

**MINUTES
TOWN OF MONTVERDE
PLANNING AND ZONING BOARD
June 25, 2015**

The Planning and Zoning Board of Montverde met on June 25, 2015 at 6:30 p.m. in regular session in the Town Hall Mayor's Office.

The recommendations of the Planning and Zoning Board will be submitted to the Town Council at a Council meeting to be held on Tuesday, July 14, 2015 at 7:00 p.m. in the Town Hall Auditorium.

Board Members Present:

Glen Brecheen
Skip Perry
Steve Smith
Chris Mitchell

Staff Present:

Graham Wells, Town Clerk,
Sean Parks, Town Planner

Glen Brecheen called the meeting to order at 6:34 p.m., and then led the Pledge of Allegiance.

ROLL CALL:

Following the roll call by Graham Wells, Town Clerk; a quorum was announced.

PUBLIC HEARINGS:

Minor Site Plan Application – F & M Market and Gas Station

Minutes for the Planning and Zoning meeting held on February 26, 2015 were unanimously approved with no amendments.

Chairman Glen Brecheen handed over to Town Planner Sean Parks who outlined the purpose of the application coming before the board. It is a Minor Site Plan Application for the F & M Market and Gas Station, the owner of which was present along with Mike Saxton from Aluminum Plus, who was contracted to install the Canopy and Signage.

Sean explained that they were making substantial improvements with new Gas Pumps and Fuel Lines plus a new canopy and some new signage. He said that he had reviewed the application for compliance with the Town's code and that it met all the requirements which it does and that his recommendation was for approval of the application. He added that the approval recommendation was for Option 1.

He said that the applicant had spent considerable time with himself, Graham Wells and the Mayor at some point on possible design options, the size of the canopy and what it would look like. They are sensitive to the requirements of the Town and wanted to see what the Boards opinions and recommendations would be on the options shown in the staff report for the canopy style, signage and also the parking outside the store, whether it should be straight or angled.

Chairman Glen Brecheen stated that the set back of the canopy was fifteen feet and asked whether this would require a variance as part of the application. Sean stated that we would include this within the Resolution and that the variance would be granted at the same time. Glen Brecheen further stated that there was an Ordinance relating to the C1 zoning district that allows it as all the other buildings along CR455 did not comply with the twenty five foot setback requirement. Some were ten feet from the right-of-way and some even had zero lot line from the Town's sidewalk.

The Ordinance was passed so that if an owners building in C1 zoning was demolished as a result of a fire that they would not have to rebuild it with twenty five feet set back. Sean and Glen agreed that this was a gray area. Glen also said that construction of a new building on a vacant lot would only be required to line up with other adjacent buildings and not further back to conform to the twenty five foot setback. Glen added that this particular are did not have other buildings to line up with but that the existing pumps were not twenty five feet from the right-of-way.

Graham Wells said that the new pumps would be twenty five feet from the ROW and that it was only the edge of the canopy that would be fifteen feet from the ROW. Sean added that he and Graham had spent time over at the gas station and had measured where the cars would be that were next to the gas pumps and they concluded that they would be no closer than if alongside the existing pumps if they were serviceable. Glen said that the only part within the setback would be X-feet in the air and that there should not be any vehicle taller than that on the road anyway.

Graham Wells added that a further issue was that if the canopy was pushed back to twenty five feet then the cars gassing up would be much closer to the cars parked in front of the convenience store. When those cars or the much larger trucks with a towing hitch back up, there could be a considerable safety issue should they reverse into a car that is pumping gas. This is why Option 1 was recommended as the angled parking would encourage them to exit the gas station in the opposite direction to those entering it. General opinion was that angled parking was a good idea.

Chairman Glen Brecheen opened it up for discussion on the color of the canopy and said that he did not have a problem with the Sunoco standard livery which is blue with Nascar graphics on the front and rear and Yellow Letters on either end, none of which would be illuminated. He stated that as long as they met the code for size, that they were not neon or blinking lights that they should be acceptable. Chris Mitchell preferred this to the other options presented which was blue letters on a salmon colored background. Graham said that the canopy could be plain white but that after a short time it would look dirty.

