

**SITE PLAN COMMITTEE**  
**MARCH 10, 2009**

**1. ROLL CALL**

The meeting was called to order at 4:05 p.m. Committee members present were Chair Harry Venis, Vice-Chair Casey Lee, Bob Breslau (arrived 4:28 p.m.), Sam Engel, Jr. and Jeff Evans. Also present were Planning and Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Planners Lise Bazinet and Maria Sanchez, Chief Landscape Inspector Chris Richter, and Secretary Janet Gale recording the meeting.

**2. APPROVAL OF MINUTES:** February 24, 2009

Vice-Chair Lee made a motion, seconded by Mr. Evans, to approve the minutes of February 24, 2009. In a voice vote, with Mr. Breslau being absent, all voted in favor. **(Motion carried 4-0)**

**3. SITE PLANS**

*Modifications*

3.1 SPM 5-4-08, Atrium Centre, 4801 South University Drive (B-3, Planned Business Center District)

Stephen Griss, Peggy Grant, Linda Strutt and Kurt Kettlehut, representing the petitioner, were present. Mr. Abramson summarized the planning report.

Mr. Griss provided an overview of the project along with building materials and color samples. Chair Venis asked Mr. Griss if he agreed with the seven recommendations made by staff. Mr. Griss explained his point of view on each of the recommendations.

Mr. Engel pointed out that on the survey it showed ten parking spaces in an 80-foot span for the existing northern parking area. Since he had actually counted the amount of spaces and in reality there were not ten of them, he did not think it was a problem; however, the survey was not accurate. Mr. Abramson explained that the portion of the parking Mr. Engel had referenced was not within the scope of the project.

Mr. Evans took issue with there being a designated loading area located at the main entrance of the new addition. Mr. Griss advised that it was to be used for UPS, FEDEX and Post Office drop off and not actually for loading. Mr. Evans suggested that if it did not interfere with the fire access lane, it could be shown as a temporary loading area or it should be moved. Another concern he expressed regarded the amount of dead end parking spaces. Mr. Evans suggested that an "employees only" sign be installed at the entrance of the dead end parking to make up for the lack of circulation provided. Mr. Griss agreed the sign would discourage guests from entering a parking area in which they would be forced to back out of in order to exit.

Vice-Chair Lee asked if the existing parking islands would be enhanced along with the planned enhancements for University Drive and the addition site. Mr. Kettlehut explained that there were three phases in the project. The final, phase three, would involve a walk-thru with the Town's landscape architect to examine all the landscaping and see if it met with the original approved landscape plan. Vice-Chair Lee indicated that since it had been a staff recommendation, she would include it in the Committee's recommendations. She asked that "bubblers" be installed for the new and replaced trees. Mr. Kettlehut advised how he would enter into contract with the landscaper in order to assure that the foliage was maintained properly until the trees were established.

Vice-Chair Lee commented that the landscape plan was a good one and, therefore, she wanted to be sure it would be followed. She asked that the landscape staff oversee that items were not switched out or any materials changed. Mr. Kettlehut clarified that he would not be able to control outside agencies such as the Department of Transportation's portion of landscaping along University Drive; however, other than that, all the landscaping should be installed following the plans.

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Mr. Breslau asked about sidewalks at the main entry which appeared to go nowhere. Mr. Griss concluded that it was a mistake in the plans and should be removed provided that the Engineering Department was in agreement.

Another concern of Mr. Breslau was the two-foot overhang from vehicles over the parking islands. He knew that vegetation would not grow under the overhangs and, therefore, recommended that an alternative be sought such as gravel or extending the asphalt two more feet beyond the bumper stops. Mr. Kettlehut indicated his agreement. Mr. Breslau requested that they shield the lighting fixtures located in the west parking area where it backed up to the retention pond. Doing so would keep light from spilling to the neighbors to the west. Mr. Griss agreed to shield the lighting fixtures.

Mr. Evans went over the recommendations made by staff in order to clarify which had been completed and which items needed to be completed.

