

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Public Hearing Item**

PC Staff Report  
9/26/11

**ITEM NO. 3C: SPECIAL USE PERMIT FOR GAS AND FUEL SALES; 3900 W 29<sup>TH</sup> PLACE (SLD)**

**SUP-7-4-11:** Consider a Special Use Permit for Gas and Fuel Sales and Cleaning (Car Wash), on approximately 2.73 acres of vacant property located at 3900 W 24<sup>th</sup> Place. Submitted by Landplan Engineering, for Corporate Holdings II, LLC, property owner of record, and Hy-Vee, Inc. as contract purchaser.

**STAFF RECOMMENDATION:** Planning Staff recommends approval of the Special Use Permit for Gas and Fuel Sales and Cleaning (Car Wash) at 3900 W 29<sup>th</sup> Place and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions completed prior to the release of the site plan associated with the SUP for building permits:

1. Applicant shall submit the following additional documents to the Planning Office for review and approval prior to release of the Special Use Permit for issuance of a building permit:
  - a. Photometric plan per Section 20-1103 of the Development Code.
  - b. Building elevations compliant with the Commercial Design Guidelines.
2. Provision of a revised drawing to show 3/4 access if approved by the City Commission
3. Prior to release of the Special Use Permit for issuance of a building permit the applicant shall provide a revised site plan to include the following changes:
  - a. Provision of a note that lists the corresponding deed book and page reference for documents recorded addressing maintenance of the shared drive and trash dumpster.
  - b. Provision of a note that states: *"Any undeveloped areas shall be planted with shrubs or ground cover per Section 20-1006 (b) of the Development Code."*
  - c. Provision of a note that states: *"Lot 1 and Lot 2 as shown on the site plan are owned by same corporation. Owner has agreed, as a condition of approval, to plant street trees for Lots 1 and 2 upon initial development of Lot 1 and also to complete the perimeter sidewalk along W 24<sup>th</sup> Place along Lot 2 at the time of constructing it for Lot 1."*
  - d. Provision of a revised General Note 8 to include reference to Section 20-1103 and to state: *"A photometric plan shall be submitted for review and approval prior to issuance of a building permit for Lot 2."*
  - e. Provision of a note that states: *"The City Engineer has approved reduced access spacing from the signalized intersection of Crossgate Drive with Clinton Parkway and reduced access spacing from a non-signalized intersection of Crossgate Drive with W 24<sup>th</sup> Place."*
4. Provision of a revised drawing to show the required stormwater changes per the City Stormwater Engineer's approval to include:
  - a. Verify the floodway and floodplain limits shown on the Special Use Permit. There seems to be a discrepancy between those shown and those on the August 5, 2010 FIRM. Show the [Water Surface Elevation](#) of the [Base Flood](#) as determined by the [Flood Insurance Study](#).
  - b. Revise the date in *General Note #14* to read August **5**, 2010.
  - c. Flare the entrance to the 4' wide concrete flume at the curb line. If possible move the flume south of its proposed location to capture runoff from the driveway of Lot.

<p>Construct the flume and corresponding riprap to run perpendicular to the stream bank. Regrade the low area to drain so that the existing 24" CMP can be removed.</p> <p>d. Per City Code Chapter IX Article 9-903(B), a stormwater pollution prevention plan (SWP3) must be provided for this project. This project will not be released for building permits until an approved SWP3 has been obtained. Construction activity, including soil disturbance or removal of vegetation shall not commence until an approved SWP3 has been obtained.</p> <p>e. Show minimum floor elevations for lots adjacent to all drainage easements.</p> <p>f. The Curb and gutter section shall be separated from the approach, with expansion joint material at driveway returns.</p>
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**Applicant's Reason for Request:** *Current zoning does not support use of C-store, fuel sales or other retail uses. The subject property has been vacant since annexation. Continued demand for growth on the southwest side of Lawrence suggests development of the subject property to be appropriate at this time. This request will provide necessary commercial services to support development in the surrounding areas.*

This request excludes proposed Lot 2 except for shared site plan elements. Lot 2 development is shown conceptually at this time and is subject to separate site plan review and approval procedures applicable to the zoning district.

