



# CAPE COD COMMISSION

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DATE: March 12, 2001  
TO: Simon Property Group  
FROM: Cape Cod Commission  
RE: Modification of Development of Regional Impact Decision dated January 29, 1998 and modified on September 22, 1998 and February 1, 1999  
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: Simon Property Group  
115 West Washington Street  
Indianapolis, IN 46204

PROJECT: Cape Cod Mall Renovation and Expansion

PROJECT #: TR96025

BOOK/PAGE: Book 1357/Page 1143  
Book 1357/Page 1152  
Book 7942/Page 272

LOT/PLAN: Lot 10/Plan 18367-D Cert. #73925 Lot --/Plan 35455-A Cert. #44428  
Lot 18/Plan 29992-E Cert. #73925 Lot 12/Plan 13216-I Cert. #124185  
Lot 20/Plan 29992-E Cert. #73925 Lot 13/Plan 13216-I Cert. #124185  
Lot 21/Plan 29992-E Cert. #73925 Lot 14/Plan 13216-I Cert. #124185  
Lot 22/Plan 29992-E Cert. #73925 Lot 11/Plan 13216-I Cert. #124185  
Lot 26/Plan 29992-E Cert. #73925 Lot 10/Plan 13216-I Cert. #124185  
Lot 13/Plan 18367-D Cert. #73503 Lot 12/Plan 29719-B Cert. #78644  
Lot 16/Plan 29992-D Cert. #41206 Lot 11/Plan 29719-B Cert. #78644  
Lot 17/Plan 29992-D Cert. #41206 Lot 19/Plan 29992-E Cert. #108683  
Lot 23/Plan 29992-E Cert. #73503 Lot 25/Plan 29992-E Cert. #104912  
Lot 24/Plan 29992-E Cert. #39492/41206 Lot 27/Plan 29992-E  
Cert. #104912  
Lot 2/Plan 34491-B Cert. #44869 Lot A-1/Plan 21173-B Cert. #129187  
Lot 1/Plan 34491-B Cert. #137708 Lot A-2/Plan 21173-B Cert. #129187  
Lot 14/Plan 29992-D Cert. #119830 Lot 94/Plan 17786-K Cert. #76834  
Lot 15/Plan 29992-D Cert. #119830 Lot 49/Plan 17786-D



## **MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION**

The Development of Regional Impact decision dated January 29, 1998 for the Cape Cod Mall expansion and modified on September 22, 1998 and February 1, 1999 is hereby amended by a vote of the Regulatory Committee on March 12, 2001 to accommodate an expanded footprint for a proposed Barnes & Noble store. All conditions attached to the original decision dated January 29, 1998 and modifications dated September 22, 1998 and February 1, 1999 continue to apply.

The following additional conditions shall be complied with prior to issuance of a Partial Certificate of Compliance from the Cape Cod Commission, which is required prior to issuance of an occupancy permit for the Barnes & Noble store:

- 1). The proposed Barnes & Noble store shall be constructed in accordance with the following plans:
  - Site Preparation Plans/Site Layout Plan Cape Cod Mall Renovation, Barnes & Noble Addition, prepared by Goodkind and O'Dea, Inc. dated February 15, 2001
  - Site Preparation Plans/Landscaping Plan & Details, Cape Cod Mall Renovation, Barnes & Noble Addition, prepared by Goodkind and O'Dea, Inc. dated February 15, 2001
- 2). The Bus Stop/No Parking/Fire Lane area and curbing denoted on the Site Layout Plan dated February 15, 2001 for the fixed-route and Para transit boarding areas shall be painted and stamped as appropriate and kept clear of other vehicles.
- 3). Electronic signs shall be installed inside the eastern entrance of the Cape Cod Mall to provide arrival times of Regional Transit Authority vehicles. The applicant agrees to provide the conduit and electricity with signage provided by the Cape Cod Regional Transit Authority (RTA).
- 4). Appropriate signage for the fixed-route boarding area shall be provided at the eastern entrance to the Cape Cod Mall food court. Appropriate signage for the Para transit boarding area shall be provided at the western entrance to the Cape Cod Mall food court.
- 5). Two (2) benches shall be installed for bus passengers inside the eastern entrance to the Cape Cod Mall food court and two (2) benches inside the western entrance to the food court for a total of four (4) benches. A total of two (2) benches shall be installed outside the eastern entrance to the Cape Cod Mall food court for bus passengers.
- 6). Deliveries shall be limited to the Barnes & Noble entrance or service entrance as denoted on Site Layout Plans, dated February 15, 2001.
- 7). The applicant shall work with the Cape Cod RTA to encourage employee participation in the RTA's Job Ride Program and other incentive programs offered by the RTA to encourage employee use of transit. Prior to issuance of a Certificate of

Compliance for the Barnes & Noble store, the applicant shall provide the Commission with a report on employee participation in the RTA's Job Ride and other programs.

8). The applicant shall work with the Cape Cod RTA to provide additional electronic information within the Cape Cod Mall.

David Ansel  
David Ansel, Chair

3/27/01  
Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this 27<sup>th</sup> day of March 2001

Katharine G. Peters  
Name, Notary Public

My Commission expires:

