

PRELIMINARY SITE PLAN
PDI-02-12(P) - SPECTRUM UNDERGROUND, INC.

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the recommendation of the Planning Commission, the criteria set forth in Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code); and finding PDI-02-12(P) consistent with Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan), PRELIMINARY SITE PLAN PDI-02-12(P) - Spectrum Underground, Inc. is hereby approved to allow a 4,800 square foot Convenience Store with Gas and Diesel Pumps (8,310 square foot combined canopy), a Carwash (700 sq. ft.), and a Construction Services Establishment (3,000 square foot office, 6,000 square foot warehouse, and equipment yard), and GRANTING Special Approval for a project: 1) within an entranceway; 2) partially located in the CH Overlay District; 3) partially within the CSVA Overlay District; and 4) a Mixed Use Future Land Use Category subject to the following stipulations:

STIPULATIONS:

1. All building facades shall exhibit an aesthetically attractive appearance. The warehouse may be made of pre-engineered metal components. Design shall be subject to the following criteria and reviewed for compliance by the Planning Department with future Final Site Plan and Building Permit submittals.
 - a. The sides of all buildings shall have minimal blank walls no longer than 40 feet in length. In order to insure that the buildings do not project a massive blank wall, design elements shall include prominently visible architectural details [e.g., bumpouts, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.] or other methods, as approved by the Planning Director. Facades greater than 90 feet in length shall have varying roof lines through varying the height of the cornice, or the use of 2 or more roof types (parapet, dormers, and sloped, etc.).
 - b. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated metal shall not be permitted. Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least fifty percent (50%) of the building face is constructed from other permitted materials.
 - c. All roof mounted H.V.A.C. and mechanical equipment shall be screened from view from abutting roadways and surrounding property with a solid parapet wall or other noise deflecting materials, which shall be consistent with the construction materials of the main buildings.
 - d. All buildings will have a maximum height of 30', except the canopies for gas and diesel pump islands shall be a maximum height of 24'. Building elevations shall be provided in accordance with the above conditions with Final Site Plan submittal.
 - e. Required setbacks for the parcel:
Front : 50'
Side: 75'
 - f. The office building and the warehouse cannot have any doors or windows facing west.
2. The gas pump island canopy shall be limited to 7,910 sq. ft. and constructed of materials consistent with the building. Building elevations shall be provided prior to Final Site plan approval.
3. The equipment yard shall be setback 75' from U.S. 41 and west property line.

4. All dumpsters, compactors, and other utility equipment shall be screened from view with a 6 foot high wall, constructed with building materials matching the principal building on site.
5. One new freestanding pole sign shall be allowed along U.S. 41 for the entire site and shall provide concealment of main support structure (e.g., pole) between 20% and 100% of sign width with materials, colors, and architectural details consistent with those used for the principal building on site. A maximum of two additional ground signs shall be limited along 73rd Street East may be permitted by separate permit and consistent with Section 737.5.3.3. Ground signs shall also include decorative elements reflective of the finish building materials, colors, and architectural details consistent with each building.
6. Access locations on 73rd St. E. and U.S. 41, shall require FDOT and Planning Department approval.
7. Five (5) foot wide sidewalks shall be provided along 73rd St. E. and U.S. 41 and shall be shown on the Final Site Plan.
8. The convenience store site shall be limited to 8 gas pump islands with 16 multi-dispenser gas pumps. The gasoline pumps, tank, vent, pump island, and pump island canopy shall be setback 50 feet from any property line. Vacuum areas shall be at least 50' from U.S. 41 and 73rd St. E. Also, the Final Site Plan for this project shall be reviewed for consistency with Sections 704.11, and 704.66.
9. There shall be no outdoor speakers associated with this project, other than an intercom system for the purpose of communication between the station attendant and gasoline patrons.
10. Overnight and extended daytime customer parking of trucks or trailers is prohibited on the convenience store site. The developer shall install signs at all entrances and diesel pump location indicating this restriction.
11. Landscape buffers along the perimeter of the property shall be as follows:
 - a. The landscape buffer along U.S. 41 and 73rd Street East, shall be 20 feet wide and shall be planted with one row of 1 ½" (at least 6' in height), 10' on-center, hedges, shrubs and berms shall be used to achieve eighty (80) percent opacity at a height of six (6) feet within 3 years.
 - b. West Property Line. A 15' foot wide buffer (exclusive of the drainage easement) to be planted with one row of 3" caliper canopy trees (canopy trees at least 14' in height) spaced 25' on-center. A Wax Myrtle hedge is also required. A 8' high solid wall with a painted stucco finish shall be installed behind the screening. Required wall shall be set back 75' from west property line. The structures may be utilized as part of the wall installed along the western limits of the equipment yard.
 - c. South Property Line. A buffer shall be setback 350' and the southern portion of this site shall remain open space. A 8' high solid opaque PVC fence or a decorative concrete block wall shall be installed in place of the 6' fence at the southern limits of the equipment yard. The buffer on the exterior side of the solid opaque 8' PVC fence or wall shall include one row of 3" caliper canopy trees (at least 12' in height), 25' on-center, with Wax Myrtle hedge.
 - d. Prior to Certificate of Occupancy or Temporary Certificate of Occupancy for either parcel, the required roadway buffer noted in stipulation 11. a., above, shall be installed.