#### **Other Action Required**

- City Engineer Waiver to allow reduced access spacing from the signalized intersection of Crossgate Drive with Clinton Parkway and reduced access spacing from a non signalized intersection of Crossgate Drive with W 24<sup>th</sup> Place. Publication of an ordinance that rezones the property to CN2.
- Recording of the associated Final Plat with the Register of Deeds Office.
- Submission and approval of a Floodplain Development Permit.
- Execution of a Site Plan Performance Agreement.
- Publication of an ordinance per Section 20-1306(j).
- Future development of Lot 2 will require a formal site plan process, subject to City Commission approval if the zoning is approved, in order to be approved.

#### **KEY POINTS**

- Request represents new infill development along Clinton Parkway.
- Certain improvements should be included when the first building permit is pulled for either lot to include the public sidewalk along Crossgate Drive and W 24<sup>th</sup> Place and all street trees for both Lots.
- The information shown for Lot 2 on the site plan is conceptual and is not being approved with this application though certain elements are necessary to be designed with the development of Lot One. Lot 2 data is for information purposes only and is subject to change upon formally site planning the lot in the future.
- Full access to Crossgate Drive is a concern for staff.
- Procedurally, any waiver must be reported to the Planning Commission and any party aggrieved may appeal the action of the City Engineer within 14 days of the Planning Commission meeting at which the item appears on the agenda.

#### **FACTORS TO CONSIDER**

#### CHARACTER OF THE AREA

- The character of the area is predominantly mixed residential including apartments, attached and detached housing and undeveloped lots. Clinton Parkway makes the northern edge of the Inverness Park Neighborhood.

#### CONFORMANCE WITH *HORIZON 2020*

- The proposed uses conform to land use recommendations included in the Inverness Park District Plan recently adopted by the Planning Commission and City Commission (County Commission consideration pending).

#### PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None to date.

#### ATTACHMENTS

- Area Map
- Site Plan
- Access Options
- FHWA Technical Report
- Prototypical Building Elevations

GENERAL INFORMATION	
Current Zoning and Land Use:	RSO (Single-Dwelling Residential-Office) District; undeveloped land. [Proposed rezoning to CN2-Z-07-21-11].
Surrounding Zoning and Land Use:	RM15 (Multi-Dwelling Residential) District) to the west; existing apartment development known as Remington Square – [Pending request for RM24; Z-8-12-10].  RM12 (Multi-Dwelling Residential) District to the north; Existing apartment development known as Parkway 4000.  PUD (Alvamar Planned Unit Development) to the northeast; existing apartment development.  RM24 (Multi-Dwelling Residential) District to the east; existing apartment development known as Lorimar Apartments.  RSO (Single-Dwelling Residential) District to the south; undeveloped lot.

Site Summary	Lot 1	Lot 2 (Conceptual only)
Total area: 3.324 acres		
Lot Size:	2.73 acres (118,895.88 SF)	.594 acres (25,876.40 SF)
Building: (SF)	6,764.68	4,398
Impervious Cover: (SF)	56,704.30	10,244
Pervious Cover: (SF)	62,191.58	15,632.40

### Summary of Request

This request is for the development of a gas convenience store with 8 pump islands, a 4-bay car wash and a separate lot for a future office building (not a part of this application for special use permit). *Gas and Fuel Sales* and *Cleaning (Car Wash)* are uses allowed in the CN2 District subject to Special Use Permit approval. The *Food and Beverage* use, which entails the convenience store, is permitted in the CN2 district with a limitation that it not exceed 3,000 square feet in area.

