

MINUTES
 PLANNING COMMISSION MEETING
 JUNE 20, 2007

The City of Bradenton Planning Commission met on Wednesday, June 20, 2007 at 2:00 p.m. in City Hall Council Chambers.

ATTENDANCE

Planning Commission Members (Shaded area indicates absence, *Indicates non-voting):

Chairman Diane Barcus	Richard Barnhill	Carlos Escalante	Vice-Chair Lucienne Gaufillet
Lisa P. Jones	Allen Yearick	Allen Prewitt	
Alternate Brady Cohenour	Alternate O.M. Griffith		Alternate Joseph Thompson

City Staff:

Development Services	Public Works	Fire	Police
Director Tim Polk	Arlan Cummings	Dennis Bonneau	
Assistant Director Tom Cookingham			
Dev. Review Mgr. Ruth Seewer			
Review Coordinator Susan Kahl			

PRELIMINARIES

Meeting called to order by Chairman Diane Barcus at 2:00 p.m.

- 1) Pledge of Allegiance at 2:01 p.m.
- 2) The Chair advised that with the exception of variance requests, all items being considered at this meeting would be heard by City Council at its regularly scheduled meeting on Wednesday, July 18, 2007 at 8:30 a.m. unless otherwise announced.
- 3) Ms. Kahl swore in all those wishing to speak before the Commission.
- 4) Ms. Gaufillet moved, with a second by Mr. Barnhill, to approve the Minutes of May 16, 2007. Motion carried unanimously.

OLD BUSINESS

SU.07.0034 WARD 5 NEIGHBORHOOD 1.03/1.04 RS

Request of Frank Carter, W.F.C. Engineering, agent for William McNight, owner, for construction of a convenience store with gasoline pumps for property located at 1202 1st Street W (Zoned C-2)

Ms. Seewer read the request.

The Chair advised that this item had been continued from the May 16, 2007 meeting.

Frank Carter, P.E., 149 Knotty Pine Place, Tampa, representing William McNight, advised that he had met with staff and had developed additional plans to conform with its requests. He stated he would use staff's letter as a guide to discuss those issues in the order they were addressed to him.

1. Access driveway off 1st Street – Mr. Carter said that Mr. Cummings had the opportunity to speak with DOT and in that conversation DOT stated that the distance from the edge of pavement of 13th Avenue back to the closest edge of pavement of the proposed driveway had to be 125 feet. Mr. Carter noted that was reflected on the site plan. He advised that an application had not yet been submitted to DOT because the owner wanted to first get a better feel for what the City of Bradenton wanted. Mr. Carter said the driveway was very important to the owner for tanker truck access, and he asked the Commission to favorably consider the driveway location on 1st Street West.
2. Lighting – Mr. Carter advised that the exterior site lighting would not cause any glare or light into any of the residential properties to the west side of the proposed project. He said that the lighting would be shielded away from residential properties and the lighting in back of the property where the building was located would be a lower ambient lighting, a softer shade other than bright white as indicated in #8 on the plans.
3. Signage – Mr. Carter stated that the plans showed a relocated signal pole sign on 1st Street at a location adjacent to the north side of the proposed driveway. He advised this was the type of sign presently in operation, and although Race Track across the street had a monument sign, they preferred a signal pole sign.
4. Loading area – Mr. Carter said that a loading zone, 10 foot wide by 70 foot long, was designated on the southwest corner of the parcel for vendors to park their vehicles and bring supplies to the store.
5. Emergency accessibility – Mr. Carter noted that if the driveway connection on 1st Street West were granted, there would be three driveways for emergency vehicles.
6. Dumpster location – Mr. Carter stated that Mr. Cummings wanted the assurance that a sanitation vehicle, which was 35 feet long, could enter either of the side streets or the driveway on 301 and have adequate radius and turn movements to be able to circulate through the project, get to the dumpster, unload it and back up and get out. He advised that that information was shown on sheets 3 and 4 of the plans.
7. Residential buffering – Mr. Carter advised that a proposed retention pond was shown on the plans to gain the maximum volume needed to store storm water for the site. Initially, he chose a vertical wall with a setback from the residential properties three feet from their property lines to the retention wall. Mr. Carter said that he had been directed by staff, as shown on sheet 1 of the drawings, to have a 10 foot setback from each residential abutting property line to the beginning of the retaining wall and to provide a 35 foot setback from the western property line to the back of the building. He explained that was done through a combination of reducing the size of the retention pond and shifting the building and

