

#### CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (SUP2022-101 & M2022-106)

**Notice** is hereby given that HC Klover Architect has filed a special use permit application and Central Business District deviation on behalf of Panda Express, Inc. to construct and operate a drive-through restaurant greater than 20 feet from the front property line within the Central Business District. The subject site, addressed as 924 George Washington Way, is indicated in the map below.

**Public Hearing:** The Richland Hearing Examiner will conduct a public hearing and review of the application at 6:00 p.m., Thursday, July 21, 2022. All interested parties are invited to attend in-person and present testimony at the public hearing or by visiting the City of Richland website (<a href="www.ci.richland.wa.us">www.ci.richland.wa.us</a>) and joining via Zoom. Copies of the complete application packet can be obtained by visiting the City of Richland website (<a href="www.ci.richland.wa.us">www.ci.richland.wa.us</a>).

**Environmental Review:** The City of Richland issued a SEPA Determination of Non-Significance (DNS) for this project on February 3, 2022. There is no opportunity for SEPA appeal.

**Public Comment:** Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to <a href="mastevens@ci.richland.wa.us">mstevens@ci.richland.wa.us</a>. Written comments should be received no later than 5:00 p.m. on Friday, July 8, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on Wednesday, July 20, 2022; however verbal comments may be presented during the public hearing.

**Appeal:** The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

# Vicinity Map

Item: Panda Express Special Use Permit - Drive Thru

Applicant: Panda Express

File #: SUP2022-101







#### City of Richland Development Services

625 Swift Blvd. MS-35 Richland, WA 99352 \$\&(509)\, 942-7794 \$\eq(509)\, 942-7764

#### **Special Use Permit Application**

Company: HC Klover Architect  Contact: Henry Klover  Address: 8813 Penrose Lane Suite 400 Lenexa, KS 66219  Phone: 913.649.8181  Email: HCPermitting@klover.net  PROPERTY INFORMATION  Legal Description: Parcel #:			☐ Contact Person
Phone: 626.372.8288  APPLICANT/CONTRACTOR INFORMATION (if different)  Company: HC Klover Architect  UBI#:  Contact: Henry Klover  Address: 8813 Penrose Lane Suite 400 Lenexa, KS 66219  Phone: 913.649.8181  Email: HCPermitting@klover.net  PROPERTY INFORMATION  Legal Description:  Lot 1, block 635, plat of richalnd, according to the plat thereof recored  Phone: 626.372.8288  Email: Michael.Cadell@Pandarg.com	wner: Panda Express, INC		
APPLICANT/CONTRACTOR INFORMATION (if different)  Company: HC Klover Architect  Contact: Henry Klover  Address: 8813 Penrose Lane Suite 400 Lenexa, KS 66219  Phone: 913.649.8181  Email: HCPermitting@klover.net  PROPERTY INFORMATION  Legal Description:  Lot 1, block 635, plat of richalnd, according to the plat thereof recored  Contact Per  UBI#:  HCPermitting@klover.net  Parcel #:  111981020635001 & 11198102	ddress: 1683 Walnut Grove Ave, Rosemead, CA 91770		
Company: HC Klover Architect  Contact: Henry Klover  Address: 8813 Penrose Lane Suite 400 Lenexa, KS 66219  Phone: 913.649.8181  Email: HCPermitting@klover.net  PROPERTY INFORMATION  Legal Description:  Lot 1, block 635, plat of richalnd, according to the plat thereof recored  UBI#:  HCPermitting@klover.net  Parcel #:  111981020635001 & 11198102	hone: 626.372.8288	Email: Mich	ael.Cadell@Pandarg.com
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Lot 1, block 635, plat of richalnd, according to the plat thereof recored 111981020635001 & 11198102	ROPERTY INFORMATION		
Lot 1, block 635, plat of richalnd, according to the plat thereof recored in volu e 6 and 7 of plats, records of Benton County, Washington	egal Description:		Parcel #:
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Current Zoning: CBD Current Land Use Designation: Restaurant	urrent Zoning: CBD Current Land Use	Designation: Re	estaurant
DESCRIPTION OF PROJECT	ESCRIPTION OF PROJECT		
The construction of a new 2,600 sqft commercial fast-casual restaurant with a drive-thru.	e construction of a new 2,600 sqft commercial fast-casua	al restaurant wit	th a drive-thru.

#### APPLICATION MUST INCLUDE

- 1. Completed application and filing fee
- 2. SEPA Checklist
- 3. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
- 4. Site Plan, which shall be drawn at a scale of not less than 30-feet to the inch, nor more than 100-feet to the inch, and shall be clear, precise and shall contain the following information:
  - · Boundaries and dimensions of property
  - Location and width of boundary streets
  - Size and location of existing or proposed buildings, structures, or activities on the site
  - Roadways, walkways, off-street parking, loading facilities, and emergency vehicle access
  - · Fencing, screening, or buffering with reference to location, type, dimension, and character
  - Open spaces or Natural Areas
  - Easements, rights-of-way, etc.
  - Architect's sketches showing elevations of proposed buildings or structures, complete plans, and any other information needed by the Hearing Examiner as determined by the Administrator

#### COMPLETE QUESTIONS WITH AS MUCH DETAIL AS POSSIBLE (Use additional sheet if needed)

Describe how the size and dimension of the site provide adequate area for the proposed use:

We feel the circulation within the site provides adequate room for the proposed drive-thrus. We will be submitting a full set of plans to the city, and we will take into consideration any and all comments they have.