Development of Lot 2 is conceptual. The shared driveway serving both lots would be included with the initial development of the property. A separate site plan would be required for development of Lot 2 in the future.

Staff recommended that the zoning be conditioned such that site planning requires a public review and approval procedure for this property. If approved, any use subject to a site plan will require approval by the City Commission. The Special Use Permit review includes a public hearing by the Planning Commission with final decision making by the City Commission. This procedure satisfies the public review process recommended as part of the accompanying rezoning application.

### Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))

NOTE: This review assumes approval of the proposed CN2 District with a condition that development be subject to a public review process.

#### 1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

Applicant's Response: *"Yes. This proposed use and development is consistent with the most recent Draft Inverness Park District Plan."*

Articles 6, 9, 10, and 11 of the Development Code address the site specific design standards applicable to development. The site design standards addressing setback, parking, landscaping, and lighting are discussed later in this report. Additionally, compliance with the Commercial Design Guidelines and a photometric plan are required with this project but have been deferred until after a decision on the SUP application by the City Commission per agreement between staff and applicant (the PC can defer the request to request this information if desired). Several elements do not fully comply with the minimum design standards.

1. The drive proposed to access Crossgate Drive does not meet the minimum separation standards from signalized and non-signalized intersections. The reader should refer to the Preliminary Plat report for a related discussion of this issue. Depending on the resolution of the access to Crossgate Drive a reduced separation may be approved by the City Engineer via a waiver to this standard.
2. Off-Street parking and stacking requirements result in an obstruction of vehicular travel lanes on the site. Off-Street Parking for *Gas and Fuel Sales* states:
  - a. off-street parking shall be provided at a ratio of 2 spaces per pump island; and
  - b. stacking shall be provided with one space **at each end of the pump island** per section 20-911.

Additionally parking spaces shall not impede on-site or off-site traffic movements. As designed the proposed layout will include on-site impediments during peak times.

3. Elevations submitted do not comply with the Commercial Design Guidelines. Staff has continued to discuss this element with the applicant. They have indicated agreement to a condition of approval so that initial entitlements can be sought, determining if there is a viable project.

The proposed uses of the site comply with the Development Code. As conditioned, along with any applicable waivers related to access, the proposed development complies with the Development Code.

**Staff Finding** – Pending approval and publication of the CN2 zoning the proposed uses conform with the minimum use requirements of the CN2 District. As conditioned, the proposed development complies with the provisions of the Development Code regarding specific site plan elements.

**2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS**

Applicant's Response: *"Yes, this proposed use in terms of scale and site design fit in the corner lot. The amount of green space that surrounds the proposed use helps to buffer the lighting and noise that could be generated by this use. The street and drainage configuration also help buffer this development. There are no adjoining single-family neighbors to this development."*

Approval of this request will not change the base zoning district. The proposed development is comprised of single story buildings and a canopy over the gas fueling pump islands. The site is designed to orient activity toward the corner of Clinton Parkway and Crossgate Drive. The conceptual office building is oriented toward W 24<sup>th</sup> Place and Crossgate Drive. It is assumed that the office use will include typical business hours and will not impact the neighborhood. Traffic is discussed in specific detail below. Activity is generally confined to the area north of W 24<sup>th</sup> Place. Assessment of the building compatibility is deferred until final building elevations are provided to staff for review but once in compliance will be compatible with the surrounding context.

Gas convenience stores are typically lit across the site. A maximum lighting level is established in the Development Code for the canopy. Additionally, lighting levels at the property lines are not allowed to exceed specific thresholds. A lighting plan has not been submitted for this project and is reflected as a condition of approval.

