

STAFF REPORT
July 24, 2008

No. 08PD020 - Planned Commercial Development - Final Development Plan ITEM 40

GENERAL INFORMATION:

APPLICANT	Sam's West, Inc.
AGENT	BFA, Inc.
PROPERTY OWNER	Rapid Center, LLC
REQUEST	No. 08PD020 - Planned Commercial Development - Final Development Plan

EXISTING
LEGAL DESCRIPTION

A tract of land being part of the N½ of the SW¼, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, SD to wit: Beginning at the Northwest corner of Lot 3 of Forefather Flats Subdivision, said point also being in the South line of Lot 1 of said subdivision. Thence along the West line of said Lot 3 S00°00'05"W 282.04 feet to a point; continuing along said West line of said Lot 3 S90°00'00" E 10.01 feet to a point; thence S00°00'00"E 457.63 feet to a point on the North right-of-way line of South Dakota Interstate 90; thence leaving said west line along said North Right-of-Way line N89°50'04"W 778.03 feet to a point; thence leaving said North Right of Way line N00°00'05"E 397.00 feet to a point; thence N89°59'55"W 8.00 feet to a point; thence N00°00'05"E 263.76 feet to a point; thence N15°10'08"W 15.41 feet to a point; thence N74°49'52"E 174.18 feet to a point; thence on a curve deflecting to the right having a radius of 465.50 feet, an arch length of 123.25 feet, a chord bearing of N82°24'59"E and a chord distance of 122.89 feet to a point; thence S89°59'55"E 364.93 feet to a point at the Southwest corner of Lot 1 of said subdivision; thence along the South line of said Lot 1 N90°00'00"E 125.18 feet to the point of beginning containing 13.03 acres; and, Commencing at the Northwest corner of Lot 1 of Forefather Flats Subdivision, said point also being a point on the South Right-of-Way line of East Mall Drive, thence along said South Right-of-Way S89°53'22"W 634.76 feet to the point of beginning; thence leaving said South Right-of-Way line S00°00'05"W 186.71 feet to a point; thence S15°10'08" E 48.64 feet to a point; thence S74°49'52" W 34.00 feet to a point; thence N15°10'08"W 14.00 feet to a point; thence S74°49'52"W 70.55 feet to a point; thence N89 59'55"W 91.82 feet to a point; thence on a curve deflecting to the right having a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of N44°59'55"W and a chord distance of 42.43 feet to a

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point, thence N00°00'05"E 180.54 feet to a point; thence on a curve deflecting to the right having a radius of 50.00 feet, an arc length of 41.04 feet, a chord bearing of N23°31'04"E and a chord distance of 39.90 feet to a point on the South Right-of-Way line of East Mall Drive, thence along said Right-of-Way line N89°53'22"E 197.74 feet to the point of beginning, containing 1.19 acres.

PARCEL ACREAGE	Approximately 14.208 acres
LOCATION	North of Interstate 90 and south of East Mall Drive
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District - Light Industrial District (Planned Development Designation) - Light Industrial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/25/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Final Development Plan be approved with the following stipulations:

1. Prior to Planning Commission approval, revised elevations for the Sam's Club car wash building shall be submitted for review and approval. In particular, the east and west side elevations of the building shall be revised to include the same timber and/or stone accents that have been incorporated into the Sam's Club building. In addition, the applicant shall identify the color of the roof for the Sam's Club building to ensure that it is not white;
2. Prior to Planning Commission approval, the location, size and noise rating of all exterior air handling equipment and mechanical equipment shall be submitted for review and approval. In addition, the equipment shall be screened to preclude the equipment from being visible from the surrounding properties and/or adjacent streets;
3. Prior to issuance of a building permit, the parking agreement to allow parking for the carwash and gas station on Lot 6 to be located on the Sam's Club lot on Lot 4, shall be recorded at the Register of Deed's Office. A copy of the recorded parking agreement shall be submitted to the Growth Management Department;

