

SITE PLAN COMMITTEE
JULY 26, 2011

1. ROLL CALL

The meeting was called to order at 4:00 p.m. Committee members present were Chair Michael Crowley (departed at 5:56 p.m.), Vice-Chair Gus Khavanin, Bob Breslau, Casey Lee and Harry Venis. Also present were Mayor Paul, Vice-Mayor Hattan (arrived 4:20 p.m.), Councilmember Luis (arrived at 4:30 p.m. and departed at 4:35 p.m.), Planning and Zoning Manager David Quigley, Planner Lise Bazinet, and Secretary Janet Gale recording the meeting.

2. SITE PLAN

2.1 MSP 2-5-11, Walmart, generally located at the northwest corner of Orange Drive and South University Drive (Commercial B-2)

Susan Motley, Rob Klemple, Derrick Cave, Dave Sims, Greg Kyle and Cory Howell, representing the petitioner, were present.

Mr. Quigley briefly reviewed some of the legal actions regarding the subject property. He remarked on a Settlement Agreement of 1989 and a second one in 2009 with concessions made by Town Council. Those concessions were 1) that 165,000 square-feet would be the maximum amount of area square footage; 2) there were limits placed on hours of operation; 3) provisions for significant landscape buffering, berms and water features; 4) that the building be energy efficient; 5) payment of \$250,000 towards impacts; and 6) to include a sketch plan of the building for staff to review architectural details and to be certain that it was consistent with the Settlement Agreement.

Mr. Quigley advised that while it had not been a requirement of the Settlement Agreement, the Town held a public participation meeting on March 16, 2011, for this project as it was a current requirement of the site plan process. Staff had acquired the public's comments and relayed those concerns to the developer.

Ms. Bazinet summarized the planning report. There were nine recommendations made by staff in the report.

Mr. Breslau had it clarified that the project and staff review was based on the 1989 Code. He asked staff what the applicant's response was to the nine recommendations. Ms. Bazinet responded that it would be more effective to have the applicant respond directly as to why they agreed or disagreed with those nine recommendations.

Ms. Motley introduced the representatives for the petitioner. She assured that Walmart wanted a traffic signal at the main entrance on University Drive and would be willing to pay for it; however, FDOT had maintained that there were "not sufficient warrants" to merit a signal at that site. Ms. Motley stated that any assistance from the Town to obtain a traffic signal would be greatly appreciated.

Using renderings, Mr. Howell described the current plan to the Committee noting the differences from the previous plans and he emphasized the improvements. When Ms. Lee questioned the height of the berms, Mr. Howell provided graphs showing eye-level perspectives from all four sides of the project.

Although the wall was on top of the berm for most of the western perimeter, Vice-Chair Khavanin pointed out a section where the wall was approximately ten-feet to the east of the berm. Mr. Howell explained that because of spatial constraints they would not be able to get the correct pitch and, therefore, moved the eight-foot wall to grade level by the pond.

Chair Crowley asked what would prevent trucks from exiting at the Orange Drive ingress/egress instead of using the University Drive ingress/egress. Mr. Howell indicated that there would be signage and Walmart's fleet drivers would be informed of the correct path. He advised that due to safety issues, the third opening was necessary.

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Ms. Motley suggested that they take the staff recommendations and respond to each one in order. Recommendation one was to *provide trellis structures along the internal walkways*. Mr. Howell explained that he disagreed with the recommendation. He indicated that the site was designed in accordance with the Settlement Agreement and the additional cost for trellises was prohibitive. Secondly, the internal layout of the sidewalks did not present an area like a pedestrian promenade where it would make sense.

Vice-Chair Khavanin argued that the Settlement Agreement did not specify how much money was to be spent and since staff had recommended it, it was needed.

Mr. Breslau disagreed as he found trellises to be very expensive with no benefit to provide shelter from the rain. He would rather have something meaningful by the buildings or the entrances.

Mr. Venis asked for clarification about Mr. Howell's second comment regarding the trellises.

Mr. Howell described the situations whereby a trellis may have a useful function. Because of the layout of the site and the architectural features at the front of the building, there were no sidewalks in islands leading foot traffic through the parking lot on which to set trellises.

Mr. Breslau spoke of changes which had been made in the code which presently required parking lot islands and walkways and for which trellises were aesthetically useful; however, those islands and walkways did not exist in this project as it was not required by code at the time of the Settlement Agreement.

Vice-Chair Khavanin reiterated that he could not accept the excuse of it being a financial issue and that if staff had recommended it, then it should be provided.

There was confusion as to where the trellises were meant to be placed and Mr. Klemple clarified that some of the architectural features on the building at two of the entrances were overhangs where people could collect which mimicked the trellises with planters and benches below. It was the consensus of the majority of the Committee to accept that the petitioner did not agree to recommendation one.

