUP process, any Applicant(s) within the Adam Neighborhood shall consider the following in order to lessen the impacts on the existing adjoining residential neighborhoods. The following shall be evaluated as part of the first development special use permit process in consultation with the adjoining residential neighborhoods:
- a) ~~Examine the location of the parallel road in order to minimize impacts on the adjoining residential neighborhoods. Review the need for the parallel road based on the transportation study as part of the first preliminary DSUP for the Adams Neighborhood. The review shall include an examination of the parallel road and the internal street and whether the parallel road can be eliminated or moved substantially away from the adjoining residential neighborhood while still ensuring connectivity and adequacy of the transportation network. If a road is required, the intent is to minimize the impact on the adjoining residential neighborhoods.~~
 - b) Evaluate the existing and future level of service for roadways in the vicinity as part of the traffic analysis to determine the transportation needs.
 - c) ~~Examine reassigning traffic from the parallel road to lessen impacts on the adjoining residential neighborhoods. The examination shall include, but not be limited to, consideration of shifting traffic to the internal street.~~
 - d) ~~Any~~ If there is a road adjacent to the adjoining residential neighborhoods, the road shall be designed to minimize vehicular speed and volume and the surface of the road shall include a material to reduce noise.
 - e) The type of buffer ~~screening~~ along the Adams neighborhood shall include, but not limited to the following: fencing where appropriate, landscaping, and lighting appropriate given the adjoining residential uses; and take into account aesthetics and environmental sustainability.
 - f) Routine access - loading will be located to lessen impacts on the adjoining residential uses.
 - g) ~~The surface parking shall generally~~ Provide a minimum 45 ft. buffer – screening adjacent to the existing townhouses (EXHIBIT 6), while accommodating required entrances and circulation.
 - h) The Applicant(s) shall be responsible for holding a community meeting(s), including a good faith effort to individually notify ~~with~~ abutting property owners, residents, and adjacent homeowners and condominium associations prior to the submission of a preliminary DSUP. The Applicant(s) shall also be responsible for holding a community meeting(s), including a good faith effort to individually notify ~~with~~ abutting property owners, residents, and adjacent homeowners and condominium associations prior to the release of the final site plan.
 - i) All lighting, including traffic signals, shall be appropriate given the residential nature of the adjoining neighborhoods.
 - j) Retain a multi-use path or equivalent facilities in the Adams Neighborhood to provide the mobility, accessibility and connectivity for pedestrians and cyclists west of Beauregard Street. (P&Z)(T&ES)(PC)

101. **Pedestrian Access to Dowden Terrace Neighborhood.** The Applicant(s) shall design and construct a pedestrian trail/access between the road parallel to Beauregard Street (to be evaluated as noted herein) and the Dowden Terrace neighborhood at the following locations as part of the first preliminary DSUP and shall be complete and operational prior to the first certificate of occupancy permit associated with the first DSUP within the neighborhood:
 - a) N. Stevens Street; and
 - b) **N. Shelley Street.** This pedestrian connection will connect between N. Shelley Street and the Parallel Road, and will be within John Adams Elementary School (ACPS property). The pedestrian connection shall be designed in consultation with ACPS to ensure security and safety of the school site and to minimize impacts to existing school recreation facilities. (T&ES)
102. If the final configuration of streets does not reflect the layout shown on Diagram 7A, the ultimate designation of public and private streets shall be determined by the Director of T&ES as a part of the DSUP process for the Adams neighborhood. (T&ES)
103. At the southwest corner of North Beauregard Street at Highview Lane, the existing property (TM parcel #019.02-01-03.S3) and associated buildings will require that an interim cross-section and right-of-way be established until such time that the property is redeveloped and the building is removed. (T&ES)
104. **Adams Neighborhood Park and Public Open Space.** The 2.0 acre open space (EXHIBIT 2) shall be constructed, operational and a public access easement provided prior to the issuance of a certificate occupancy permit for 1,000,000 sq. ft. of New Development within the Adams neighborhood or the block(s) fronting onto the park. The 2.0 acre open space with the Adams neighborhood shall be available for public use, including potential use by the adjoining school. (RP&CA)(P&Z)
105. The remaining required public open space within the neighborhood, required pursuant to the CDD#21 Concept Plan, shall be constructed concurrently with the development on each block. (RP&CA)
106. Truck loading and routing access within the Adams neighborhood shall be located in a manner to lessen impact on the adjoining residential uses. (T&ES)