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4. Approach No. 3 and the access aisle extending to proposed Lot 4, the Sam's Club site, shall be constructed as a part of this Phase of the development;
5. The Truck Route Plan shall continually meet the minimum radii and turning movement requirements;
6. No outdoor storage of palettes, card board boxes or other similar materials shall be allowed. In addition, no storage of semi-trailers shall be allowed on the property;
7. Prior to issuance of a building permit, the agreement with the City identifying the timing of street improvements along E. Mall Drive shall be recorded at the Register of Deed's Office. In addition, a copy of the recorded agreement shall be submitted to the Growth Management Department;
8. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
9. A complete Air Quality Permit application shall be submitted for review and approval prior to any surface disturbance of one acre or more. In particular, the Air Quality Permit shall include the owner's signature, identify the local contractor, describe the location of the work area and include a site plan;
10. Prior to issuance of a building permit, all necessary changes shall be made to the site plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
11. Prior to issuance of a building permit, access, drainage and utility easements shall be recorded at the Register of Deed's Office as needed. In addition, a copy of the recorded easement shall be submitted to the Growth Management Department;
12. Prior to issuance of a building permit, a Preliminary Plat shall be reviewed and approved by the City Council. In addition, prior to issuance of a Certificate of Occupancy a Final Plat shall be approved and recorded;
13. Prior to issuance of a Certificate of Occupancy, the screening fence along Interstate 90 shall be constructed;
14. The trash receptacles shall be located in compliance with the proposed plan and screened along all four sides;
15. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Planned Commercial Development;
16. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
17. A minimum of 491,440 landscaping points with a minimum of 15 planter islands shall be provided. In addition, the landscaping shall be designed to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and shall be planted with the specific size and plant material proposed. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
18. A minimum of 699 parking spaces shall be provided on proposed Lot 4 for the Sam's Club. In addition, 14 of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking

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- Ordinance shall be continually met;
19. A minimum of three stacking lanes shall be provided on proposed Lot 6 for the carwash. In addition, two additional parking spaces shall be provided with one of the spaces being "van accessible" to accommodate employee parking;
 20. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
 21. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 22. The structure on proposed Lot 4 shall be used as a retail store and the structure(s) on proposed Lot 6 shall be used as a carwash and gas station or a Major Amendment to the Commercial Development Plan shall be obtained. In addition, no overnight camping or overnight recreational vehicle parking shall be allowed;
 23. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Commercial Development Plan application or a subsequent Major Amendment; and,
 24. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS:

(Update: July 11, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 10, 2008 Planning Commission meeting to allow the applicant to submit additional information. In particular, revised elevations of the car wash must be submitted for review and approval which include stone and/or timber accents along the west and east side elevations of the building. In addition, the applicant must identify the color of the roof for the Sam's Club building to ensure that it is not white. The applicant must also demonstrate that all of the roof top equipment is screened along all four sides to preclude the equipment from being visible from the surrounding properties and/or adjacent streets.

As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission if these requirements have not been met at their August 7, 2008, Planning Commission meeting.

(Update: June 30, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 26, 2008 Planning Commission meeting to allow the applicant to submit additional information. In particular, revised elevations of the car wash must be submitted for review and approval which include stone and/or timber accents along the west and east side elevations of the building. In addition, the applicant must identify the color of

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the roof for the Sam's Club building to ensure that it is not white. The applicant must also demonstrate that all of the roof top equipment is screened along all four sides to preclude the equipment from being visible from the surrounding properties and/or adjacent streets.

As of this writing, the information has not been submitted for review and approval. Staff will notify the Planning Commission if these requirements have not been met at their July 10, 2008, Planning Commission meeting.

(Update: June 18, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 5, 2008 Planning Commission meeting to allow the applicant to submit additional information. On June 6, 2008, the applicant submitted revised elevations of the structures, water and wastewater flow calculations, a storm sewer report, an Air Quality Permit, an Erosion and Sediment Control Permit, a revised truck route plan and a revised Master Plan.