He also stated that the original proposal was for the SUNOCO signs on the ends of the canopy were to be illuminated but that now they were to be just graphics. Skip Perry asked if the only lighting would be those under the canopy which was confirmed other than the existing pole sign on which the new SUNOCO graphics would be illuminated. They were originally going to erect a brand new sign but now only the fascia was to be replaced with digital numbers for the pricing.

Discussion opened up as to the size of the decals that could be placed on the canopy and Sean Parks felt that the square footage would fall within Chapter 4 of the code. Chris Mitchell asked if any of the signs were being replaced on the convenience store and Sean stated that no proposal had been received. Mike Saxton from Aluminum Plus stated that they could put whatever graphics we chose on the canopy. The main SUNOCO identity came from the pumps and also the pole sign, however it was acknowledged by all that the preference would be to stick with the brand image and have the Nascar graphics included on the canopy.

Chairman Glen Brecheen said that he needed a motion to recommend to Council who would have the final decision. Sean reiterated that it was Option 1 with the fifteen foot setback and angled parking that was being recommended and asked that the blue color and also the Resolution number, 2015-18 be included in the motion.

Additional discussion took place and it was recommended that direction indicators be put down to encourage cars to circle around and exit at one point. This would reduce the instances of cars running the stop sign for the trail which would improve safety. Steve Smith asked if there would be any changes to the drainage. Sean replied that they were not making any changes to the asphalt so a new stormwater permit was not required.

Sean explained that the new pipes to the pumps would be double lined. Graham said that if there is a leak in the inner pipe then the gas would flow into the outer pipe and back to the tank where there was a sensor which sets off an alarm. As the gas pipes ran over the Town's water line there would also be a 20 feet stretch of PVC pipe that would sleeve the gas pipe for additional safety and protection. It was felt that unless there was a huge sinkhole rupture that it was as protected as it could be. Steve Smith added that the pipe work is all state regulated. The Town's engineer and Public Works Director have also reviewed the drawings for the standards and installation of the pipes.

Graham explained that they were using the existing tanks which were not located on the property but behind the strip mall. The tanks are ten years into their twenty year life span and would be moved onto the Gas Station site when they are replaced in the future. This was why there were installing new fuel lines to the pumps.

Sean emphasized that there was a fiscal impact to the Town in the way of gas tax and sales tax collected which would come back to the Town. They are not currently selling gas so this would be a benefit.

Chairman Glen Brecheen asked if there was no more discussion that a motion is made to recommend or deny approval to Council of Resolution 2015-18. Chris Mitchell made a motion to recommend approval of Resolution 2015-18, Option 1 which is the angled parking with the fifteen feet setback, the blue canopy with the Nascar graphics on the front and rear and the yellow SUNOCO letter on both ends. The motion also included the plans for installation of new pipework, two new pumps and the refurbishment of the pole sign. The motion was seconded by Steve Smith and a roll call vote carried the motion unanimously.

Sean Parks gave the Board an update on future projects that will come before the Board. He said that there was not likely to be anything for July. It was decided to move the regular dates from the fourth Wednesday to the fourth Thursday as that suited the members better. He further explained to the owner that the next step was for it to go before Council on July 14, 2015 for final approval.

Having no further business to discuss, the meeting was adjourned at 6:57 pm.

**MOTION by Chris Mitchell, SECONDED by Skip Perry, to recommend to Council to approve the Minor Site Plan Application as discussed using Option 1 with the Blue Nascar graphics; Glen Brecheen asked for a roll call vote.
FOR: Brecheen, Smith, Perry, Mitchell
AGAINST: None
MOTION CARRIED: 4-0**

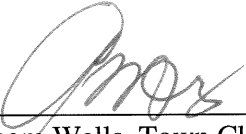
MINUTE APPROVAL:

**MOTION by Chris Mitchell SECONDED by Skip Perry, to approve Planning and Zoning Board Minutes for February 26, 2015.
FOR: Brecheen, Perry, Smith, Mitchell
AGAINST: None
MOTION CARRIED: 4-0**

ADJOURNMENT:

**MOTION by Chris Mitchell, SECONDED by Steve Smith to adjourn.
FOR: Brecheen, Perry, Smith, Mitchell
AGAINST: None
MOTION CARRIED: 4-0**

Respectfully submitted,



Graham Wells, Town Clerk



Glen Brecheen, Chairman

