

## PROPOSED DEVELOPMENT CONDITIONS

FDP 1998-LE-069

JUNE 15, 1999

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 1998-LE-069 for residential development located at Tax Map 91-1 ((1)) 41 and 41A, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Where residential structures are located within three hundred twenty four feet (324') of the centerline of the railway, these structures shall be constructed with building materials that are sufficient to provide the level of acoustical mitigation reduce noise in interior areas to 45 dBA  $L_{dn}$  or less. The following acoustical attributes may be used:
  - Exterior walls shall have a laboratory sound transmission class (STC) of at least 39. If windows constitute more than 20% of any facade, they shall have the same laboratory STC rating as walls.
  - Doors and windows shall have a laboratory sound transmission class (STC) of at least 28. If windows constitute more than 20% of any facade, they shall have the same laboratory STC rating as walls.
  - Adequate measures to seal and caulk between the surfaces will be provided.
2. Prior to subdivision review, documentation shall be provided to the Department of Public Works and Environmental Services (DPWES) which demonstrates that there are no non-tidal wetlands on the site. In the event that there are non-tidal wetlands on site, the applicant shall comply with Section 404 of the Clean Water Act.
3. Prior to subdivision plan approval, a tree preservation and landscape plan shall be submitted for the review and approval of the Urban Forestry Branch, DPWES. ~~If trees designated for preservation, including the fifteen inch (15") Willow Oak, cannot be preserved, equivalent tree save areas or equivalent landscaped areas shall be substituted on site, as determined by the Urban Forestry Branch, DPWES.~~
4. ~~If the stormwater management facilities depicted on the GDP/FDP are not~~

~~required by DPWES for this site, then the area proposed for the facilities shall be landscaped, as determined by the Urban Forestry Branch.~~

~~5. There shall be no direct access from the site to Fleet Drive.~~

4. The proposed single-family house footprints for Lots 9 and 10 shall be switched with the house footprints shown on Lots 3 and 8 so that the smaller of the two (2) proposed house footprints shall be sited on Lots 9 and 10. This condition shall not preclude the smaller house footprints also being constructed on Lots 3 and 8.

~~7. In the event that a portion of Wills Street is vacated/abandoned in the future, that area shall become a part of the HOA's open space.~~

5. *If the future homeowners' association restricts the parking of boats, recreational vehicles, etcetera, on the subject site, then the homeowners' association shall make provisions for off-site parking of boats, recreational vehicles, etc., in order to mitigate impacts to the adjacent neighborhood of Shirley Park.*