UPLAND PARK

107. **Upland Neighborhood Park.** The minimum 0.85 acre park (EXHIBIT 2), including the 24,784 square foot lot currently owned by the City, shall be constructed, operational and a public access easement (exclusive of the existing City owned land) shall be provided prior to the following, whichever occurs first:
 - a) The first Certificate of Occupancy permit for the second building with block frontage on the park, or

- b) The issuance of a certificate occupancy permit for more than 350,000 square feet of New Development within the Upland Park neighborhood.
 - c) Parking may be permitted under the City-owned portion of the open space subject to the following:
 - i. The City and the Applicant(s) shall develop all applicable agreements related to the construction, ownership, and uses of the parking facility during the preliminary DSUP process for blocks adjoining the park;
 - ii. For any underground parking, the underground parking shall have sufficient soil depth to accommodate all trees, landscaping, and park programming, without the use of raised planters; and
 - iii. Maintenance of both privately and publically owned parcels shall be the responsibility of the Applicant. (RP&CA)(P&Z)
108. **Development Phasing Trigger: Seminary Road Improvements west of Beauregard.** For any DSUP required for Upland Park, the Applicant(s) shall widen Seminary Road west of Beauregard Street by adding a westbound left turn lane for traffic turning onto Heritage Lane. This roadway improvement shall be complete and operational prior to the first certificate of occupancy permit for the multi-family building along Seminary Road. (T&ES)
109. **Development Phasing Trigger: Multi-Use Trail on Seminary Road.** For any DSUP required for Upland Park, the Applicant(s) shall be responsible for the design and construction of a minimum 10 foot wide (exact width to be determined during at the time of preliminary DSUP) multi-use trail on the north side of Seminary Road adjoining the property frontage. The trail shall be completed and operational prior to the first certificate of occupancy permit for the multi-family building along Seminary Road. (T&ES)
110. To the extent that New Development occurs in the Upland Park neighborhood prior to the construction of the Ellipse such that the westbound left turn lane on Seminary to Heritage Lane/ Fairbanks Avenue is necessitated, the Applicant(s) will design and construct those improvements to the satisfaction of the Director of T&ES and such improvements from back of curb to the centerline of Seminary Road will be offset from the Developer Contribution or reimbursed to the Applicant(s) as part of the Ellipse construction. (T&ES)
111. In the event the acquisition of right-of-way, construction of the Ellipse and/or any other implementation of the conditions herein impacts the parking or access to the adjoining parcel TM#0.10.04-03-19, the following shall be provided:
- a) As part of any redevelopment of the Upland Park neighborhood, the Applicant(s) shall be responsible for providing access and replacement parking for TM parcel #0.10.04-03-19. The parking shall be constructed within Upland Park neighborhood and/or on the adjoining lot, to the satisfaction of the Director of T&ES. The Applicant(s) shall be responsible for submitting all necessary plans and approvals to construct the access and parking as required herein.

- b) In the event that the parking and access, as required herein, needs to be constructed in advance of any redevelopment within the Upland Park neighborhood, the City shall be responsible for the construction of the access and replacement parking as required herein. The Applicant(s) shall be responsible for the provision of all necessary land, easements, and/or agreements to construct the access and replacement parking. In this event, the City shall be reimbursed for all costs associated with the access and replacement parking, adjusted for CPI-U as defined herein, as part of the redevelopment of the Upland Park neighborhood. (P&Z)(T&ES)

112. **Retail.**

- a) To ensure a comprehensive and coordinated approach for the retail leasing for the Required Retail within the Upland Park Neighborhood as depicted in the Beauregard Urban Design Standards and Guidelines, the retail shall be operated through a coordinated management agreement, entity or district. The final role and composition of the retail management entity and overall governance shall be approved as part of the first DSUP containing the first retail space within the Upland Park neighborhood.
- b) Prior to the release of the of the first Certificate of Occupancy permit for the first building within the Upland Park neighborhood, the Applicant(s) shall establish the retail management entity as required, which shall be responsible for the following items to the satisfaction of the Directors of P&Z, T&ES and City Attorney:
 - i. Parking. Coordination and management of the shared parking management plan between the owner(s) and/or buildings within the Town Center.
 - ii. Signage. Maintenance, repair, and coordination of locations and messaging for all identification signs, way-finding signs, directional signs, and seasonal/event banners.
 - iii. Retail Management and coordination of retail use and tenants as defined herein. (P&Z)(T&ES)(CAO)