The car wash and gas pumps are proposed to be operational 24/7. The convenience store is planned to have more restricted hours from 5:00 am to 11:00 pm. The gas/convenience store to the west (Wakarusa and Clinton Parkway) currently operates with a similar schedule. Some gas/convenience stores located in the community operate with 24 hour services. They are generally located along major arterial streets or within other commercial corridors. This location benefits from having an arterial street to the north, a collector street to the east, RSO zoning to the south and RM zoning and a wide drainage area to the west. If located closer to residential uses, a discussion would need to occur about limiting hours of operation for the car wash and even gas pumps; however, because of the street and other buffering, the 24/7 operation should not compromise the character of the residential uses in the larger area.

The specific development proposed is designed predominantly for automotive access. A balance of pedestrian pathways from the public sidewalks to the interior destinations will mitigate the auto-oriented nature of the development. Additional interior sidewalks are recommended for this site.

**Staff Finding** – The proposed use is compatible with surrounding development by virtue of its location and the protections required of the Development Code related to lighting, building aesthetics, etc. Review and approval of the development with respect to the commercial design guidelines and approval of a site specific photometric plan are required to assure compatibility with the surrounding area. The retail hours of operation are consistent with residential activity.

**3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED**

Applicant's Response: *"No, this lot will not change the surrounding property value of residential uses. This development will provide a useful service to the surrounding property."*

This property is located on the northeast edge of the Inverness Park Neighborhood. The proposed use is consistent with the Inverness Park District Plan recently adopted by the planning and city commissions. The proposed development is north of W 24<sup>th</sup> Place keeping it out of the interior of any existing residential area. Approval of the request will result in development of a currently vacant lot and in providing convenience services to the neighborhood within walking distance. The presence of convenience goods and services within walking distance is considered beneficial to neighborhoods when properly planned.

The property has been planned for commercial use during the Inverness Park District Plan planning process. During that process, there was no evidence presented to suggest that a diminution in property value of any surrounding property would occur with commercial land uses on this property.

**Staff Finding** – Substantial diminution of other property values in the area is not anticipated. The proposed development is intended to transition from high intensity land use along Clinton Parkway to lower intensities land uses south of W 24<sup>th</sup> Place. The addition of convenience retail services within walking distance of the residences is expected to be beneficial for the surrounding neighborhoods and the community.

**4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT**

This area is developed with existing public and private utility services. The addition of a commercial development will not diminish public services and existing infrastructure. Development of the site will require additional public improvements and the extension of the sanitary sewer to serve Lot 2. Construction of the public sidewalk along Crossgate Drive and W 24<sup>th</sup> Place, a public improvement, will provide connecting links for the surrounding neighborhood.

The City Stormwater Engineer has noted several notes that should be included on the drawing to comply with minimum standards. These notes are reflected as conditions of approval.

The significant public concern is the impact of the proposed use on the adjacent street network. The proposed development includes request for full access to Crossgate Drive and a southbound turn

lane into the site. This access is currently restricted per the current subdivision plat. The addition of a full access introduces conflict points to the roadway that do not currently exist. The ideal condition to protect the existing traffic flow is to retain the access restriction. The consideration of the preliminary plat and the decision to remove the access restriction impacts the design of the proposed driveway.

City Staff supports the removal of the current plat restrictions to allow limited access from Crossgate Drive. A complete discussion of access and staff's recommendation are discussed in detail below in the Access section of this report. Staff recommends that access be limited to a right in/right out movement and construction of an extended center median in Crossgate Drive. This would minimize the additional conflict points generated by the proposed uses. Full access at W 24<sup>th</sup> Place allows vehicles to move west or east to the intersection at Inverness Drive or Crossgate Drive and then to turn either north or south from there.

**Staff Finding** – Services are already available to this property. There is no substantial anticipated change in service levels for the surrounding area. Additional public improvements are required for development of this property. The introduction of possible vehicular points of conflicts to the street network is a concern of City Staff.

## **5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED**

The site plan shows development for both Lot 1 and conceptual development for Lot 2. Certain items are shared between the lots and will require appropriate agreements to be recorded with the Register of Deeds Office to ensure maintenance of these facilities. As part of the Final Plat, the access and dumpster will be identified as shared elements for example. The document will include a deed book and reference for the associated maintenance agreements. A reference to these agreements should also be reflected on the face of the site plan for future reference.