(Update: May 26, 2008. All revised and/or added text is shown in bold print.) This item was continued at the May 22, 2008 Planning Commission meeting to allow the applicant to submit additional information. On May 21, 2008, the applicant submitted a revised truck route plan and a revised gas station traffic plan. However, the truck route plan does not demonstrate full truck movements at the Sam's Club loading area. In addition, the plan shows the truck turning movement along the northern portion of the gas station site directly against the western bay of pumps. In addition, the revised gas station traffic plan does not show vehicles at the western bay of the pumps which is needed in order to determine if sufficient circulation is being provided through the site.

In addition, the balance of the information as previously identified has not been submitted for review and approval. As such, staff is recommending that this item be continued to the June 26, 2008 Planning Commission meeting.

The applicant has submitted a Final Commercial Development Plan to construct a 139,620 square foot retail store to be known as "Sam's Club" on proposed Lot 1 and to construct a gas station and carwash on proposed Lot 3 of the property. In addition, the applicant has submitted a Preliminary Plat (File #08PL066) to create three lots leaving an approximate 36 acre non-transferable unplatted balance. The applicant has also submitted a Variance to the Subdivision Regulations (File #08SV030) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer and to reduce the width of the proposed access easements from 59 feet to 26 feet; to waive the requirement to install sidewalk along the north side of East Mall Drive; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, pavement and additional right-of-way along Beale Street; and, to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Interstate 90 as they abut the property.

On June 4, 2007, the City Council approved a Preliminary Plat application (File# 07PL060) to create three lots, which included Phase One and Phase Two of the proposed "Rapid Center" development.

On June 18, 2007, the City Council approved a Fence Height Exception (File# 07FV003) to allow a six foot high galvanized chain link fence to be constructed along the south side of

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the property as it abuts Interstate 90.

On June 20, 2007, the City approved a Final Plat (File #07PL078) creating Lots 1, 2 and 3 of Forefather Flats Subdivision, which included Phase One and Two of the proposed "Rapid Center" development.

On July 26, 2007, the Planning Commission approved an Initial Commercial Development Plan (File #07PD046) to allow a commercial development on 53.71 acres, which included this property. The applicant indicated that the commercial development would include 569,000 square feet of commercial use(s). In addition, the applicant indicated that the development would be known as "Rapid Center" and would be constructed in four phases.

On September 6, 2007, the Planning Commission approved a Final Commercial Development Plan (File #07PD071) to construct an 80,028 square foot retail sporting and hunting goods store to be known as "Cabela's" on Lot 3 of Forefather Flats Subdivision.

The property is located north of Interstate 90 and south of East Mall Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Final Commercial Development Plan and has noted the following considerations:

Infrastructure Improvements: Construction plans have been submitted for review and approval as a part of the associated Preliminary Plat application. The construction plans show the construction of access streets, utilities, and drainage improvements for the proposed commercial development. However, additional information must be submitted for review and approval in order to determine that all of the infrastructure improvements are being provided for this development. In particular, a plan and profile for the water main(s) must be submitted for review and approval. In addition, water and wastewater flow calculations must be submitted for review and approval. Additional drainage information must also be submitted for review and approval providing stormwater flow and piping capacity calculations for downstream of the site. An Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual and a Stormwater Quality Plan must also be submitted for review and approval. Staff is recommending that this item be continued to allow the applicant to submit the additional information as identified.

(Update: June 18, 2008) The applicant has submitted water and wastewater flow calculations as requested. In addition, the associated plat document has been revised to show 20 foot wide utility easements as required. The applicant has also submitted a drainage report which includes this property. A site inspection also identified that the downstream drainage improvements have been completed. In addition, the applicant has submitted an Erosion and Sediment Control Plan. Staff is currently reviewing the plan and will notify the applicant of any red line comments and/or revisions that must be addressed.

Staff is recommending that prior to issuance of a building permit, a Preliminary Plat be reviewed and approved by the City Council. In addition, prior to issuance of a Certificate of Occupancy a Final Plat must be approved and recorded to ensure that all of the

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infrastructure improvements and easements are in place as needed.