- e. Landscaping referenced 11. b., and 11. c. shall provide screening on the exterior side of the fence at eighty (80) percent opacity at a height of six (6) feet within 3 years.
- 12. The eastern and northern perimeter of the equipment yard shall be screened with a 8' high solid opaque PVC fence or a decorative concrete block wall, except the gated entrance.
- 13. Foundation landscaping shall be required in the amount of forty (40) square feet per one thousand (1,000) square feet of gross floor area, with at least sixty (60) percent of the required foundation landscaping located along foundations visible from entranceway roadways. Also, the area containing the gas pumps and the circulation around these pumps shall be considered vehicle use area and shall provide landscaping meeting the standards of Section 715.
- 14. Site lighting shall be as follows:
 - a. Prior to Final Site Plan approval, the design and shielding of on-site night lighting and security lighting shall be designed to ensure no off-site glare or spill over lighting is directed along the western property line. Spill over lighting along the western property line, shall be limited to a maximum of 3 lux (0.3 foot candles). In addition, pole and building mounted lights shall be limited to 20' in height within the site and directed to the interior of the development using full cut-offs or a well shield types of luminary.



- b. Light fixtures on buildings may be used at entrances to a building to light unsafe areas. Light Fixtures shall not draw attention to the building and be fully shielded to direct the light downward.
- c. Glass tubes filled with neon and flood lights shall not be permitted on site.
- d. Lighting used after close of business shall be the minimum necessary to serve as security lighting.
- e. All lighting underneath any canopy shall be metal halide and all pole mounted lights shall be amber (high pressured sodium).
- f. Awnings and canopy fascias shall not be internally or externally illuminated on this site, including backlit-signs.
- g. All light fixtures mounted underneath any canopy shall be recessed so that the lens cover is recessed or flushed with the bottom surface (ceiling) of the canopy. Lights that project below the canopy ceiling are prohibited, except lights that are shielded by the fixture. The design of the housing , shall not allow any light dispersion or direct glare to shine above 90 degrees, horizontal plane from the base of the fixture.
- h. A signed and sealed Photometric Plan by a registered engineer shall be submitted to the Planning Department along with the Final Site Plan for approval and shall reflect a schedule of project fixtures, a point to point calculated level of illumination with the photometric curve of each luminary, the configuration or assemblies used for each pole, and mounting height of each fixture as required above. The plan shall also include calculated rates of illumination to ensure uniform illumination within the site. The overall average illuminance

divided by the minimum illuminance shall be less than or equal to 3 and the overall maximum illuminance divided by the minimum illuminance shall range between 4 and 8.