Any undeveloped areas shall be planted with shrubs or ground cover per Section 20-1006 (b) of the Development Code. This would include Lot 2 if not initially developed. This standard is reflected as a condition of approval. The Development Code includes a mechanism for review of a Special Use that demonstrates a lack of compliance with any conditions of approval of the related site plan.

**Staff Finding** – Adequate assurances of continued maintenance are inherent in the use and the Special Use approval process.

## **6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT**

Applicant's Response: *"There will be no adverse impacts to the natural environment. Hy-Vee presently operates approximately 92 C-stores nationwide. Hy-Vee plans to design this site as the company's most environmentally-friendly C-store, including an application for LEED certification."*

This property was part of a larger 160 acre tract. Preliminary development actions included the construction of the local interior streets and improvement of the abutting collector street network. Basic water and sanitary sewer extensions were made to the property. Portions outside of the floodplain were farmed prior to initial development activities. Any landscaping original to the property has been disturbed.

The west side of the property is encumbered by the regulatory floodplain. A local floodplain development permit is required as part of the approval process and is an administrative review item.

**Staff Finding** – Alteration of vegetation occurred with the initial development of the area and the original infrastructure improvements. Much of the existing vegetation has grown up since early construction activity in the area. Review and approval of a local floodplain development permit is required for development of Lot 1. This review will ensure protection of that natural feature.

**7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE**

The proposed uses are allowed in the base zoning district subject to a public review process upon publication of an ordinance rezoning this property to CN2. The proposed zoning, CN2, is a neighborhood commercial district. Uses that include intensive automotive access such as a drive-thru, are subject to the Special Use Permit review process. The development represents a significant investment that is specific to automotive related activity.

In staff's opinion, a time limit is not necessary for this special use permit. If any of the conditions of approval are not complied with, methods exist in the Development Code to revoke the permit. As most of the conditions relate to initial development, staff does not anticipate issues in the future, but does have enforcement authority should improvements need attention in the future.

**Staff Finding** – Staff does not recommend a time limit on the Special Use Permit.

**STAFF REVIEW**

The Special Use Permit is predominantly concerned with the drive-thru operations of the proposed uses for Lot 1. Several site plan elements are shared between Lot 1 and Lot 2 including interior access and solid waste disposal.

**A. Site Summary**

Lot 1 includes *Gas and Fuel Sales* commonly known as a gas convenience store and a 4 bay automatic *Car Wash*. Lot 2 includes a 4,398 SF office building.

Lot 1: Building: 2,837 SF (retail) 3,932 SF (car wash with 4 bays) 6,444 SF (canopy over 8 gas pumps)	Lot 2: (Conceptual only) Building: 4,398 SF (office Building)
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**B. Access and Parking**

Access concerns are introduced in the Preliminary Plat Staff report. Part of the action related to the preliminary plat is a consideration of the removal of current access restrictions prohibiting direct access to Crossgate Drive. Assuming that the access restriction is removed, the design of the access driveway then must be considered next. The location of the driveway in terms of distance from an intersection and turn movements into and exiting the site are specific discussion items of this report.

The proposed site plan includes a south bound deceleration lane from Clinton Parkway into the site. Internal access to Lots 1 and 2 are provided via a shared access easement allowing direct access for both lots to Crossgate Drive and 24<sup>th</sup> Place.

Access management addresses among other things, the number and type of conflict points at a particular intersection. The intersection can be one of two public streets or a street and a driveway. By limiting the amount of access at an intersection, in this case a driveway and a collector street, the potential for crashes are reduced because the points of conflict are reduced. Property owners are most concerned with access management that limits turn movements resulting in a "circuitous travel to and from a site".<sup>1</sup> Each access restriction option results in some level of turn restrictions. Left turn movements are also cited with the highest incidents of crashes at driveways in the FHWA attachment.