Master Plan: A Master Plan showing the phasing of the development was submitted with the previous Preliminary Plat application to create Lots 1, 2 and 3 of Forefather Flats Subdivision. The applicant has subsequently revised the layout of the property and, as such, submitted a revised Master Plan as a part of this application. Staff has reviewed the revised Master Plan and noted that internal circulation between commercial use(s) has been limited. In particular, the access aisle located along the north side of the Cabela's store and the Sam's Club store terminates into a row of parking spaces as it extends west into a future phase of the development. The revised Master Plan has also eliminated Approach No. 3 from along East Mall Drive. In addition, the revised Master Plan has eliminated a majority of the sidewalks within the proposed development. As such, staff is recommending that this item be continued to allow the applicant to submit a revised Master Plan identifying a primary access to each of the proposed uses to serve as a major entryway focusing traffic within the development. In addition, the Master Plan must be revised to show additional interior access within the overall development. The Master Plan must also be revised to show pedestrian access from E. Mall Drive to the proposed commercial use(s) and pedestrian access between the use(s).

(Update: June 18, 2008) As previously indicated, the applicant has submitted a revised Master Plan showing Approach No. 3. In addition, the Master Plan shows pedestrian access being provided from E. Mall Drive to the proposed commercial use(s) and pedestrian access between the commercial use(s).

The Master Plan also shows an access aisle aligned with Approach No. 3 providing direct access to the Sam's Club building from E. Mall Drive. However, the access aisle and adjacent one-way diagonal parking limits ingress traffic to the building and only allows egress traffic. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the Master Plan be revised to show the access aisle with a minimum width of 26 feet in order to accommodate two-way traffic. In addition, the parking layout must be revised to allow two-way angled parking and/or 90 degree parking in lieu of one-way angled parking along this access aisle as currently proposed. In addition, Approach No. 3 and the access aisle extending to proposed Lot 4, the Sam's Club site, must be constructed as a part of this Phase of the development.

(Update: June 30, 2008) The applicant has submitted a revised Master Plan showing the access aisle with a minimum width of 26 feet in order to accommodate two-way traffic. In addition, the parking layout has been revised to allow two-way angled parking along the access aisle. Staff is recommending that Approach No. 3 and the access aisle extending to proposed Lot 4, the Sam's Club site, be constructed as a part of this Phase of the development.

Traffic Impact Study: The applicant had previously submitted a Traffic Impact Study with the previous Preliminary Plat application for Lots 1 through 3 of the Forefather Flats Subdivision. Subsequently, a draft agreement has been generated by the City Attorney's Office identifying when certain improvements will be needed. Staff is recommending that prior to Planning Commission approval, the agreement be signed by the applicant and returned to the Growth Management Office for recording.

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The Traffic Impact Study also identified a turn lane at Approach No. 3. However, the Preliminary Plat identifies that this approach is being eliminated. As such, the Traffic Impact Study must be revised to address the elimination of the approach and to identify if a turn lane is now needed at Approach No. 2. Staff is recommending that this item be continued to allow the applicant to revise the Traffic Impact Study and construction plans as needed.

(Update: June 18, 2008) As previously indicated, the applicant has submitted a revised Master Plan showing Approach No. 3 as required.

Design: The applicant has submitted elevations for the Sam's Club retail store identifying that the building is one story with a parapet along the front and a portion of the rear of the building. The applicant has also submitted elevations for the carwash and gas station identifying that both structures will be one story with flat roofs. In addition, the structures will be constructed with concrete masonry units, metal siding, drivet and glass. The color scheme includes shades of brown and blue with blue banding. To date, the applicant has not shown the location of roof top mechanical equipment or screening for the equipment. In addition, the color of the roofs has not been identified. Screening of the loading area located on the rear of the building has also not been shown.

Staff has reviewed the elevations and noted that they are not within the same character or design standard as the previously approved building for the first phase of this development. In particular, architectural features such as wood, timber, decorative brick, decorative cornices, decorative metal work, etc. have not been included in the design of the Sam's Club site. During the review of the first phase of the development, staff noted that Interstate 90 serves as a gateway to our community. As such, development of the site must enhance the entryway along interstate 90. In addition, since the rear of the building(s) will abut Interstate 90, they must be designed with store front features.

Staff is recommending that the Final Commercial Development Plan be continued to allow the applicant to submit revised elevations that include character and design standards as per the previously approved phase of the development and to enhance the entryway along Interstate 90.