pavement and reducing the size of the canopy. Mr. Carter advised that magnolia trees 20 foot apart on center and three foot high shrubs every 24" on center would be planted in the 10 foot setback. He stated he would comply with staff's request that the buffer be 80% opaque although he pointed out that as trees grow, planting too closely could cause a maintenance issue.

Mr. Barnhill asked whether the loading zone was designed for the tanker truck to be off loading gasoline from that location to the underground tanks or elsewhere.

Mr. Carter replied that the tanker trucks unload fuel from the passenger side so he felt that during the refueling operation, they would be parked on top of the tank pad and the hoses would be dropped into the fill cells on the concrete pad.

Mr. Barnhill noted that if a tanker truck came in from 13th Avenue and pulled straight into the loading zone, the passenger side of the tanker truck for the proper off load would be exposed. He said the hoses probably would not be long enough so the ideal unloading pattern would be to swing around and park fairly close but the entry could be blocked and might be an issue.

Mr. Carter replied that a way to control that was to have early morning or late afternoon fuel drops when there would be a minimum number of people. He said they took note that when the driveway was relocated further away from the intersection of 13th Avenue, people who used that driveway would have to come across the tank pad to get to the canopy which would be somewhat of a bumpy ride. In order to alleviate that, Mr. Carter stated that the tank pad may have to be moved south of the driveway so there would be a 30 or 40 foot separation between the tank pad and the canopy itself. He said this issue just came up in the last day as plan changes were being reviewed, but he observed that Mr. Barnhill was correct.

Mr. Barnhill agreed that the only way to reduce the complication of the underground storage was to move it further south.

Responding to the Chair's comments about emergency access, Mr. Carter explained that during the initial review there was a series of comments about the adequacy of ingress and egress for the property and the proposed structures with particular regard for automobile and pedestrian safety, convenience, traffic generation, flow and control, and emergency access. He read from a letter written to him by staff expressing concern regarding emergency circulation and the difficulty for emergency and sanitation vehicles to navigate the access of 12th and 13th Avenues. He cited that as an additional reason for the Commission to consider the driveway.

The Chair asked what the height of the proposed canopy would be, and Mr. Carter answered that it was 16 feet to the underside.

The Chair asked whether the back portion of the convenience store would be stilted sitting over the retention pond or whether the retention would be surrounding it.

Mr. Carter replied that it would not be stilted; the retention pond would surround it. He advised that the sidewalk would have a guard rail and hand rail. He cited Race Track as a similar design with a vertical wall retention pond five feet deep from the top of the wall to the bottom of the pond. Mr. Carter explained that presently it was not holding water but as the rain increased in the summer, it would. He pointed out that there was vegetation in the retention pond which was an indicator that water was near the surface and that was how this pond would look.

The Chair said that if the retention pond surrounded the convenience store, there would have to be a footer at least five feet deep.

Mr. Carter commented that the Chair was very observant because there would have to be a stem wall which would be a large footer with seven to eight courses of block just to get to the floor. Mr. Carter said he neglected to discuss during his initial presentation the issue of fire which had been brought up at the staff meeting. He advised that he was told to go back and locate the four or five closest fire hydrants because on this particular piece of property there was no fire hydrant. He said the closest fire hydrant was directly across the street from 13th Avenue, but 1st Street had to be crossed to get to it. Mr. Carter advised that he had been told by the Fire Department that years ago there had been three frame houses on the property which had burnt to the ground because in order to fight that fire the Fire Department had to connect to the hydrant at 301 and 13th causing 1st Street to be closed. In order that that not happen again, he was instructed to find the four or five closest hydrants which he listed on the 2nd sheet of the plan. Mr. Carter stated that the hydrants had a stenciled number which told how much pressure and flow could be delivered, and the Fire Department would determine if they were close enough to be used adequately. He said there was a chance the Fire Department would ask that a 10" water main be extended on 12th Avenue and a fire hydrant put on the property. Mr. Carter advised that remained to be resolved.