Staff's recommendation seeks to balance the applicant's desire for full access with the public's safety interest by utilizing best management practices for intersection design.

**Driveway Separation:** The proposed access drive to Crossgate Drive does not meet the minimum separation standards for signalized and non-signalized collector street intersections. The reader should refer to the Preliminary Plat report for a related discussion of this issue. Depending on the resolution of the access to Crossgate Drive a reduced separation may be approved by the City Engineer through a waiver process.

The separation of the driveway from the intersection does not meet the minimum design standard of 300' (from Clinton Parkway) and 250' from W 24<sup>th</sup> Place per the Development Code. Since separation cannot be achieved, limiting left turn movements provides a best case scenario for access to this site from a vehicle conflict perspective. Staff recommends a right-in/right-out access point on Crossgate Drive to provide the business access from this street, but the City Engineer would accept a ¾ access point as a waiver to the Development Code Standards.

Procedurally, any waiver must be reported to the Planning Commission and any party aggrieved may appeal the action of the City Engineer within 14 days of the Planning Commission meeting at which the item appears on the agenda.

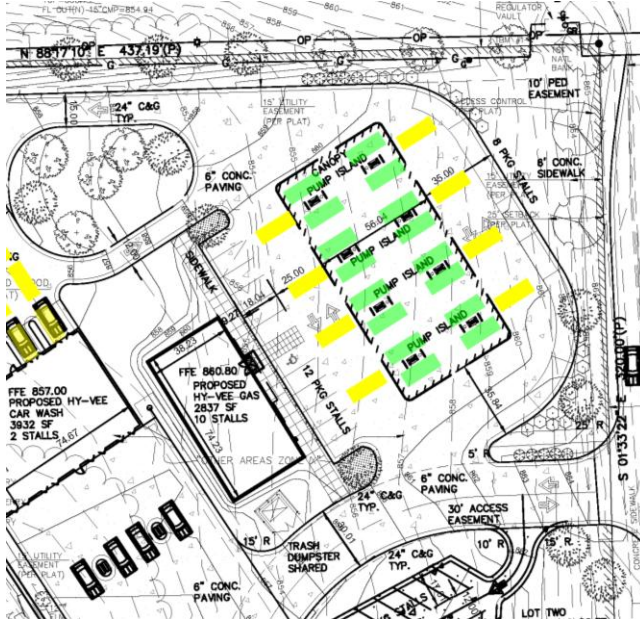
### **On-site Parking:**

<b>Parking Summary</b>			
<b>Use</b>	<b>Parking Requirements</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
Lot 1 Gas Fuel Sales:	1 per 300 SF of retail sales area + 2 per pump island + Stacking (1 at end of each pump island)	$2837 / 300 = 10$ $8 \text{ pump island} = 16$ $8 \text{ pump islands} = 16 \text{ or}$ $4 \text{ pump lanes} = (8)$ $Total = 34$	$26 \text{ spaces}$ $8 \text{ spaces}$  $Total 34 \text{ spaces}$
Lot 1 Cleaning (Car wash):	2 spaces + Stacking (4 at each entrance)	$4 \text{ bay automated car wash} = 2$ $Stacking Spaces = 16$ $Total = 18$	$2 \text{ spaces}$ $(100' \text{ by } 80' \text{ area for}$ $\text{stacking}) 16 \text{ spaces}$ $Total 18 \text{ spaces}$
Lot 2 (Conceptual only) Office Use:	1 space per 300SF	$4398 / 300 = 15$	$15 \text{ spaces}$

Off-street parking is required for each use as set out in Article 9 of the Development Code. In addition to providing employee and customer parking certain uses are required to provide stacking

<sup>1</sup> FHWA Technical Summary, Access Management in the Vicinity of Intersections. Document is provided as an attachment to this report.

spaces. Gas pumps are required to provide two spaces per pump island. These spaces are generally located either side of the pump. The space between pumps is typically reserved for trash receptacles and windshield cleaning supplies or advertisement signs. It is impractical to provide one space at the end of each island. Staff has interpreted compliance with this standard to be provided at the end of each pumping lane or 8 spaces rather than 16 spaces.



