

ORDINANCE NO. 4634

AN ORDINANCE to amend and reordain Section 11-513 (ADMINISTRATIVE SPECIAL USE PERMIT), Division B (DEVELOPMENT APPROVALS), Article XI (DEVELOPMENT APPROVALS AND PROCEDURES), all of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2009-0003.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2009-0003, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on October 6, 2009 of a text amendment to the Zoning Ordinance to make the zoning regulations governing certain small businesses apply to the Cameron Station development, which recommendation was approved by the City Council at public hearing on October 17, 2009;
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-513 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language, as shown:

Section 11-513 *Administrative Special Use Permit.*

Section 11-513 (O) *Application to Certain Development Special Use Permits.* The provisions of this section 11-513 have no application to any CO Planned Residential/Commercial Development and shall not preempt any conditions in any DSUP or CDD Concept Plan adopted prior to or after December 13, 2008, which conditions pertain to the establishment of restaurants and other uses which may be classified as permitted uses or as administrative SUP uses under this section 11-513 and under Ordinance #4573, adopted December 13, 2008, except as provided below:

- (1) *Cameron Station, DSUP #2004-0026.* In the commercial space along Brenman Park Drive, the provisions of this section 11-513 and Ordinance #4573 are applicable with regard to restaurants, day care centers, private schools, academic or commercial, with a maximum of twenty students on the premises at any one time, and massage establishments and shall preempt any conflicting provisions of such DSUP.

Section 2. To the extent that any section or provision of Ordinance #4573 is inconsistent with the foregoing, such section or provision is hereby repealed.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Section 11-513, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 5. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which are on such date pending before any city department, agency or board, or before city council, shall apply to all such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Final Passage: 11/21/2009