(Update: June 18, 2008) The applicant has submitted revised elevations of the Sam's Club building showing timber and stone accents along the front and rear of the building. However, the loading and entry doors along the south side of the building continue to be white which stand out from the balance of the brown building. As such, staff is recommending that prior to Planning Commission approval the elevations be revised to show the white colored loading and/or entry doors as brown to match the balance of the building. In addition, the applicant must identify the color of the roof for the Sam's Club building to ensure that it is not white.

(Update: June 30, 2008) The applicant has submitted revised elevations showing the loading doors along the south side of the Sam's Club building as brown instead of white. However, as of this writing the applicant has not identified the color of the roof for the Sam's Club building to ensure that it is not white. The glare that is created from a white roof is highly visible from the adjacent streets and properties. In the past, the City has received

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complaints from motorists that white roofs create an unsightly glare. As such, the Planning Commission has consistently required that an alternative roof color, such as beige, be used on roofs. Staff is recommending that prior to Planning Commission approval, the applicant submit the proposed color of the roof for review and approval.

The elevations for the gas station and carwash were not revised to include the same timber and stone accents as proposed for the Sam's Club building. As such, staff is recommending that prior to Planning Commission approval, the elevations be revised and submitted for review and approval showing the same features that have been incorporated into the Sam's Club building.

(Update: June 30, 2008) The applicant has submitted revised elevations of the gas station and car wash showing stone accents along portions of the buildings. However, the east and west side elevations of the car wash have not been revised to include timber and/or stone accents as previously discussed with the applicant. In particular, staff has noted that the side elevations are highly visible from East Mall Drive and from the two major access aisles that extend from East Mall Drive to the Sam's Club building located directly south of this site. Staff is recommending that the revised elevations for the carwash be submitted for review and approval prior to Planning Commission approval.

Trash Receptacles: The site plan shows a trash compactor along the south side of the Sam's Club retail store as it abuts Interstate 90. In addition, a "bale and recycling area" is shown along the east side of the building. The applicant has not demonstrated any screening around either area. As such, staff is recommending that this item be continued to allow the applicant to submit elevations for the screening which includes dimensions, building materials and colors.

(Update: June 18, 2008) The applicant has submitted a revised site plan showing the location and screening of all trash receptacles. Staff is recommending that the trash receptacles be located in compliance with the proposed plan and screened along all four sides.

Truck Route: The applicant has submitted a site plan showing the proposed truck routes to the retail store and the carwash and gas station. However, the site plan has been reduced and is no longer to scale. As such, staff can not determine if the proposed truck route meets the minimum radii and turning movement requirements. In addition, the site plan shows truck traffic to the Sam's Club retail store entering and exiting across Cabela's property. As such, the applicant must submit a copy of a recorded access easement to allow the truck traffic to access across the adjacent property. Staff is recommending that this item be continued to allow the applicant to address the truck route issues as identified.

(Update: June 18, 2008) As previously indicated, the applicant has submitted a revised truck route plan. However, the plan does not meet the minimum radii and turning movement requirements to be used by trucks. Subsequently, the applicant has indicated that they will revise the truck route plan and resubmit for review and approval. Staff is recommending that prior to Planning Commission approval, a revised truck route plan meeting the minimum radii and turning movement requirements be submitted for review and approval.

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(Update: June 30, 2008) The applicant has submitted a revised Truck Route Plan which meets the minimum radii and turning movement requirements. Staff is recommending that the Truck Route Plan continually meet the minimum radii and turning movement requirements.

Easements: The site plan shows vehicular access between the existing and proposed lots within the development. As such, an access easement must be secured on each lot as needed to allow internal access between the properties.

(Update: June 18, 2008) Staff is recommending that prior to issuance of a building permit, access easements be recorded at the Register of Deed's Office as needed. In addition, a copy of the recorded easement must be submitted to the Growth Management Department.