SOUTHERN TOWERS

113. **Pre-Development Agreements and Access.**

- a) **Existing Bus Route Agreement.** By June 1, 2013, the Applicant shall provide a recorded license agreement to the City authorizing the use of local bus service within Southern Towers, as mutually agreed upon by both parties.
- b) **Interim Bus Rapid Transit (BRT) Route Agreement.** By June 1, 2013, the Applicant shall submit an access, construction and maintenance agreement for the interim BRT Route and Station through the Southern Towers parking lot. (T&ES)

114. **(REVISED BY THE PLANNING COMMISSION) BRT Transitway and Station.** The Applicant shall grant the City a public access street easement for the

- final BRT Transitway and Station through Southern Towers as generally depicted in the Beauregard Small Area Plan upon completion of the construction of the replacement parking structure and after the City finalize plans to begin construction of the entire BRT route. The City shall include the applicant in the planning and design for the BRT Transitway and Station. As part of the planning process, the City and the Applicant shall enter into an agreement to coordinate the timing of construction, location of all necessary easements and other construction details to minimize the impact on existing parking and residents. Within 90 days of request by the City, the Applicant shall submit an easement, construction and maintenance agreement for the BRT Transitway and Station. The cost of the construction of the BRT Transitway, and station as generally shown on (EXHIBIT 4) and includes only lanes that are dedicated for transit or a shared transit/general purpose lane, shall be paid for by the City. In the event that the City is unable to construct the transitway, the City and Applicant may negotiate to have the Applicant construct the BRT Transitway and station with reimbursement by the City. In the event that the Applicant requires a temporary access road within the alignment of the proposed Transitway as part of any DSUP, the Applicant shall be responsible for constructing this road and ensuring that the road is aligned with the future Transitway and constructed to the specifications of the future Transitway. (T&ES)(PC)
115. The Applicant shall coordinate with the adjacent property owner to provide the right-of-way necessary to construct the Transitway as generally depicted on Exhibit 10. The current agreement between the property owners is for the Applicant to construct 18 spaces on its property for use by Hermitage Hill in return for Hermitage Hill's dedication of the necessary right-of-way for the Transitway and conveyance of the residual parcel to the Applicant. If the current agreement is not memorialized prior to the Applicant's completion of the replacement parking structure on its property, the Transitway will have access through the property in the interim route. (T&ES)
116. **Multi-Use Trail on Seminary Road.** Southern Towers shall construct the 10' minimum wide multi-use trail along the CDD zoned property as generally shown in the Beauregard Small Area Plan prior to the issuance of the certificate of occupancy for the first building fronting on Seminary Road. An interim condition (which may be less than 10' wide if necessary) is permitted along the frontages of future building locations during construction of those facilities (T&ES)(P&Z).
117. **Open Space.** The open space parks (EXHIBIT 2) shall be constructed and made operational prior to the issuance of a certificate occupancy permit for the first building to exceed 350,000 square feet of New Development within the Southern Towers neighborhood. (RP&CA)
118. **(REVISED BY THE PLANNING COMMISSION) Development Infrastructure Phasing:** The Applicant shall submit an updated traffic study for each preliminary DSUP for the Southern Towers neighborhood. The Applicant shall construct any improvements necessary to serve its development while minimizing impacts to

parking. The following improvements are currently anticipated as necessary to serve the Southern Towers neighborhood.

