

FINAL DEVELOPMENT PLAN AMENDMENT CONDITIONS

FDPA 82-P-069-8-5

October 4, 2007

If it is the intent of the Planning Commission to approve a high rise residential development located at Tax Map 55-2 ((1)) 6A, 8A1 pt., and 8A2, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site.

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment entitled "Fair Lakes Land Bay V-A Residential/Office" prepared by Dewberry & Davis LLC and Davis Carter Scott consisting of ten sheets dated February 27, 2007 as revised through September 10, 2007.
2. LID measures shall be incorporated into the final site design, including surface parking areas, as determined feasible by the applicant and DPWES at the time of site plan review.
3. The areas depicted as "existing vegetation to be preserved" shall remain as permanently undisturbed vegetation except for (1) the removal of dead, dying and/or diseased vegetation as approved by UFM, and/or (2) other disturbances to the extent approved by DPWES. Any vegetation removed within these areas shall be replaced with native plant species as approved by Urban Forest Management.
4. The use of cellar space shall be limited to the principle use indicated on the FDPA and accessory uses as defined by Article 10 of the Zoning Ordinance. Any use of cellar space shall be parked as required in Article 11 of the Zoning Ordinance.
5. The proposed entrance ramp to the lower garage level on the east side of the parking structure expansion may be revised by at the time of site plan in order to provide adequate turning radius without the need for an FDPA, subject to approval by DPWES. If the redesign results in a reduction of land for the proposed public park to the east of the entrance ramp, then additional landscaping shall be provided for the public park subject to the review and satisfaction of Urban Forest Management. Sight distance at the remaining exit shall be improved through the installation of mirrors, subject to the approval of DPWES.
6. One of the four proposed parking spaces located in the northern row in the surface parking lot located to the east of the proposed Entrance

Plaza to the residential building, shall be striped and signed as "no parking" in order to allow cars adequate space to turn-around.

7. The fire lane adjacent to Fair Lakes Circle shall be constructed of grasscrete or similar plantable material(s) subject to the approval of DPWES. No supplemental plantings which will interfere with the sight distance triangle shall be permitted in this area, and UFM shall be consulted to ensure that the supplemental plantings proposed will provide effective screening.

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.