Mr. Evans made a motion, seconded by Mr. Breslau to approve subject to 1) staff's recommendations numbers one, five, six and seven; 2) that the loading area located at the new eastern drop-off area had to be moved; 3) that the dead-end parking in the rear was to have a sign "employee parking only;" 4) that the landscaping on the site was to be inspected by the Town and replaced if substandard, even the existing landscaping if it did not meet Code; 5) to add "bubblers" to the new trees on University Drive; 6) on sheet C-10, the sidewalk connectors were to be removed and to match the other drawings at the main entrance drive; 7) for the west parking lighting, add shields to those fixtures at the western retention pond area; 8) that the two-foot overhang of the compact parking spaces would be replaced with "hard-scape" material rather than landscape material; and 9) all landscaping would be installed before the first Certificate of Occupancy. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – yes. **(Motion carried 5-0)**

3.2 SPM 11-2-08, Park City Estates/Harmony Hall, 8640 SW 20 Street (R-1T)

Anthony Lilley, representing the petitioner, was present. Mr. Abramson summarized the planning report.

Chair Venis asked how Mr. Lilley felt about the staff's recommendations. Mr. Lilley responded that he did not have any issues with the recommendations.

Mr. Engel noted that the angled parking on the west side of the proposed building did not provide a turn-around for vehicles. As the parking spaces were designed for recreational vehicles, Mr. Lilley agreed that a hammer head or some type of circular feature would be added at the end of the parking area in order for the recreational vehicles to turn around and exit.

Vice-Chair Lee made a motion, seconded by Mr. Engel, to approve subject to 1) installing a "hammer head" or circular feature at the south end of the recreation vehicle parking in order to allow the vehicles to turn around and get back out; and 2) subject to staff's recommendations one through six. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – yes. **(Motion carried 5-0)**

3.3 SPM 12-3-08, Fred Hunter Memorial Services, Inc., 2401 South University Drive (B-2)

James Downey, representing the petitioner, was present. Mr. Abramson summarized the planning report.

Vice-Chair Lee asked that a landscape plan be submitted with this modification since the landscaping was not up to Code and it might be the only chance the Town had to have the site improved. Mr. Engel agreed that the landscaping plan should be part of the process.

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Mr. Evans was concerned about the beam and fascia board over the canopy entrance. He pointed out the problem to Mr. Downey who explained what would be done. Mr. Evans was satisfied that what Mr. Downey proposed would work; however, he commented that the plans needed to match the elevation. It was difficult to comment on the elevations since the plans did not match.

Mr. Engel recalled that the flat part of the roof had a history of problems where water would settle and drains had to be added. Mr. Downey indicated that he would peel off the whole existing roof, re-slope and re-insulate all of it so that it would slope correctly towards the two back corners.

Mr. Breslau suggested that some natural materials such as stone be added to the façade as had been required of other modifications which were made in the area. A discussion ensued regarding where the stone façade would be most suitable on the building.

Mr. Evans pointed out that while the front elevation had a residential appearance, the northwest corner looked like a “big box” and needed to be changed in order to appear more residential.

Mr. Breslau made a motion, seconded by Mr. Engel, to table to the next available meeting (4/7/09) and that 1) the applicant would come back with the correct architectural drawings; 2) that the pages match; 3) that the elevations match the drawings; 4) that some design work needed to be done on the Nova Drive side at the rear of the building to address the concerns of the Committee; 5) that there be some natural materials used as accent materials on the building so that it would not look like “just stucco;” and 6) a landscape plan would be submitted. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – yes. **(Motion carried 5-0)**

3.4 SPM 12-6-08, Flashback Diner and Coffee House, 4125 SW 64 Avenue (RAC-TOS, Regional Activity Center - Transit Oriented Street District)

Stephen Griss and Toula Amanna, representing the petitioner, were present. Ms. Sanchez summarized the planning report.

Mr. Griss used renderings and a materials/color board to provide an overview of the project.

Chair Venis asked about the staff’s recommendation to screen the mechanicals. Mr. Griss explained that they were able to hide the new air conditioning unit behind the gable roof; however, due to costs, they painted the existing units. Since the a/c units and exhaust fans were at the rear of the building and not exposed to any roadways, they did meet with Code regulations.