As shown in the image to the left, the required off-street spaces for the gas pumps are shown in green. The required stacking spaces are shown in yellow. In this depiction the stacking space represent vehicles queued waiting to access an available pump. However, they are queued within the two-way drive lane surrounding the fueling area. The site plan shows 8 spaces along the east curb line intended to meet the stacking requirement. This space is more likely to be used as a slip lane around queued vehicles, but is an acceptable design solution given the site's layout and size. The proposed conflict occurs on site, internal to the development, and only during peak times of the day. This may create minor inconveniences for consumers visiting the site for short periods of time, but will not harm any surrounding uses or the community at-large.

### C. Commercial Design Standards

Commercial Design Standards address the site development with respect to building placement and orientation to other physical features of the surrounding area as well as the building architecture.

*The guidelines state "...the streetscapes are the community's most visible public spaces. Streets play a pivotal role in determining both resident and visitor experiences and, to a great extent, help to define the character of the community. The standards and guidelines recommend that buildings within new retail developments especially out-lot or pad site buildings, be pulled forward to define the edges of public streets and internal private drives."*

Lot 1 is an auto oriented development intended for vehicular access that is quick and convenient. Pedestrian connections are secondary, but address the neighborhood connectivity. As such, the design review focuses on the architectural elements of the proposed structures and the treatment of public right-of-way and pedestrian accessibility. Lighting standards are addressed directly through the Development Code.

**Building Elevations:** Elevations provided to date are prototypical designs. Elevations for the building on Lot 2 have not been generated. A condition of approval related to the development of each lot is the submission of building elevations for review and approval prior to issuance of a building permit.

The prototypical building facades do not address minimum design standards and guidelines. The rear and sides of the buildings are shown as blank walls. Four sided architecture treatments are required for the buildings. This site is very open and sits lower than the street elevations meaning that it will be visible from the abutting public streets. Foundation plantings are also recommended.

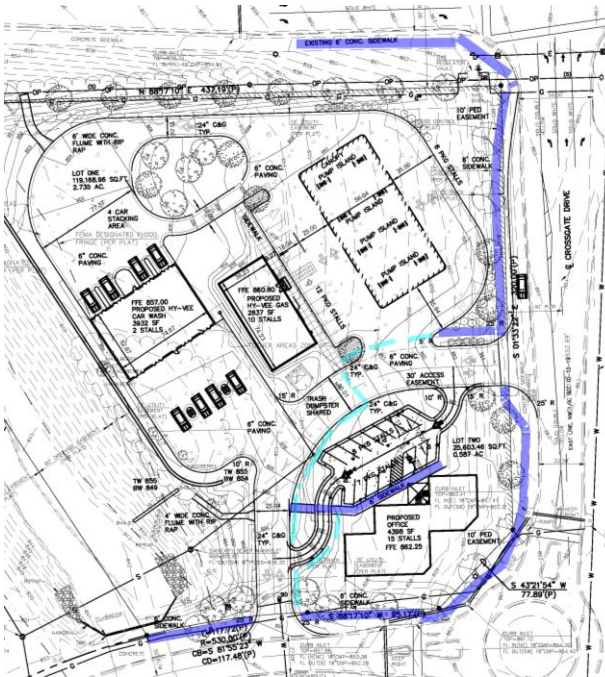
**B. Facades and Exterior Walls (Page 2-31)**