Describe how the proposed Special Use is compatible with the physical characteristics of the subject property (including size, shape, topography and drainage):

We feel the proposed drive-thru is compatible with the site due to the large overall size of the site and the flat topography. We will also be installing a new drainage system that will keep all the drainage on our site.

Describe the infrastructure which will serve the proposed Special Use, including but not limited to roads, fire protection, water, wastewater disposal and storm water control:

The proposed infrastructure will serve the proposed 2,600 sqft fast food restaurant with a drive-thru. The utilities will meet all of the city's standards and we will submit the utilities for review.

Describe how all applicable requirements of this zoning regulation (RMC Title 23), the City Comprehensive Plan, the City Critical Area Regulations (RMC Title 20), the City Shoreline Management regulations (RMC Title 26) and the City sign regulations (RMC Title 27) have been met:

If the proposed drive-thru is allowed, we will meet the standards laid out in section 23.42.047 "Business with Drive-through window service"

Identify the impacts which may occur to adjacent properties, surrounding areas and public facilities and how those impacts are proposed to be mitigated:

We do not feel that our restaurant would impede the normal development of the surrounding area but would in fact help by drawing people to the area.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

- 1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
- 2. The information provided in this application contains no misstatement of fact.
- 3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
- 4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name:	Henry Kl	lover		
Applicant Signature:	The second		_ _ Date	4.7.22

May 24, 2022

**VIA EMAIL** 

Mike Stevens Planning Manager 625 Swift SLVD, MS-35, Richland, WA 99352

#### **PROJECT NARRATIVE**

To Whom it may Concern,

H.C. Klover Architect is proud to submit for your Planned Development Review and consideration for the proposed development of a freestanding Panda Express restaurant with drive-thru and separate trash enclosure located at the 1.368-acre parcel (59,601sqft.) at 924 George Washington Way. The site is currently occupied by a vacant restaurant and is appropriately zoned for the proposed use as Central Business District (CBD). The proposed development is bordered to the south by a Sterling's restaurant zoned CBD, to the north a Wendy's zoned CBD, to the West Richland Police department zones CBD and by Parks to the east zoned PPF (Park & Public Facilities). The proposed project would consist of two phases of development. Phase I would consist of an approximately 2,600 sqft. free standing Panda Express restaurant with drive-thru and Phase II will be for the development of a to-be-determined future tenant of approximately 2,500 sqft. The lot would be split into two separate parcels with the northern lot being 0.69 acres (30,274SF) and the southern lot being 0.68 acres (29,327SF). Phase I of the project will provide 40 stalls with an additional 18 stalls being proposed for Phase II for a total of 58 stalls on site. A rough graded, landscaped pad would be proposed for the southern pad which would be undeveloped in the interim between Phase I & II.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the maximum building setback of 20'. However, the strict restrictions of the 20' Max build-to-line does not offer enough room for the drive-thru to exist between the building with the other required 10' landscaping setbacks. Strict adherence to the 20' build-to-line would result in traffic exiting directly onto George Washington Way. If we adhere to the current 20' build-to-line traffic may become an issue when exiting the drive-thru directly onto George Washington Way. This will result in a halt of drive-thru progression because the customer will have to wait for traffic to clear to exit. The operational concern about the drive-thru exiting onto George Washington Way is if an employee forgets something in the customer's order, the customer will have a difficult time turning left to get back into the site. Based on our knowledge George Washington Way will be converted to a one-way as soon as 2023 or 2024, which will add even more difficulty entering and exiting our site. The current Burger King and Wendy's did not design for one-way traffic, so they will likely have site and operational issues in the near future. Our variance is requesting to push the

building back far enough to allow for the drive-thru to wrap back into the site. This will reduce the amount of traffic on George Washington Way and ensure customer satisfaction. We are seeking to push the building back to the minimum usable space so, we can have the drive-thru wrap back into the site. We are asking for an additional 15' from the 20' max build-to-line for a total of 35' from the property line. This will prevent the traffic concerns previously mentioned. A literal interpretation of the provisions of this Zoning code would restrict Panda Express of rights commonly enjoyed by other properties in the CBD zoning district which would give the other business a competitive edge from a operational stand point. This is evident by the fact that many adjacent and nearby buildings are located beyond the 20' build-to-line and have their drive-thrus within the building setback, that then wrap back into their property such as Arby's (97'), McDonald's (30' & 132'), Taco Bell (36'), Dairy Queen (31") and Black Rock Coffee (50' & 32'). Burger King and Wendy's buildings meet the 20' build-to-line requirement but according to the traffic engineer exiting directly onto George Washington Way is not favorable. As the city is moving toward a more pedestrian and bike friendly network in this area and reducing the number of curb cuts.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the 50 to 80 precent glass fenestration of the ground floor faced that face a street. However, due to our kitchen design we are only able to provide 13.5 percent of glazing on the West façade. Our drive-thru area exits out at the Northwest corner of the building which means the drive-thru prep equipment is in the entire Northwest corner. The equipment extends all the way to the door that is on the West façade, and technically the door is a part of the kitchen area as it is used for operational purposes. We are asking for a reduction of 36.5-66.5 percent. We are providing an additional 19% on the Southern façade to help offset some of the reduction that we are asking for. A literal interpretation of the provisions of this Zoning code would deprive Panda Express of rights commonly enjoyed by other properties in the CBD zoning district. This is evident by the fact that many adjacent and nearby buildings have less than 50-80 percent glazing on facades that face the street such as Sterling's, McDonald's, Taco Bell (facade facing George Washington Way), Dairy Queen and Black Rock Coffee.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the one pedestrian entrance into the building on each street frontage or at the building corner. However, due to the location of the drive-thru we are proposing two pedestrian entrances on the South façade for the safety of our customers. We would like to deter customers from crossing over the drive-thru exit lane for their safety and the safety of the driver. The two pedestrian entrances on the South façade will be directly accessible from the parking lot. A literal