Mr. Howell stated that they agreed to recommendations two (*for safety purposes, eliminate the internal walkway along the rear side of the structure*) and three (*provide a walkway along the west side of the structure leading to the store entrance*).

Mr. Howell stated that they preferred not to agree with recommendation four (*provide 20 turf block parking spaces in northern portion of each parking aisle*) as it was not a requirement of the 1989 Code and it presented long-term maintenance issues as was their experience. Ms. Bazinet provided the rationale behind the request. Ms. Motley maintained that there was 40% pervious area and that turf pavers presented safety hazards for pedestrians. The Committee accepted that the petitioner disagreed with recommendation four.

Regarding recommendation five (*provide a ten (10) foot wide landscape median and shade trees between head-to-head parking spaces*), Mr. Howell reiterated the reasons for disagreeing with this recommendation. Ms. Motley pointed out that the focal point of the site plan design was to keep as much of "the green" as possible between the residences and the project site. Providing parking lot islands would force an expansion which would result in losing the perimeter distances between the site and residences. Ms. Lee expressed that while she appreciated the buffers, the parking lot would look more friendly, welcoming and inviting with landscaped islands. Ms. Motley agreed while pointing out that it was impossible to have both.

Ms. Motley agreed to recommendation six (*pursue the relocation of palms and other landscaping material within the University Drive median impacted by the north bound left turn lane improvement required by this development*).

Mr. Howell disagreed with recommendation seven (*provide an eastbound left turn lane at the intersection of Orange Drive and the development's southern entrance*) because the east-bound traffic on Orange Drive did not have the number of trips to warrant a left-in turn lane based on their traffic analysis.

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After determining that there was room for a left-turn lane, the Committee disagreed. They believed that traffic coming from the west would prefer entering the project at the southern ingress/egress rather than taking the alternative which was to go east on Griffin to University, then north, then make a left turn into the site.

Ms. Motley stated that they agreed to recommendations eight (*flip the directional of arrows along University Drive southbound collector lanes and correct the design of Orange Drive westbound collector lane at south entrance*), and nine (*correct overlaying double stop bars at the south entrance*), and that they would be making those modifications.

Mr. Klemple provided a brief presentation regarding the architecture, materials and colors to be used for the building.

Ms. Lee asked if the signage on the north side of the building would be illuminated 24-hours. Mr. Klemple explained that the “Walmart” and “spark” logo would be internally lit through the evening and they would control them. Upon Ms. Lee’s inquiry as to the height of the Walmart sign, Mr. Klemple estimated that the bottom of the ‘W’ would be 22-feet high.

Chair Crowley asked if anyone from the public would like to comment.

Don Martin, a neighboring resident, made the suggestion that the developer might consider one long, ten-foot wide island area extending from the northern end of the parking lot to the main entrance of the building and that it have trellises over a pedestrian pathway through the center. He thought it would be a compromise that would help break up the expansive asphalt without impacting the parking drastically.

Mr. Martin was unable to see the graphics from his vantage point in the audience. Using renderings, Mr. Howell went over the dimensions of the northern wall, berm and landscape plans. Also clarified were other perimeter buffers and the designated traffic flow for tractor trailers.

Bill Snyder advised that he had not received notice of this meeting. He requested that since the project was to surround his office located near the southeast portion of the site, that there be planted an abundance of landscape foliage between the north-end of his lot and the tractor, trailer driveway. Mr. Snyder was concerned about traffic noise and protecting a pond behind his building which attracted a lot of wildlife.

Vice-Chair Khavanin pointed out that on the plans, sheet 6031, JJ, the height of the chain-link fence had not been specified. Mr. Howell indicated that it was to be six-feet high and he would also show on the plans where it terminated. The following is a list of items which Vice-Chair Khavanin noted were not indicated on the plans and to which Mr. Howell responded that he would correct: 1) sheet 6031, a note was needed to show that a sidewalk was constructed as per ADA regulations; 2) that the distance between the stop bar and the crossing should be a minimum of eight-feet; 3) he pointed out where “TRUCK ENTRANCE” signage needed removal; 4) that the landscape islands in the parking lot were to be ten-feet wide; 5) that the top of curbing around the landscape islands be a specific measurement; 6) that there be a separation barrier around the base of the lampposts to protect the posts from vehicles; 7) to verify the driveway width on the west side of the building; 8) that a sign on the south side of the north entrance needed to be labeled; 9) if possible, to provide the Department of Transportation’s line-of-sight triangle at the exits; 10) to show the radius for tractor trucks turning inbound and outbound at the specified truck ingress/egress; and 11) on the east side of the building, to show a five-foot separation between the building and the driveway.