Responding to Mr. Barnhill's query, Mr. Carter advised that a rear door was added as an emergency exit. He remarked should there be a fire in the front of the building, folks could get out the back because there was a sidewalk. He said he was not sure if the owner would allow vendors to bring in stock through that door.

Mr. Barnhill commented that was not on the first drawing.

Mr. Carter replied that was his mistake.

The Chair commented that question was raised at the last meeting.

Mr. Carter concurred noting that the Chair had asked the question.

Mr. Barnhill remarked that Mr. Carter answered it with the revised plan.

Responding to the Chair, Mr. Carter advised that the vehicles would be oriented east or west. He said the plans continued to evolve, and he cited as an example that one of the diesel pumps had just been removed on the north end of the canopy because the owner felt it was too tight.

Public Hearing:

The Chair reopened the Public Hearing which had been continued from May 17, 2007 for those wishing to speak in favor and no one appeared. The Chair reopened the Public Hearing for those wishing to speak in opposition and the following individual appeared:

Michael Lowe, Sr., 1201 7th Street West, opposed the turning ratios for trucks on 13th Avenue. He said it looked good on paper, but he questioned how the trucks would be able to make those turns, and he expressed concern that they would come through the neighborhood. Mr. Lowe discussed the problems of lack of fire hydrants, water and noise. He questioned the hours of operation.

There being no further individuals wishing to speak, the Chair closed the Public Hearing.

In rebuttal, Mr. Carter stated that he understood Mr. Lowe's remarks about the truck traffic because staff had a similar concern. He commented that simply put - how would vehicles enter and exit the site and what pattern would they take. Mr. Carter advised that the second sheet of the plans showed the pattern of truck movement which, he opined, was the best information to determine how large trucks moved in and out of sites like this one. Mr. Carter opined that customers used common sense in navigating property developed with gasoline pumps up front. He said they might

make a mistake accessing the site the first time but afterward, they would put into their minds the best pattern. He said tanker trucks would do the same thing and follow the same route all the time. Mr. Carter noted if the fire hydrants were not up to standards, a new one would be put on the site.

Public Works -

Mr. Cummings said that sheet 4 on the plans showed that Mr. Carter complied with what staff had asked him to do in relation to sanitation, fire, and delivery trucks. He advised that in every case the fuel trucks would cross the pad where the fuel would be dumped. Mr. Cummings stated that for safety the tanker trucks would have to sit there to unload to be proximate to the fillers for there was no other place to sit for protection; but, he questioned whether the radius at the corner of the entry off 1st Street at 12th Avenue would be large enough to accommodate a truck coming around. Mr. Cummings commented that with regard to drainage staff let the owner and engineer decide whether to have a direct connection for storm water or design for 100 year storm requirement which captured all the water on site so there would not be a flooding problem. Mr. Cummings stated that these concerns would be addressed at the construction plans phase. He stated that the dumpster location was not great and may be moved to the other side of the building where the first two parking spots were. He said he had no objections.

Fire Department -

Inspector Bonneau advised that the fire hydrant on 2nd and 12th tested at 966 gallons per minute which was not sufficient. He said they were older lines which appeared to be declining in pressure so there was a question about supplying sufficient water if there were a fire at that location. He stated they would have to see if they could pull from another source to get the hydrant nearer the property to fight any fire that might happen at that location.

The Chair asked what the preference was for typical gallons per minute.

Inspector Bonneau said 1,000 gallon per minute for a residence and a business was in excess of 2,000 gallons per minute.

Responding to comments by Ms. Gauffillet, Mr. Cummings stated that research would have to be done to make sure there was a 6 foot line. He advised that could be a stipulated item.

Ms. Seewer suggested a stipulation for an additional fire hydrant and/or lines if they were required.

