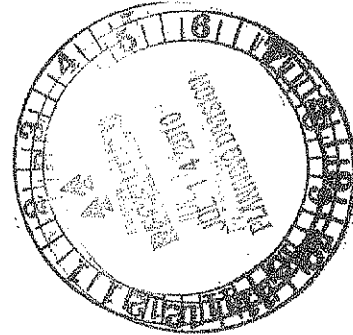


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HARD COPY OF MESSAGE EMAILED TO COGPlanning@city of Gainesville.org

July 11, 2010

City Plan Board,
C/o City of Gainesville, Planning Dept.
Petition PB-10-68 PDA
PO Box 490
Mail Station 11
Gainesville, Florida 32602



Dear Members of the Plan Board:

The Fat Tuscan Café is the type of cozy upscale eatery that you would hope to find in a sophisticated university city. It is, as far as I know, a one-of-a-kind in Gainesville.

I applauded its opening five blocks from my Duckpond residence although I thought, at the time; the restrictions imposed by the Gainesville Plan Board might be too stringent to allow for a viable business. This has indeed has turned out to be the case and the proprietors' Petition PB-10-68 PDA to amend the Planned Development Ordinance No. 070819 flows from their desire to modify the business plan for the establishment's survival. After all, it is not realistic to expect it to operate on a "non-profit" basis.

I find the Fat Tuscan to be an asset to my neighborhood and its existence and operation to be compatible with its general location. I have not personally heard any of my neighbors object to the Fat Tuscan and I believe that if it were put to a vote by Duckpond residents an overwhelming approval would result.

Two recent news articles suggested the possibility that the Fat Tuscan could be considered by some to be a noisy intrusion in a otherwise tranquil residential neighborhood. One property owner was quoted (in the *Alligator*, June 10, 2010) as saying that "she did not think the restaurant should be in her neighborhood at all." While I respect this opinion I disagree.

NE 1st Street cannot accurately be described as primarily "residential." My walk on this street between NE 8th Avenue and University Avenue revealed one apartment house, one single family dwelling and a condominium project (which in the past has housed offices) among the many other structures including professional offices, the rear entrance of a bank, a church, a county agency and numerous other non-residential uses.

The Fat Tuscan stands a short block from the busy commercial intersection of North Main Street and NE 8th Avenue. This intersection has businesses on all four corners, three of which operate seven days a week and two of those are automobile and truck service facilities.

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It is a real stretch to believe that anyone in the neighborhood would find the shrill of the pneumatic vehicle servicing equipment emanating from that corner to be less offensive than the clink of silverware and soft acoustical music from the Fat Tuscan Cafe.

In discussions with my neighbors and others it has been said that zoning is specific to the site rather than the particular business and that the implications for future usage of the property must be taken into consideration for a Plan Board decision.

I for one think that any concern that the decision to ease up on Fat Tuscan's restrictions might somehow in the future result in the establishment of a raucous biker bar or strip club on the site to be so far fetched as to be laughable.

I would like to add that I would be hard pressed to name two people who have made more positive contributions to the quality of life in the Duckpond neighborhood and our community as a whole than Michelle and Jay Reeves. I ask that you approve their petition.

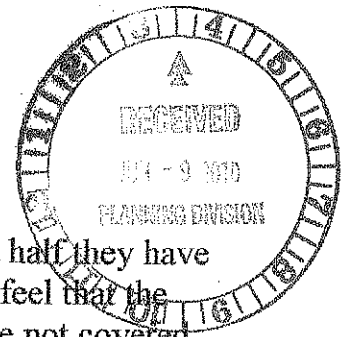
Yours sincerely,

Pat Rhodes

725 NE 5th Terrace

Gainesville, FL 32601

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Dear City of Gainesville Plan Board,

While I have been a patron of the Fat Tuscan in the year and a half they have been operating and wish to see the venture be successful, I do feel that the recent media stories about the legal woes of the restaurant have not covered the audacity of the approach the owners took by "quietly" ignoring the guidelines they were given and agreed to honor. In short order they expanded their indoor seating, offered the restaurant for private party rentals (evenings included), and then began monthly Saturday candlelight dinners. Also, they opened the café on Sundays during the downtown and Spring Arts festivals.

Friday Happy Hours began and eventually Thursday hours were added. What undoubtedly quickly became apparent was that the real moneymaker is in the sale of wine and beer at those times, since the hours were expanded and dinner menus were included. Though an increased volume of the illegal music might have caused the complaint which drew attention to this regular transgression and prompted additional citations for the various others, the fact is that the proprietors never sought to get any of the regulations changed in advance of being "caught"; they blatantly and in ever-expanding ways violated most of the restrictions agreed upon to allow them to open this business at that location.

Citing their customers' desires as a major reason for the numerous transgressions and that now forcing them to live within the rules will put them out of business is not a basis for the owners knowingly ignoring of almost every one of the rules. Operating a restaurant is a risky at any time, but despite the increasingly difficult economic times the owners chose to enter the business. The owners may have been naïve in their understanding of their revenue potential when they envisioned the café, but they did not exhaust their options; for example, breakfast was only eventually offered on Saturdays (and later discontinued), but it was never attempted on weekdays as a possible source of increased revenue.

While the setting is charming, the food delicious and the owners hardworking, pleasant people, I question what precedent is being establish if your support their current efforts to revise all the regulations at this time given this deliberate non-compliant behavior. The bottom line is that they have not been good neighbors they promised to be, especially by asking forgiveness instead of permission.