Mr. Venis asked if the photometric plan reflected the new Night Sky Ordinance or the 1989 Code. Ms. Bazinet advised that the photometric plan met the current Code. Mr. Breslau commented that the photometric plan needed to be corrected and he pointed out the discrepancies for the petitioner’s understanding.

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Vice-Chair Khavanin pointed out on the plans to a symbol he did not recognize. It was identified by the petitioners to be bollards by the southeast structure of the building. He reminded them that there needed to be a separation behind the back of the building and the drive for safety purposes.

There was a proposed sidewalk located east of the building, which curved south of the building, and continued west. Vice-Chair Khavanin stated that the sidewalk needed to be identified if it was to be paved or unpaved or a green area. Specifics on the curbing were not made as well.

Ms. Motley was concerned that these detailed, technical comments could not be responded to at this time as they would require research for solutions. She suggested that they work with staff to follow up on them. Chair Crowley asked staff if they were keeping track of these technical issues. Mr. Quigley responded affirmatively.

Vice-Chair Khavanin reiterated that some of his comments were safety issues. Chair Crowley asked that he list the issues as the petitioner was willing to work with staff on those issues and Mr. Quigley was keeping track of them. Vice-Chair Khavanin agreed that he would make the comments and that it was up to staff and Council to deal with them.

Vice-Chair Khavanin made the following comments: 1) he asked that a note be made to connect the proposed sidewalk to the existing sidewalk on Orange Drive; however, he preferred and recommended that a sidewalk be installed along Orange Drive and up University Drive so that a person would have a walkway around the site if they chose not to go through the site; 2) that a left-hand turn lane eastbound on Orange Drive be constructed; 3) on sheet 6042, the bottom of a retention area was shown as “three” which needed to be changed to a minimum of “four elevation;” 4) that eight-inch PVC drainage pipe was being indicated and it should be 15-inches; 5) plans showed that a proposed grease trap was within a drainage easement on sheet 6042; and 6) to show on the plans how the boat ramp was to be accessed.

Ms. Lee was disappointed to see that only about 25% of the trees on the property “were staying.” On sheet 6100, she requested that the notes regarding tree replacement requirements and the tree preservation detail be strictly adhered to. Mr. Sims agreed to her request.

Ms. Lee noticed that six trees were labeled “unknown” and Mr. Sims explained the situation. She stated that their identity needed to be determined so that they could be removed if they were invasive or if they were good trees, they needed to stay or be relocated. Mr. Sims agreed to her request.

There was a brief discussion regarding the tree line along the northern buffer. Ms. Lee asked that staff oversee the transplants. If any of the relocated trees did not survive, staff was to mitigate for each of those trees “per caliper inch.” She was adamant about fulfilling the specifications as presented because all of the materials were readily available. Ms. Lee suggested that they be secured at this time because there were to be no substitutes. If any items were shortened, it would impact the buffer for the residents. She, therefore, would consider this accepted recommendation as one of the conditions for her approval. Ms. Lee asked that the Sabal Palms be “booted” rather than “slick.” Mr. Sims responded that up to 18-feet could be booted, above that was trouble. It was agreed that as many as could, were to be booted. She suggested that the Ilex ground cover be switched for Green Island Ficus and Mr. Sims agreed to the change.

Ms. Lee explained that St Augustine grass had been used at all the commercial sites along University Drive and she would like this last piece to be consistent. Mr. Sims advised that Walmart had made a commitment to reduce water consumption across the country and that was why they planted Bahia sod at all the new stores. Also, the irrigation system was based on drip irrigation which was not too successful with St Augustine grass. Walmart had contracted to have the grass maintained 42 times a year rather than the typical 11 times a year that the Department of Transportation did for roadside Bahia grass. The combination of proper irrigation and maintenance had a good impact on the appearance of the Bahia grass.

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Ms. Lee responded that she was making a recommendation and, ultimately, it was up to Council to decide. She advised that the use of St Augustine grass conformed to the 1989 code requirements. A compromise was reached whereby the Bahia would be planted around the less visible water areas and the St Augustine would be used for the pedestrian areas and the University Drive and Orange Drive buffers.

It was confirmed that Mr. Sims would oversee the landscape construction as he was Walmart's landscape inspector during construction which was assuring to Ms. Lee. She asked if they were willing to switch the Sabal Palms on each side of the northeast drive aisle for 18 Royal Palms. Mr. Sims had no problem with satisfying that request.