- a) Seminary Road and Mark Center Drive Intersection Improvements. Widening of the southbound approach to Mark Center Drive at the intersection of Seminary Road to provide dual left turn lanes, one (1) through lane, and one (1) right turn lane. This intersection improvement project shall be coordinated with the VDOT project to improve pedestrian access across the north side of Seminary Road.
- b) East-West Access Connector Parallel to Seminary Road.
 - i. ~~Interim Condition.~~ The Applicant shall keep the existing drive aisle or re-configured drive aisle open for access from I-395 through the Applicant's property to Beauregard Street and Seminary Road.
 - ii. ~~Final Condition. With any redevelopment,~~ Upon the issuance of any building permit within the CDD zone, the Applicant shall continue to keep the existing drive aisle open and adequate to serve local transit vehicles and for access from I-395 through the Applicant's property to Beauregard Street and Seminary Road. The Applicant shall retain the right to implement traffic calming measures, re-configure the drive aisle, and/or make other changes to the drive aisle. Any change made by the Applicant will maintain pedestrian, transit, and vehicular circulation in accordance with industry safety standards. The traffic analysis conducted as part of each Applicant's preliminary DSUP shall identify the specific improvements needed, ~~as part of the east west access connector.~~(T&ES)(PC)

119. **Retail**

- a) To ensure a comprehensive and coordinated approach for the retail leasing for the Required Retail within the Southern Tow Neighborhood as depicted in the Beauregard Urban Design Standards and Guidelines, the retail shall be operated through a coordinated management agreement, entity or district. The final role and composition of the retail management entity and overall governance shall be approved as part of the first DSUP containing the first retail space within the Southern Towers neighborhood.
- b) Prior to the release of the of the first Certificate of Occupancy permit for the first building within the Southern Towers neighborhood, the Applicant(s) shall establish the retail management entity as required, which shall be responsible for the following items to the satisfaction of the Directors of P&Z, T&ES, RP&CA and City Attorney:
 - i. Parking. Coordination and management of the shared parking management plan between the owner(s) and/or buildings within the Town Center.
 - ii. Signage. Maintenance, repair, and coordination of locations and messaging for all identification signs, way-finding signs, directional signs, and seasonal/event banners.

- iii. Retail Management and coordination of retail use and tenants as defined herein. (P&Z) (T&ES)

V. CDD CONCEPT PLAN FINDINGS: TRANSPORTATION AND ENVIRONMENTAL SERVICES

- F-1 Sheet P-0301: There is an intermittent stream north of Seminary and west of Beauregard that should be shown on this sheet. While the ellipse, which is a public improvement, will probably absorb this intermittent stream it should be shown as an environmental feature because it exists at this time. (OEQ)
- F-2 Sheet P-0401: There is an intermittent stream north of Seminary and west of Beauregard that should be shown on this sheet. While the ellipse, which is a public improvement, will probably absorb this intermittent stream it should be shown as an environmental feature because it exists at this time. (OEQ)
- F-3 Sheet P-0501: RPA adjacent to Mark Center Road should be shown as “J” traffic improvements may be influenced by this environmental constraint. (OEQ)
- F-4 Provide information on public and private utilities in the site plan along with the ownership of the utilities. For sanitary and storm sewers, show the pipe size, material, slope, and direction of flow in plan view. (Engineering)
- F-5 Sheets P-0501 thru P-0504: Difficult to read where the future ROW line is for the transitway. More clearly show the area of ROW dedication for the interim transitway. It would be helpful to also provide the square footages by landowner for dedication of ROW for the interim transitway. The dedication for the interim ROW should go to the back of sidewalk on either side of Beauregard Street. (Transportation Planning)
- F-6 Sheet P-0501: Transitway shading on Sanger Avenue should be continued further to the east. (Transportation Planning)
- F-7 Sheet P-0505: Show where the transit station in each direction at Southern Towers will be located for the interim transitway configuration. (Transportation Planning)
- F-8 Sheet P-0601: Add a note to say “The transportation improvements are based on the Small Area Plan densities and completed traffic analysis. The final design details are subject to additional traffic analysis to be conducted as part of future Development Special Use Permit applications.” (Transportation Planning)
- F-9 Sheet P-0601: Reference E in Chart, under Improvements, should say “Build 10’ wide minimum multi use trail...”
- F-10 Sheet P-0601: Reference H in Chart, under Improvements, should say “Build 10’ wide minimum multi use trail...”

- F-11 Sheet P-0601: Reference K in Chart, under Improvements, should say “Provide permissible left turn phasing for the Sanger Avenue left turns. Provide permissible right turn phasing for westbound Sanger Avenue.”
- F-12 Sheet P-0601: Reference Q in Chart, under Responsible Party, should say “Developers”. It is not anticipated that the City would construct any portion of new Sanger Avenue, including the transitway.

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