by the fact that many adjacent and nearby buildings do not have a pedestrian entrance on each façade facing the street such as McDonald's, Taco Bell (facade facing George Washington Way) and Black Rock Coffee.

The new Panda Express in the CBD zoning district will follow the other requirements of section E. Those will include variation of exterior building materials, modulated heights in parapets to identify the main entrance, projecting cornices on the parapets, public street, and sidewalk improvements, and refuse area will be screened and located away from the public right of way. The overall deviations offer equal or superior site design. We have provided two entrances along the South façade which would be superior to the required pedestrian entrance at a corner or a door on the main façade. The deviation from the max building to line will also be more superior than what code requires due to an overall better flow of traffic per the city engineer's standards. The proposed development addresses all the applicable design standards as stated above. The overall development is compatible with the surrounding characters, appearance, and quality of development from the properties in the immediate vicinity. The development of a Panda Express will improve the over aesthetics of the site since it is currently a vacant building and will add to the beauty of the city of Richland.

Thank you for your time in this process.

Sincerely,

Henry C. Klover

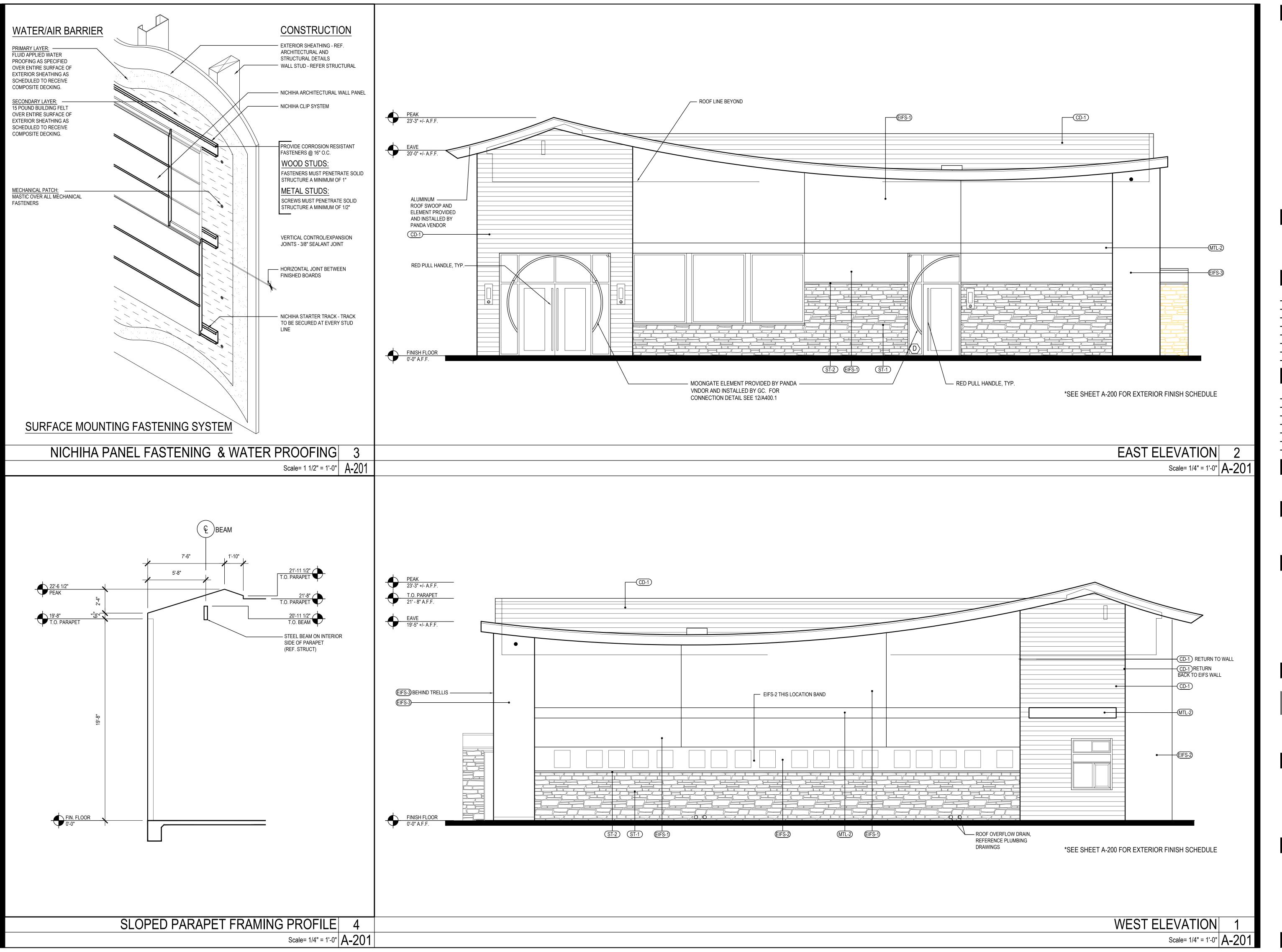
Proprietor

Attachments: Site plan for Phase 1 and 2, Colored Elevations and kitchen plan

MEGISTERED

CC: Brian Kan and Michael Cadell via email

*PX #: S8-23-D8654 Klover #:21044.020* 





PANDA EXPRESS, INC. 1683 Walnut Grove Ave. Rosemead, California 91770

Telephone: 626.799.9898 Facsimile: 626.372.8288

All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS:	
ISSUE DATE:	

DRAWN BY:

PANDA PROJECT #: S8-22-D8654
PANDA STORE #: ARCH PROJECT #: 21044.020

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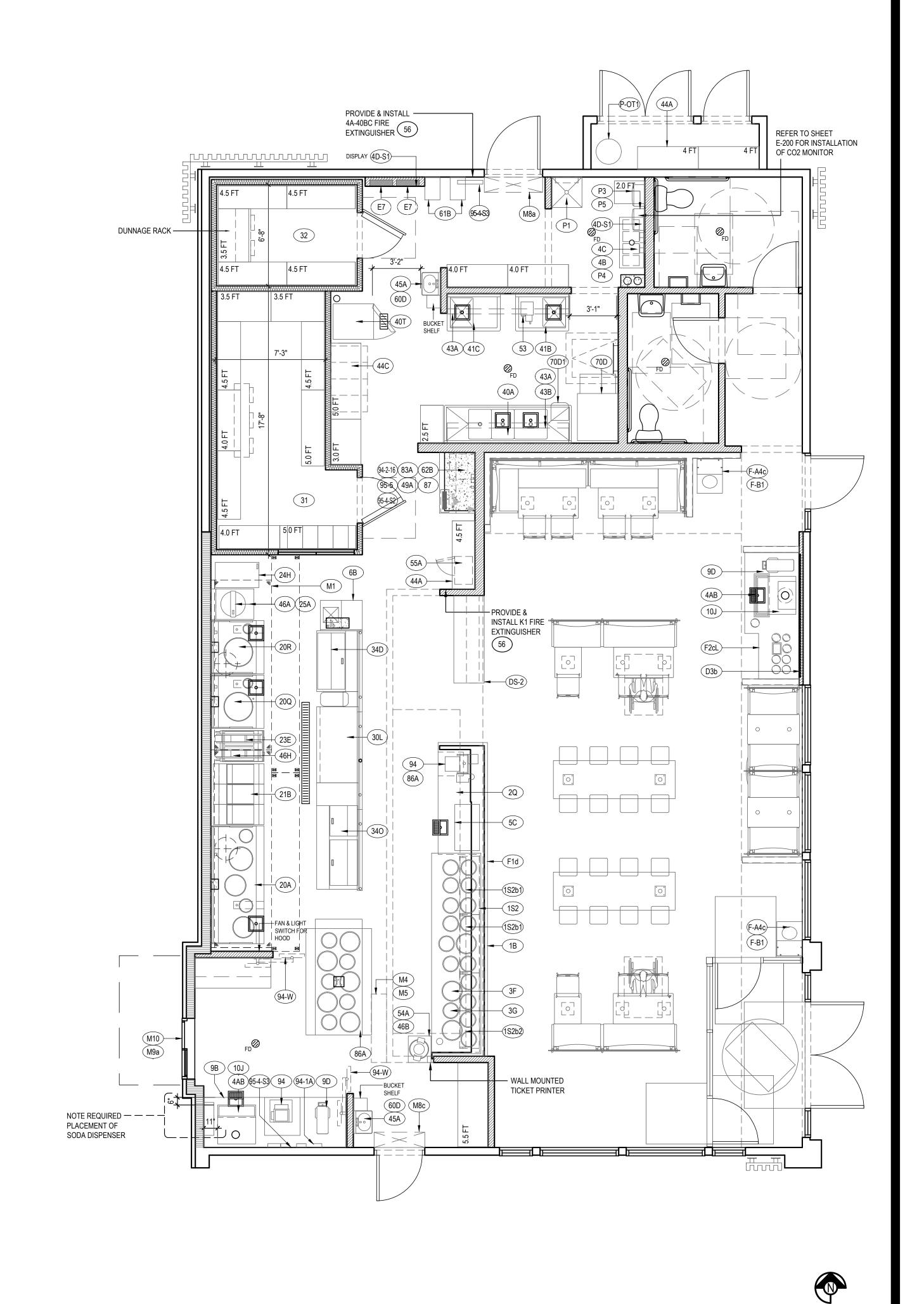
PANDA EXPRESS