**Purpose and Intent:**

*Variations in building form, mass, orientation, and scale and fenestration patterns through a combination of features, such as display windows, awnings, and entry areas, help to subdivide and proportion facades. This variation, or articulation, creates building frontages that are inviting, attractive, and in-scale to pedestrian users and passersby. Often times this articulation leads to improved visual quality and interest of a community's commercial areas, which in turn leads to improved consistency with the community's identity, character, and scale.*

*A key to successful façade articulation is to consider "four-sided architecture," which means that all sides of a building should be equally attractive and interesting. The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Mitigation of those impacts through architectural design and detail is recommended and must be considered as part of the overall design of the development.*

***Pedestrian accessibility:*** Interior sidewalks are recommended to provide connectivity from the public sidewalks to the interior development. Pavement markings are also needed to accommodate pedestrian crossings within the interior of the development. The dark blue highlighted areas indicate the location of proposed sidewalks. The light blue highlighted areas are recommended pedestrian connections.



The Commercial Design Guidelines recommend pedestrian amenities for corner properties. As a corner property there are no pedestrian amenities proposed at this time for this project. [Section E, Pedestrian Amenities, Page 2-21]

The applicant has been provided general comments with regard to Commercial Design Guideline standards for this project. The provision of additional documentation for review and approval by staff is reflected as a condition of approval.

**D. Landscaping and Screening**

Landscaping requirements apply to Lot 1 at this time, except that the applicant has agreed to plant the required street trees for Lot 1 and 2 with the development of Lot 1.

***Street Trees:*** Lot 1 abuts Clinton Parkway and Crossgate Drive. Lot 2 abuts Crossgate Drive and W

24<sup>th</sup> Place. Street trees are shown on the proposed site plan. Staff recommends that street trees for Lot 2 be planted within the initial phase of development. Street trees are coordinated with a master street tree plan as part of the subdivision process.

***Interior Landscaping:*** Lot 1 includes a total of 26 regular off-street parking spaces and 8 stacking spaces. The interior landscape standard is based on the total number of required spaces exclusive of the stacking spaces. A total of 1,040 SF is required to meet this standard for Lot 1. A total of 56,704 SF of interior space is provided for Lot 1. The interior landscape is provided as a large island north of the convenience store. Islands are also provided at either end of the front row of parking adjacent to the convenience store. Additionally, the floodplain area maintains green space.

***Perimeter Landscaping:*** Both Lot 1 and Lot 2 are designed with parking interior to the site. Perimeter parking landscaping is not required for based on the proposed design. Lot 1 includes a mix of shrubs along the eastern curb line that will screen some vehicular activity.

***Mechanical Equipment Screening:*** Section 20-1006 of the Development Code requires that mechanical equipment be screened from adjacent properties and rights-of-way. Ground mounted equipment is not shown on the site plan. Any such equipment is required to be screened. General Note 13 provides a reference to the minimum code standards. Screening of mechanical equipment, including roof mounted equipment, will be further reviewed as part of the final elevations when available for compliance. Special consideration will be given to rooftop equipment since the property sits lower than adjacent Clinton Parkway.

***Alternative Compliance:*** A request for alternative compliance was not made for this application.

### **E. Lighting**

The site plan includes a general note about lighting and that it will be shielded and directed down. A minimum requirement of development is the provision of a photometric plan per Section 20-1103 of the Development Code this is reflected as a condition of approval. Staff recommends that the note be revised to include the code reference and that a specific photometric plan shall be submitted for review and approval for each lot prior to issuance of a building permit.

### **F. Floodplain**

The west side of the property is encumbered by the regulatory floodplain. A local floodplain development permit is required as part of the approval process and is an administrative review item. No action is required by the Planning Commission with regard to the floodplain permit.

### **CONCLUSION**

The proposed development of Lot 1 - the gas fuel station/convenience store and car wash are the primary structures to be built. Assuming the rezoning request and the preliminary plat request are approved, this proposed development is consistent with the recommended land uses for this area. Staff recommends approval of the request with the conditions noted.