15. No outside storage of equipment or materials shall be located within the required front yard of the principal structure associated with the construction service establishment. Also, there shall be no activity in the equipment yard area between the hours of 6:00 p.m. and 6:00 a.m.
16. No outdoor storage of any materials, boats, RV's, or trailers (e.g., storage of vessels or vehicles for compensation) semi trucks, trailers, or other vehicles over 1½ tons shall be located in equipment yard area. Only equipment used in site clearing, grading, underground pipe work, dump trucks, loaders, general company vehicles, and storage of materials (stock piles of materials shall not exceed 6' in height) shall be on the same lot with in the screened Equipment Yard and clearly accessory to the principal use. Also, fill or aggregate piles shall not be permitted on site.
17. No motor vehicle repair or motor pool facility shall be allowed on the site.
18. Any flammable liquids products storage on site shall be subject to the requirements of Section 704.66.4 of the LDC and shown on the Final Site Plan.
19. The equipment yard area shown on the Preliminary Site Plan as existing grass shall be paved with FDOT #57 stone with a geo- web or alternative containment grid system approved by the Planning Department prior to Final Site Plan approval. No grass areas shall be utilized as a surface for the equipment yard. First fugitive particulate (dust) violation shall require the surface to be constructed and maintained in accordance with the Manatee County Development Standards, but at a minimum provided with a smooth, dustless surface of cement concrete or bituminous concrete.
20. The surface area shown on the Preliminary Site Plan as #57 Rock shall be constructed and maintained in accordance with the Manatee County Development Standards, but at a minimum provided with a smooth, dustless surface of cement concrete or bituminous concrete.
21. Compensation for the loss of 100-year flood storage capacity shall be provided through cut and fill balance calculation.
22. The applicant shall be responsible for any additional on-site or off-site related traffic safety or capacity improvements attributable to the project, as determined by the Planning Department, based on the findings of the traffic study report.
23. Drawings, details, or notes for Fugitive Particulate (during construction and on going operation of the site), and Erosion Control and Sedimentation Plan shall be submitted to the Environmental Management Department for and approval, prior to Final Site Plan approval.
24. A Water Well Construction Permit shall be obtained from the Environmental Management Department prior to construction of the proposed well(s).
25. Prior to development-related land clearing activities, all applicable County approvals shall be obtained through the Planning Department. If burning of trees or branches is required for land clearing, a burn permit shall be first obtained from the Environmental Management Department. No burn permits shall be issued until Final Site Plans and Construction Plans are approved.
26. The Developer shall use the lowest quality of water available for irrigation purposes. Prior to each Final Site Plan approval, the Developer shall identify the irrigation source which will be utilized. In-ground irrigation using Manatee County public potable water supply shall be prohibited.

27. The outfall for the stormwater management system shall discharge offsite in such a way to prevent adverse effects to Tree Lakes Mobile Home Park. Outfall discharge routing shall following existing, pre-development flow patterns of the site. This existing eventual point discharge along the southern property that routes discharge to McMullen Creek. Due to existing drainage problems, the drainage ditch along the western property line is not a recommended discharge path. If the developer chooses to use the drainage ditch as an outfall discharge, it will be their responsibility to correct the drainage issues currently onsite.
28. Unless #57 stone is used as the surface for the vehicle storage area, this surface shall be considered impervious and shall be included in the drainage calculations.
29. Retention ponds for treatment and attenuation shall be located at the southern end of the property.
30. A skimmer plate shall be provided per LDC on all outfall structures.
31. Top-of-bank to top-of-bank drainage easement shall be dedicated to the County for the drainage ditch located along the west property line within the site, adjacent to Tree Lakes Mobile Home Park together with an access easement (along west bank of the ditch) and shown on the Final Site Plan. Also, no landscaping shall be allowed within the access and drainage easements.
32. Prior to Final Site Plan approval, the Engineer of Record/Architect shall provide documentation to prove that concurrency has been met relative to fire flow in accordance with Policy 9.6.1.4 of the Comprehensive Plan.
33. Prior to issuance of Certificate of Occupancy, the intersection of U.S. 41 and 73rd Street East shall be signalized.

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 24th day of September, 2002.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

BY: 
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: 