TRUE WARM & WELCOME STREET ADDRESS CITY, STATE ZIP

A-201

EXTERIOR ELEVATIONS

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0										DEC -	0	400	4		400	SEE ELEV. ON E-200	48" X 28" X 42"	KEC DELL OBTIDLEY	CUSTOM	MANAGER STATION	49/
0										REF ELEV		100W 50W	1		120 120	SEE DETAIL SEE PLAN		DELL OPTIPLEX BROTHER	Xe2 MFC-LC2700DW	COMPUTER POS PRINTERS	83,
0										ref elev	С	50W	1		120		44 4 / 4 / 4 / 4 / 4 / 4 / 4 / 4 / 4 /	BROTHER **	MFC-LC2700DW	FAX	87
0										REF ELEV	I C	500W	1		120	CUSTOM	11 1/4"x14 1/2"x9	RESNOS	S 460	CASH REGISTER SYSTEM  MEP EQUIPM	94 <b>/ E </b>
0																SEE MECH. DWG.	SEE PLAN SEE PLAN	CAPTIVE AIR CAPTIVE AIR	CUSTOM	EXHAUST HOOD	M1 M4
0																SEE MECH. DWG.	SEE PLAN	CAPTIVE AIR  CAPTIVE AIR	CUSTUM	HOOD CONTROL PANEL FIRE SUPPRESSION SYSTEM	_
G.C.										00"	D	5 1 4	1	1 /0	115	SEE MECH/ELEC DWG			STD242 411	RECESSED ANSUL PULL BOX	M6
0										90" 90"	D D	5.1A 5.1A	1	1/2 1/2	115 115	SEE MECH/ELEC DWG	<del></del>	MARS MARS	STD242-1U STD236-1U	BACK DOOR AIR CURTAIN BACK DOOR AIR CURTAIN	M8 M8
G.C.										24" 24"	D D	20A	1		120	SEE ELEC. DWG SEE ELEC. DWG	25"X 9" X 10 3/8" 25"X 9" X 14 3/8"	QUIK-SERV QUIK-SERV	CF-25 NON-HEATED CHF-25 HEATED	DT WINDOW AIR CURTAIN REGIONAL APPLICATION	M9
G.C.										24"	D	30A 20A	1		+	SEE ELEC. DWG	47.5"X 59.5"	QUIK-SERV	SST-4860E	EITHER OR, NOT BOTH DT WINDOW	M1
G.C.					3"	36"	-	36"	-		D					FLOOR TYPE	24" X 24" X 13"	G.S.W. PHONE:1800-897-5999		STAINLESS STEEL MOP SINK	-
G.C.						96"	1/2"			84"	С	8A	1		120	SEE PLUMBING DWG WALL MOUNT		RINNAI  3M WATER FILTRATION	MTO-00247 BEV190-56164-01	GAS TANKLESS WATER HEATER WATER FILTER	P3 P4
0										ref elev	C	50W	1			WALL MOUNT SEE ELEV. ON E-200	10"x8 5/8"x18 1/2		OFTWH-C	WATER FILTER HYPERACTIVE TIMER SYS.	P5
0										REF ELEV 48"	C	50W	1		120	SEE PLAN	15" X 13"	DELL (17" COLOR)		LCD MONITOR-MANAGER	_
0										REF ELEV		50W 60W	1		120	SEE ELEV. ON E-200	SEE PLAN	HME POSIFLEX	KS7215	HME INTERCOM SYS.	94-3
0										ref elev ref elev		60W 50W	1		<del>                                     </del>	SEE PLAN W/ EMI LOCK	15" SEE PLAN	TOSHIBA (TIME LAPSE)	N3/213	LCD DT MONITOR SECURITY VCR	94-\
0										98"	С	50W	1		120	SEE ELEC. DWG	15" X 13"	DELL (17" COLOR)		SECURITY MONITORS	95-
O G.C.										ref elev	C	100W	1		120	IN S.S. COUNTER SEE ELEC. DWG	SEE PLAN			MUSIC EQUIPMENT ELECTRICAL PANEL	95 E7
-		·		· 	· 	· 	·	<u> </u>		1	· ·				· 	· · · · · · · · · · · · · · · · · · ·	DEC INT CLOSE	19	CUSTOM	SIGN	IAC
0				<u></u>								<u> </u>	<u></u>			BF-POWER COAT *OF12	REF. INT. ELEV'S 25 SILVER"	LSI FAD	CUSTOM -	MENU BOARD COMMUNITY BOARD	D2 D3
0										ref elev	С	130W	1		+		48.9" X 28.1" X 1.3"	LG	55WS50BS-B	LCD DISPLAY MONITOR	96
0		1	_				1	1	1	1		I				<u> </u>			I		
					<u> </u>															FURNIT	<u>rụ</u> F





Facsimile: 626.372.8288

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ISSL	JE DATE:

DRAWN BY:

**REVISIONS:** 

PANDA PROJECT #: S8-22-D8654
PANDA STORE #: -

ARCH PROJECT #: 21044.020



PANDA EXPRESS

TRUE WARM & WELCOME STREET ADDRESS CITY, STATE ZIP

A-101

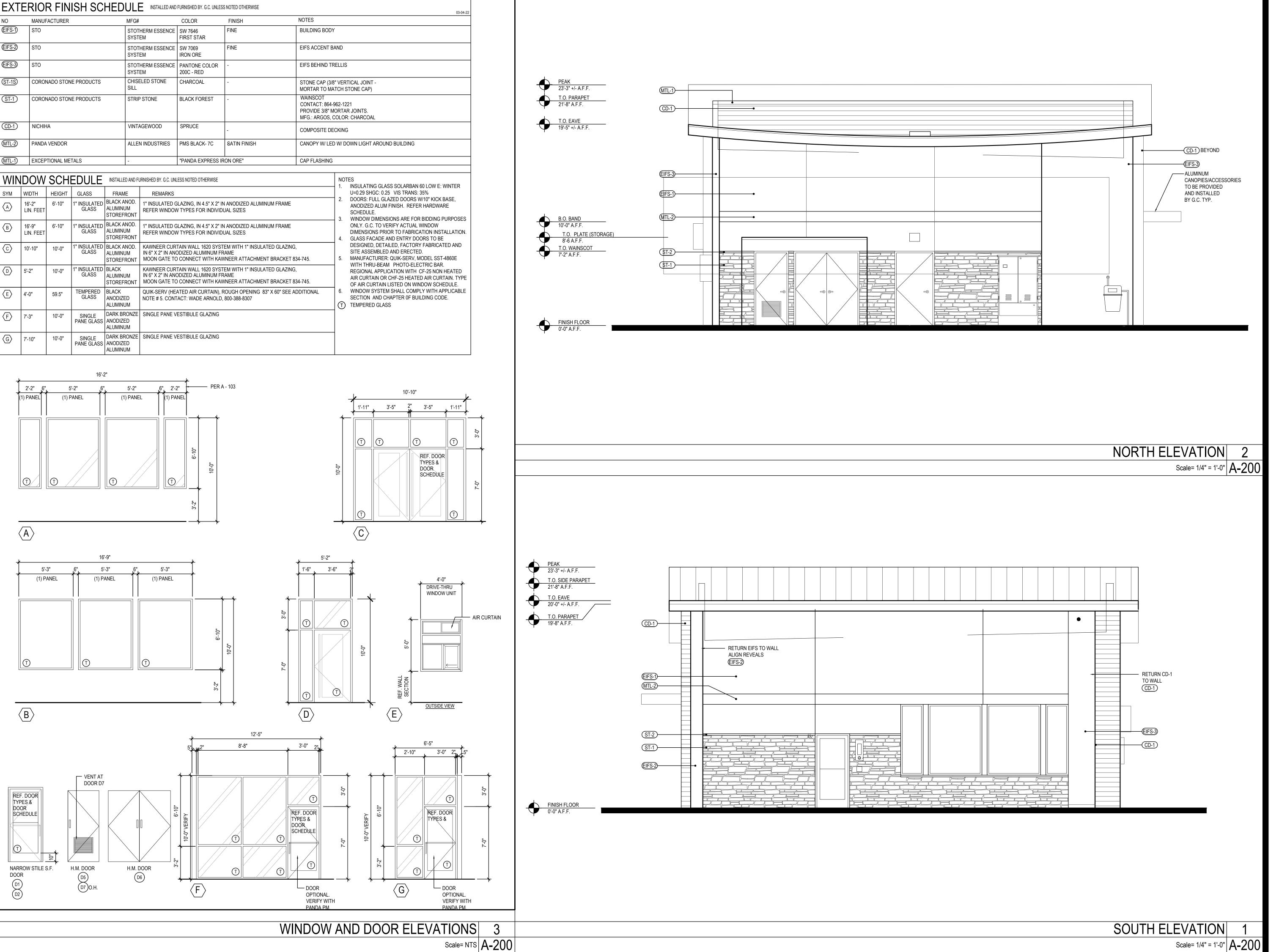
KITCHEN PLAN

KITCHEN PLA

Scale= 1/4" = 1'-0" **A-101**TRUE WARM & WELCOME 2300 R5

KITCHEN PLAN

\* REFERENCE SHEET A-109 FOR FURNITURE CORE DRILL DIMENSIONS





PANDA EXPRESS, INC. 1683 Walnut Grove Ave. Rosemead, California 91770

> Telephone: 626.799.9898 Facsimile: 626.372.8288

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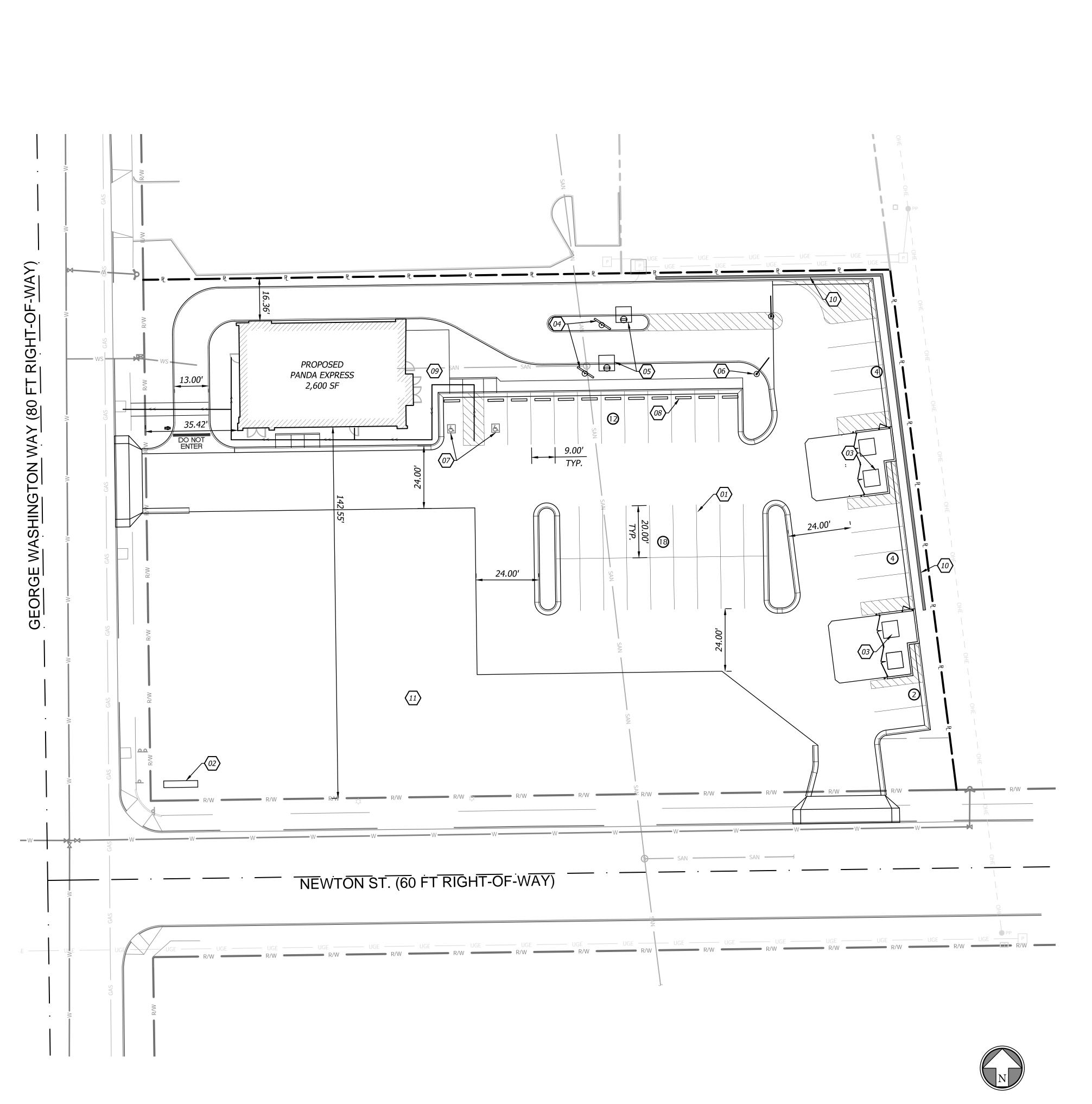
8813 Penrose Lane, Suite 400, Lenexa, KS 66219 ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS

TRUE WARM & WELCOME STREET ADDRESS CITY, STATE ZIP

**EXTERIOR** 

**ELEVATIONS** 



<u>SITE</u> SITE AREA:

1.37 AC 59,601 SF

BUILDING

