

FINAL DEVELOPMENT PLAN AMENDMENT CONDITIONS

FDPA 82-P-069-013-09

January 14, 2005

If it is the intent of the Planning Commission to approve FDPA 82-P-069-013-09 to amend FDPA 82-P-069-13-06 previously approved for retail to permit retail, an accessory service station and additional parking located at Tax Map 55-2 ((4)) 4, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions, which supercede all the previously approved conditions as they pertain to this site. An asterisk denotes conditions carried forward from FDPA 82-P-069-13-06.

1. Development of the subject property shall be in substantial conformance with the Final Development Plan Amendment entitled "BJ's Wholesale Club at Fair Lakes Center" consisting of six sheets and submitted by Dewberry & Davis LLC, dated December 1, 2003, as revised through November 11, 2004.
2. All signage depicted on the FDPA is illustrative only. Signage shall be subject to the Comprehensive Sign Plan for Fair Lakes and a Comprehensive Sign Plan Amendment may be required. No pole mounted sign shall be permitted. No free-standing sign for the service station shall be permitted other than a free standing sign for display of prices, which shall only be permitted if in accordance with the Comprehensive Sign Plan.
3. Directional signage in accordance with the Comprehensive Sign Plan shall be provided at the entrance and exit for the service station.
4. No goods shall be sold, displayed or stored in the service station area or kiosk.
5. Landscaping shall be provided in substantial conformance with Sheet 4 of the FDPA. The landscaping materials shall be consistent with the existing trees and shrubs within the Fair Lakes Center. Deciduous trees shall be a minimum of 2.5 inches in caliper and evergreen trees shall have a minimum height of six feet at the time of planting.
6. Canopy lights shall be recessed and comply with Sect. 14-903 of the Zoning Ordinance. The average lighting for the canopy shall not exceed 20 footcandles.

7. The service station shall not open before 7:00 A.M. and the service station shall close within a half hour of the closing of the BJs Wholesale Club.
8. At least one BJ's Wholesale Club employee shall be present in the service station kiosk during all hours of operation.
9. The service station shall not be subdivided from the BJs Wholesale Club store or sold to another user.
10. The service station shall be limited to BJ members only and a valid non-temporary BJs Wholesale Club card shall be presented to purchase gas. Signage shall be provided to clearly indicate that the service station is limited to BJ members only.
11. The paved areas located above the underground gasoline storage tanks shall be striped and signed as no parking.
12. All site features (such as trash receptacles, benches, planters, lighting and bike racks) shall be consistent with the quality and general character of those depicted on Sheet 7 of the FDPA.*
13. The architectural features of all buildings shall be compatible with Sheet 5 and the "Architectural Design Standards" on Sheet 7 and the existing buildings in Fair Lakes Retail Center as determined by DPWES. Consistent architectural and/or landscape design themes shall incorporate into the design of the site, so that the overall development of these buildings and the Fair Lakes Retail Center shall consist of compatible architectural scale, mass and materials (as defined in the "Architectural Design Standards" listed on Sheet 7 of the FDPA) in order to create a visually unified development as depicted on the FDPA. This condition shall not preclude the use of individual signature or distinctive architecture or design features for the buildings. A "visually unified development" shall include, but not be limited to the use of design features such as: consistent landscape design features, additional landscape plazas, arcades, false building fronts, canopies, awnings, or other similar unifying treatments.*
14. The building materials and colors for the kiosk shall match the existing materials and colors of the BJ's Wholesale Club. Photographs and/or samples/renderings shall be submitted to DPWES of the existing and proposed materials and colors to demonstrate compatibility.
15. As determined by DPWES to minimize internal pedestrian and vehicular conflicts, special pavement treatments or pavement painting which clearly delineate pedestrian pathways shall be provided in the general areas depicted as crosswalks on the FDPA.*

16. At a minimum, the upper 25% of the rear facades of the buildings which are visible from adjacent right-of-way shall contain front elevation materials and shall be in conformance with the "Architecture Design Standards" on Sheet 7 of the FDPA as determined by DPWES. In order to visually screen roof equipment from I-66, a parapet wall shall be provided along the rear of the buildings along the I-66 frontage where such equipment is located within twenty feet of the south side of the building.*
17. All dumpsters shall be fully screened from view through the use of solid, opaque enclosures. *
18. A cumulative parking tabulation for the shopping center shall be submitted to the director of DPWES in conjunction with each site plan.*