The Chair interjected that it should be at the developer's expense. Ms. Barcus noted there was a grease trap on the plans. She commented that this was a convenience store, and she questioned whether there would be cooking on the site.

Mr. Carter replied that the grease trap was added because staff had asked about it. He explained that the present convenience store had food preparation, but he did not know whether the new store was going to have cooking, or whether it was just going to have wrapped sandwiches in a cooler. He pointed out that the Health Department required a grease trap even if the only item inside the store was a hot dog cooker because grease dropped off that piece equipment. Mr. Carter stated that the grease trap was a fall back position since he did not know if there would be cooked food. He said that the business would be operational 16 hours per day. Mr. Carter opined that the developer would not have a problem extending the water line to the site and providing a fire hydrant, but, he noted that to do it the right way, the 10" main should be tied into some other main to have equalized connection and pressure and that would be at the developer's expense.

Staff Report-

Ms. Seewer stated that she had just received the plans so she did not have a revised staff report; but, she met with Mr. Carter and one of the concerns was still the access on 1st Street. She noted

that Mr. Carter did not yet have a permit from DOT, and she suspected that access might never happen. Ms. Seewer remarked that the site, as it existed today, was deplorable. She noted that the little convenience store and the gas pumps were operating on a third of the site. She said there were major access issues, traffic problems, congestion and very poor conditions. Ms. Seewer commented that this project gave the opportunity to make corrections and make it easier for vehicles to deliver gas. She advised that presently there was no access and trucks were cutting through a vacant field. She said one of the issues discussed was to put up a fence on 12th Avenue during construction to prevent vehicles from cutting through and get people used to the access drives that would be there. Ms. Seewer opined that this would be a big improvement. She suggested the following stipulations:

1. Additional fire hydrant and/or fire lines may be required at the developer's expense.
2. The driveway on 1st Street must be 125 feet from the intersection of 13th Avenue and subject to DOT specifications and approval.
3. Food service will require a grease trap.
4. A 6' temporary construction fence will be required on the north side during construction.
5. Existing building and all improvements will be removed prior to Certificate of Occupancy.
6. Work with Public Works on dumpster location to possibly move it from the front depending on driveway access.
7. Direct connection discharge for storm water or 100 year attenuation is required.
8. 10 foot buffer on the west side, 80% opaque at planting.

The Chair asked that "no through" truck signs be placed on 12th at the end of the driveway, and the following was added:

9. Applicant will provide "no through" trucks signs at 12th Avenue with specific location to be determined by Public Works.

Mr. Cummings discussed extending the sidewalk, and the following was added:

10. Applicant will provide a sidewalk connection from 12th Avenue to 1st Street on the south side.

Ms. Gauffillet moved, with a second by Mr. Thompson, to approve SU.07.0034 with the following ten stipulations:

1. Additional fire hydrant and/or fire lines may be required at the developer's expense.
2. The driveway on 1st Street must be 125 feet from the intersection of 13th Avenue and subject to DOT specifications and approval.
3. Food service will require a grease trap.
4. A 6' temporary construction fence will be required on the north side during construction.
5. Existing building and all improvements will be removed prior to Certificate of Occupancy.
6. Work with Public Works on dumpster location to possibly move it from the front depending on driveway access.
7. Direct connection discharge for storm water or 100 year attenuation is required.
8. 10 foot buffer on the west side, 80% opaque at planting.
9. Applicant will provide "no through" trucks signs at 12th Avenue with specific location to be determined by Public Works.
10. Applicant will provide a sidewalk connection from 12th Avenue to 1st Street on the south side.

Motion carried unanimously.

NEW BUSINESS - None

Adjournment

Ms. Gauffillet moved, with a second by Mr. Thompson, to adjourn the meeting at 3:16 p.m. Motion carried unanimously.

Diane Barcus, Chairman

PURSUANT TO FLORIDA STATUTE 286.0105, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, COUNCIL, AGENCY OR COMMISSION AT THIS MEETING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO WHICH THE APPEAL IS TO BE BASED.

Note: This is not a verbatim record. A recorded cd is available upon request for a \$10.00 <i>service charge</i> .
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