BUILDING AREA:

2,600 SF (4.4%)

<u>PARKING</u> PARKING PROVIDED:

38 STANDARD 2 HANDICAP (2 VAN)

#### ZONING

CBD (CENTRAL BUSINESS DISTRICT)

### **PROPERTY**

924 GEORGE WASHINGTON WAY RICHLAND, WA 99352

PARCEL ID #111981020635001

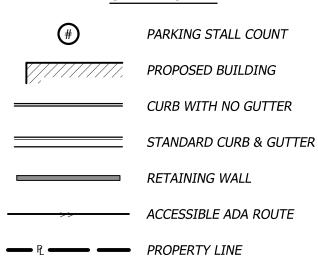
#### DEVELOPER

CFT NV DEVELOPMENTS LLC 1683 WALNUT GROVE AVE ROSEMEAD, CA 91770

# © CONSTRUCTION NOTES

- 01 LEAD FREE, WATER-BORNE EMULSION BASED TRAFFIC PAINT FOR PARKING LOT STRIPING (WHITE ON
  - ASPHALT & YELLOW ON CONCRETE).
- 2 MONUMENT SIGN 3 PROPOSED TRASH ENCLOSURE
- 04 MENU BOARD
- 05 SPEAKER BOX
- 5 DRIVE THRU CLEARANCE BAR
- 07 ADA PARKING AREA. 2% MAXIMUM SLOPE IN ANY DIRECTION
- RUBBER WHEEL STOPS
- 09 CONCRETE SIDEWALK
- 10 SMALL BLOCK RETAINING WALL. MAX 4 FT HIGH.
- 11 AREA IS TO BE DEVELOPED AS A PAD SITE FOR FUTURE DEVELOPMENT.