Mr. Evans asked how the Community Redevelopment Agency received this plan which seemed to have varied from the Western Theme. Agency Administrator Will Allen indicated that the Western Theme Manual allowed all the materials selected for the modification and that the Western Theme had been expanded to include more than “Dodge City.”

Mr. Evans pointed out on his plans where there was a difference between the shadow line on the rendering and what had been indicated at the entrance of the plans. Mr. Griss responded that the rendering was correct and, therefore, agreed that the plans needed to be changed. He stated that they wanted the entrance to be high and that the beam went all the way back to the existing face of the building.

Mr. Breslau called attention to the photometric plans and suggested where lighting levels should be increased in the back driveways.

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Mr. Evans made a motion, seconded by Mr. Engel, to approve 1) subject to staff's recommendations; 2) that the front elevation be corrected under the raised roof area to match the rendering (that there was a raised roof area underneath the sign band that said "*Flashback*" on it; therefore, the elevation and rendering should match); and 3) correct the photometric plan in order to raise the light levels to the 2.5 foot-candle range in the rear driveways. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – yes. **(Motion carried 5-0)**

3.5 SPM 12-7-08, Lincoln Park Center, 6800 thru 6888 Stirling Road (B-2)

The petitioner was not present. Mr. Abramson requested that the item be tabled to the next scheduled meeting.

Vice-Chair Lee made a motion, seconded by Mr. Breslau, to table to the next scheduled meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**4. OLD BUSINESS**

Vice-Chair Lee introduced neighbors who lived at Grand Oaks Estates and indicated that they had issues since October 2001. Their site plan had expired, bonds had been returned, and not all their amenities had been installed. Since they went to Vice-Chair Lee looking for assistance, she asked that the Committee listen to their predicament and maybe figure out a way to advise them.

Mr. Breslau asked staff what this Committee would be capable of doing as an advisory board should it find that it wanted to do something. Vice-Chair Lee responded that some action needed to be taken for them to move forward since they have been "spinning their wheels at Town Hall" and nothing had been moving forward for them.

Mr. Breslau asked Mr. Quigley if the Committee could make a recommendation to Council to re-review the site plan should it decide to do so. Mr. Quigley responded that the Committee could make whatever recommendation it deemed appropriate.

Alberto Fernandez spoke as the president of the homeowners' association and provided historical information. He maintained that the developer was to provide meandering paths on the north and south sides of Grand Oaks Drive (sidewalks), landscaping and street trees. Mr. Fernandez indicated that there was an outstanding building permit that was approved with exceptions – the exceptions being that street trees were missing and to be installed in the future. He advised that the permit which was still in effect was four years old.

Mr. Fernandez spoke of a \$44,000 Letter of Credit which he had hoped would be extended because of the deficiencies in landscaping. Apparently the developer had asked that the Letter of Credit be released and the homeowners' association had intervened and asked that the Town reconsider and not release the \$44,000.

Mr. Fernandez advised that in anticipation of the developer not completing the amenities, three of the homeowners had held back a total of \$225,000 until the developer finished out the project as he had committed to pursuant to the site plan approval. He basically needed something in writing to take to a judge to show that the project had been reviewed and was found to be incomplete pursuant to the site plan.

Mr. Quigley was in process of researching the terms for the Letter of Credit and believed it was based on assuring the survivability of any of the transplanted trees. He was working with the developer to try and figure a way to induce him to complete the work which needed to be done. Mr. Quigley stated that unfortunately, final inspections on the engineering work were approved and he did not know why the bonds had been released.

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A lengthy discussion ensued regarding the dilemma and it was decided that the Committee would make a request of the Town Administrator to direct staff to review the approved site plan and verify what had been installed and not installed and report to the homeowners' association what was missing. Mr. Quigley would advise the Town Administrator of this recommendation.

**5. NEW BUSINESS**

There was no new business discussed.

**6. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**7. ADJOURNMENT**

There being no further business and no objections, the meeting was adjourned at 6:26 p.m.

Date Approved: \_\_\_\_\_

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Chair/Committee Member