Mr. Breslau was extremely concerned about the amount of traffic activity that was directed to the internal intersection of the southeastern entrance off University Drive. He pointed out on his plans for the benefit of understanding for the petitioner where it was necessary to provide stamped paved crosswalks for the safety of pedestrians at this busy intersection. Mr. Howell understood and agreed to provide crosswalks of stamped colored asphalt at the locations Mr. Breslau indicated.

Mr. Breslau asked about the cart storage locations and Mr. Klemple pointed out on the plans where the carts would be stored. He also touched on the photometric plans to which the applicant agreed to make the necessary corrections in order to increase the lighting at specific locations where it was a safety issue.

Mr. Martin discussed landscape maintenance and fencing. He advised of an area at the northeast buffer where the foliage was sparse and a few more trees would have a tremendous impact for the first three homes closest to University Drive. Ms. Lee agreed and asked the petitioners if they would be willing to make a "good neighbor" gesture and add five more trees at that location. They had agreed.

Mr. Martin was curious about the lighting arrangements for nighttime. Ms. Motley explained that there would be a lighting plan. Since the store would not be open to the public after 11:00 p.m., the lights would be dimmed and only that which was necessary for employee safety, would be utilized. She indicated that all the new lighting at Walmart stores was LED lighting.

Mr. Martin asked about the parking lot surface for crosswalks, hours of operation for the public, delivery restrictions, and the enforcement of restrictions regarding overnight parking for recreational vehicles and semi-tractor trailers. All questions were answered; however, regarding the overnight parking issue, Vice-Mayor Hattan recalled that Walmart had indicated that it would provide 24-hour security. Ms. Motley responded that she would look into that matter as she did not recall it being part of the settlement agreement.

Mr. Martin expressed his opinion that he would like to see St Augustine grass planted in place of Bahia grass.

Vice-Chair Khavanin suggested an additional recommendation which was to try to provide one central landscape island, ten-foot wide by shifting the parking five feet east and five feet west. Although it would reduce the east and west buffers, it would only be a five-foot reduction to each side.

Vice-Chair Khavanin closed the public portion of the meeting.

Mr. Breslau made a motion, seconded by Mr. Venis, to approve subject to the following: 1) staff recommendations numbers two, three, six, seven, eight and nine, and without approving staff recommendations numbers one, four and five; 2) all plans would conform to the 1989 Code; 3) sheet number 31, all fence heights would be shown at the six-foot height level and the fencing would go from screen wall to screen wall (although not currently shown that way on the plans); 4) show all ADA notes on sheet 31; 5) remove the truck entrance sign on sheet 31 from the north entrance or verify whether it was needed or not needed; 6) verify on the site plan that all landscape islands are ten feet per 1989 Code; 7) the applicant would review with staff to ensure that there was adequate protection of the light-poles since there were no "landscape islands" around them; 8) verify the width of the west driveways as shown on the plans; 9) clarify the "unlabeled" signs south of the north entrance in the right-of-way;

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10) verify that the lines-of-sight were not infringed on the plans and correctly labeled as such; 11) show a template for all truck movements and verify that there was no infringement on any curves; 12) to review the photometric plan to make corrections in the rear of the building where showing “zeros” and to have a 2.5 minimum photometric at the internal intersection by the “garden/landscape center” as was discussed; 13) that specifications on all trees were exactly as per plans and there would be no variation from those specifications; 14) the majority of the Sabal Palms would be “booted” and not slick; 15) Change Ilex plantings to Green Island Ficus; 16) St Augustine grass to be used on the buffers and pedestrian areas in lieu of Bahia grass; 17) to submit an irrigation plan prior to building permit; 18) at the northern entrance, down the “throated” driveway, to replace the 18 Sabal Palm trees with 18 Royal Palm trees (nine and nine on each side); 19) improve the crosswalk at the internal intersection of the southeastern entrance driveway by adding stamped asphalt or similar materials and including a sidewalk through the landscape island and clearly identifying that as a pedestrian crosswalk; 20) that the applicant had agreed to add five more Oak trees on the northeast boundary buffer nearest the entry; and 21) to review with staff to see if there was an opportunity to add a single sidewalk through the middle of the landscape area of the parking lot as a “collector” sidewalk that would not infringe on the existing buffers currently shown, nor at the expense of those buffers. In a roll call vote, the vote was as follows: Chair Crowley – absent; Vice-Chair Khavanin – no; Mr. Breslau – yes; Ms. Lee – yes; Mr. Venis - yes. **(Motion carried 3-1).**

3. OLD BUSINESS

There was no old business discussed.

4. NEW BUSINESS

4.1 Committee Meeting Schedule

It was the consensus of the Committee to defer this item to the next meeting.

5. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

6. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 6:24 p.m.

Date Approved: _____

Chair/Committee Member