# SITE LEGEND



R/W RIGHT-OF-WAY LINE



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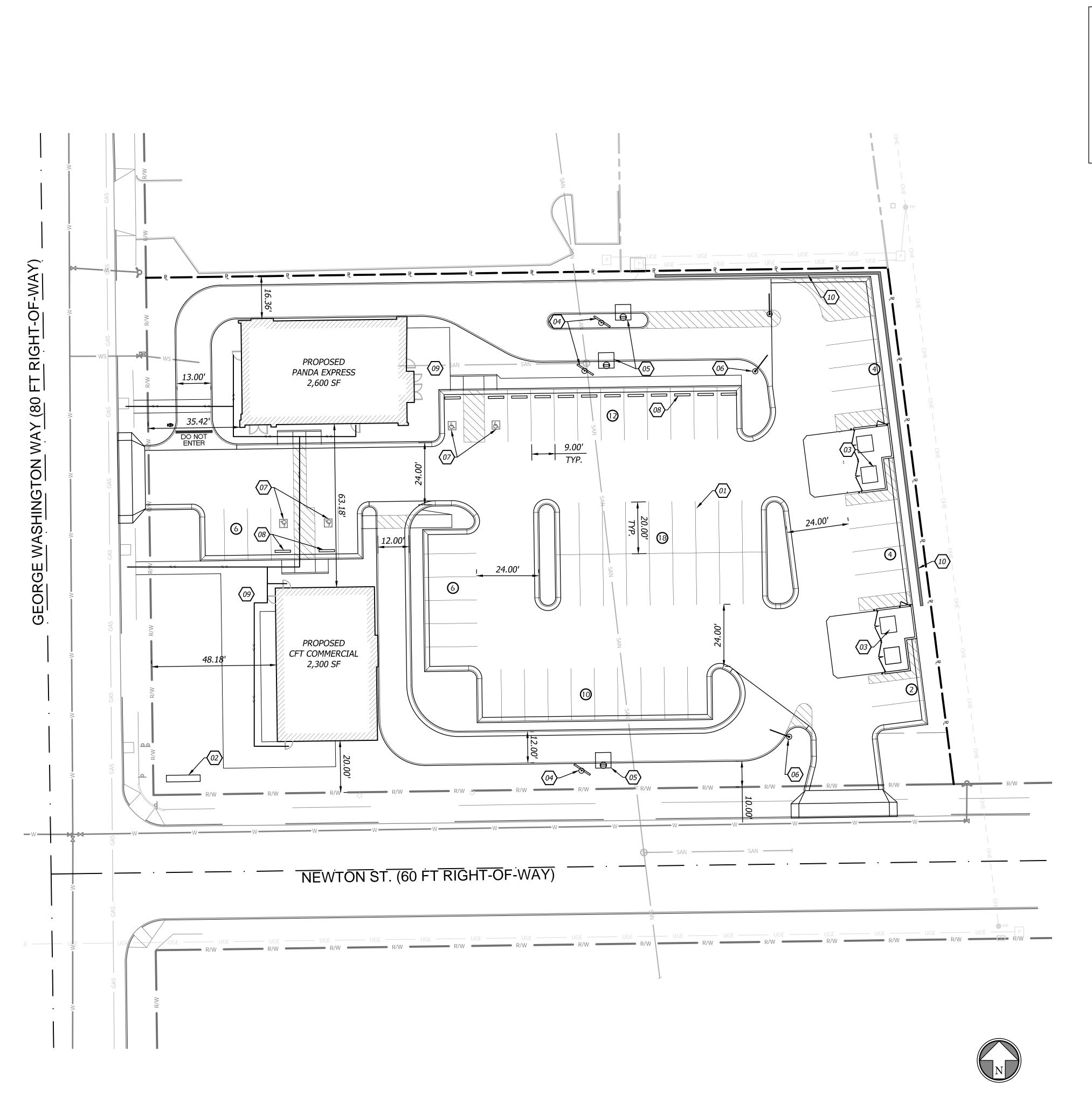


PANDA EXPRESS

TRUE WARM & WELCOME 924 GEORGE WASHINGTON WAY RICHLAND, WA 99352

CONCEPTUAL SITE PLAN (PHASE I)

**C2** 



### SITE DATA

<u>SITE</u> SITE AREA:

1.37 AC 59,601 SF

**BUILDING** BUILDING AREA:

2,600 SF (4.4%)

BUILDING AREA:

2,300 SF (3.9%)

<u>PARKING</u> PARKING PROVIDED:

54 STANDARD 4 HANDICAP (2 VAN)

### ZONING

CBD (CENTRAL BUSINESS DISTRICT)

### **PROPERTY**

924 GEORGE WASHINGTON WAY RICHLAND, WA 99352

PARCEL ID #111981020635001

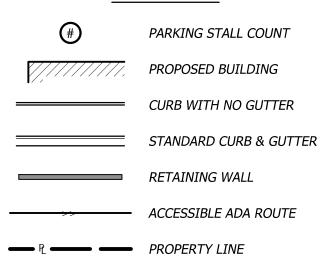
#### DEVELOPER

CFT NV DEVELOPMENTS LLC *1683 WALNUT GROVE AVE* ROSEMEAD, CA 91770

# CONSTRUCTION NOTES

- LEAD FREE, WATER-BORNE EMULSION BASED TRAFFIC PAINT FOR PARKING LOT STRIPING (WHITE ON
- ASPHALT & YELLOW ON CONCRETE).
- **MONUMENT SIGN** PROPOSED TRASH ENCLOSURE
- MENU BOARD
- SPEAKER BOX
- DRIVE THRU CLEARANCE BAR
- ADA PARKING AREA. 2% MAXIMUM SLOPE IN ANY DIRECTION RUBBER WHEEL STOPS
- CONCRETE SIDEWALK
- SMALL BLOCK RETAINING WALL. MAX 4 FT HIGH.

# SITE LEGEND



R/W RIGHT-OF-WAY LINE



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CONCEPTUAL SITE PLAN