Parking: The proposed 139,620 square foot Sam's Club retail store requires that a minimum of 699 parking spaces be provided. Fourteen of the parking spaces must be handicap accessible with two of the spaces being "van accessible". The parking plan identifies 705 parking spaces with 15 handicap accessible spaces. In addition, two of the handicap spaces are "van accessible". The parking plan for the Sam's Club site complies with the Parking Regulations.

(Update: June 18, 2008) Staff is recommending that a minimum of 699 parking spaces be provided on proposed Lot 4 for the Sam's Club. In addition, 14 of the parking spaces must be handicap accessible spaces. Two of the handicap spaces must be "van accessible". All provisions of the Off-Street Parking Ordinance must be continually met.

The applicant has also submitted a site plan showing three stacking lanes for the carwash. In addition, the site plan demonstrates access through the site with vehicles at each of the gas pump stations with the exception of vehicles along the western bay of pumps. It appears that vehicles are not shown at this pump station in order to provide an exit lane through the site. In addition, no other parking is being provided on the site. Even if the carwash and gas station are self-service, employee parking must be provided in order to maintain the facilities. If the applicant is proposing to utilize parking on the Sam's Club retail store site, than a parking agreement must be executed since the property is being platted separating the uses on individual lots. Staff is recommending that this item be continued to allow the applicant to address the parking issues as identified.

(Update: June 18, 2008) The applicant has submitted a revised site plan showing parking at each of the gas pump stations and three stacking lanes for the carwash. The applicant has also indicated that the two required employee parking spaces will be located on Lot 4, the Sam's Club site. As such, staff is recommending that prior to Planning Commission approval, a parking agreement to allow parking for the carwash and gas station on the Sam's Club lot be submitted for review and approval. In addition, prior to issuance of a building permit, the agreement must be recorded at the Register of Deed's Office. A copy of the recorded parking easement must also be submitted to the Growth Management Department.

(Update: June 30, 2008) The applicant has submitted a copy of the parking agreement as requested. Staff is recommending that prior to issuance of a building permit, the agreement

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be recorded at the Register of Deed's Office. In addition, a copy of the recorded parking agreement must be submitted to the Growth Management Department.

Approach Design: The applicant's site plan shows a 137 foot wide approach along the south lot line of the carwash and gas station site. However, the Street Design Criteria Manual allows a maximum driveway width of 28 feet. As such, staff is recommending that this item be continued to allow the applicant to revise the site plan as per the Street Design Criteria Manual or an Exception must be obtained to allow the proposed approach.

(Update: June 18, 2008) The revised site plan shows two approaches to the site in compliance with the Street Design Criteria Manual.

Pedestrian Access: As noted above, the revised Master Plan has eliminated a majority of the sidewalks from the development. In particular, several of the proposed boulevards at the entrance points have been eliminated, which also eliminated the pedestrian walkways. However, this is a commercial shopping complex requiring that pedestrian access be provided between the uses. Staff is recommending that this item be continued to allow the applicant to revise the site plan and construction plans as needed to provide pedestrian access through the property. In particular, pedestrian access from E. Mall Drive to the proposed commercial use(s) and pedestrian access between the use(s) must be provided.

(Update: June 18, 2008) As previously indicated, the applicant has submitted a revised Master Plan showing pedestrian access being provided from E. Mall Drive to the proposed commercial use(s) and pedestrian access between the commercial use(s).

Lighting Plan: The site plan identifies lighting within the parking area. Staff is recommending that lighting be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

Landscaping: A minimum of 477,288 landscaping points are required. In addition, 15 planter islands must be provided. The applicant's site plan identifies that 491,440 landscape points are being provided with 17 planter islands. The landscaping plan exceeds the minimum requirements of the Landscape Regulations.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. In addition, the proposed structures must have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code. Staff is recommending that the currently adopted International Fire Codes be continually met.

Outdoor Storage: Staff has recently received a complaint that semi-trailers are stored at the current Sam's Club site located on LaCrosse Street. As such, staff is recommending that no storage of semi-trailers be allowed on this property. In addition, no outdoor storage of pallets, cardboard boxes or other similar materials shall be allowed.

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Notification Requirement: The certified mailings have been returned and the sign has been posted on the property. Staff has received several inquiries regarding this proposal.