

LEGISLATIVE #

110112E



June 12, 2011

Onelia Lazzari, AICP
Principal Planner
City of Gainesville
PO Box 490, Station 11
Gainesville, FL 32602-0490

Dear Ms. Lazzari,

Please accept this submittal and present this to the City Council as it relates to their July 7th meeting. We are continuing with our request to maintain the Mixed Use 1 and Mixed Use 2 zoning districts as a Special Use permit, but allowing the machines by right in the BUS, BA, and BT zoning districts, but with the offered criteria within some combination of our language and that drafted by the City.

We look forward to working with the City of Gainesville to reach common ground as best befits your city and East Coast Ice.

Sincerely,

ICE HOUSE AMERICA, LLC
EAST COAST ICE, LLC

A handwritten signature in black ink that reads "Jason D. Cleghorn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jason Cleghorn
Compliance Director
East Coast Ice, LLC
Phone: 904-241-0063 x 301

Cc: Matt Tuohy, ECI
Erik Bredfeldt, Planning Director, City of Gainesville



Sec. 30-119. - Retail sales of electric golf carts.

The below listed requirements apply only when a special use permit is required for this use. The requirements do not apply when this use is permitted as a use by right under automotive dealers and gasoline service stations (MG-55).

- (a) Retail sales of electric golf carts shall be allowed only when co-located with an auto and home supply store (GN-553) and no more than 30 percent of the floor area of the store is devoted to the retail sales of electric golf carts.
- (b) Retail sales of electric golf carts does not include service (including battery installation) and/or repair of electric golf carts. Service and/or repair of electric golf carts is classified for zoning use purposes as limited automotive services.
- (c) No outdoor storage is allowed between the building and any public right-of-way and all outdoor storage shall be located only in the rear or side yard; however, a maximum of five electric golf carts may be displayed between the building and the public right-of-way.
- (d) Where the side or rear yard abuts a residential district or is shown for residential use on the future land use map of the comprehensive plan, any outdoor storage areas that are located in the side or rear yard shall have twice the amount of landscaping material that is required for buffer type E in section 30-253, and shall have 50 percent opacity at the time of planting.
- (e) The design and placement of all required landscaping shall be determined during development plan review.

(Ord. No. 100023, § 3, 9-16-10)

Sec. 30-120 Retail sales of ice.

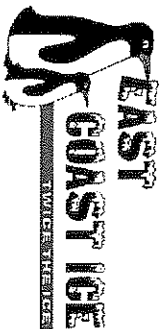
The following requirements do not apply when this use is permitted as a use by right in the Business Industrial (BI), Warehouse (W), Limited Industrial District (I-1), and the General Industrial District (I-2).

- (a) Retail sales of ice shall be allowed only when co-located with an existing commercial use and shall not be permitted in locations currently occupied by a use defined as residential by this code and shall be spaced no closer than one (1) mile from each other.
- (b) A special use permit as defined within Article VII, Division V of this Code will be required for retail sales of ice in the Mixed Use Low Intensity (MU-1) and Mixed Use Medium Intensity (MU-2) zoning districts.

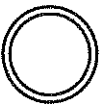
The following zoning districts may permit retail sales of ice by right, however the criteria found within Section 30-120 (a)(c)(d) and (e) still pertain to such uses: General Business District (BUS), Automotive Oriented Business District (BA), Tourist Oriented Business District (BT).

- (c) In addition to the criteria set forth in Article VII, Division V of the Code pertaining to Special Use Permits, where possible retail ice machines shall incorporate the criteria outlined in Part II, Appendix A, Section V, Special Area Plan for Central Corridors to include considerations of build-to lines, parking, building orientation, mechanical equipment screening and shall be designed to minimize interruption of pedestrian traffic.

- (d) The design of retail ice machines shall incorporate principles which maximize pedestrian and bicycle safety and convenience, ensure adequate queuing space for vehicles such that there is no backup of traffic onto adjacent roadways, minimize the visual impact on street frontage areas and be designed such that internal pedestrian access and safety as relates to the placement of the machine is considered.
- (e) In accordance with the City of Gainesville's use of the Munsell Color Scale, retail ice machines shall utilize the Advisory Color Guidelines document dated January 26, 2005 and will be designed such that soft earth tone colors are chosen which are generally comparable to nearby commercial establishments. Rooftop mechanical equipment shall be screened in a chroma, hue and value consistent with the framework of the aforementioned document.



Staff and ECI in Summary



Staff

East Coast Ice

Not permitted at all in MU-1/2

Request permission for MU-1/2 only by special use.

Maximum allowance for signage
36 sf

Maximum allowance for signage
48 sf or LDC sign ordinance
allowance

Structure set back at front façade
only

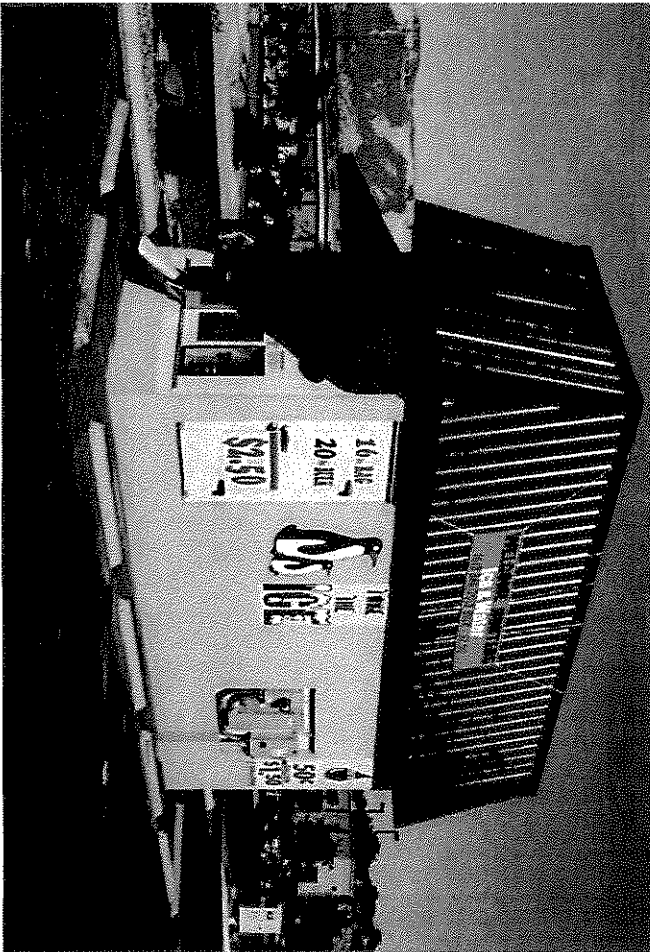
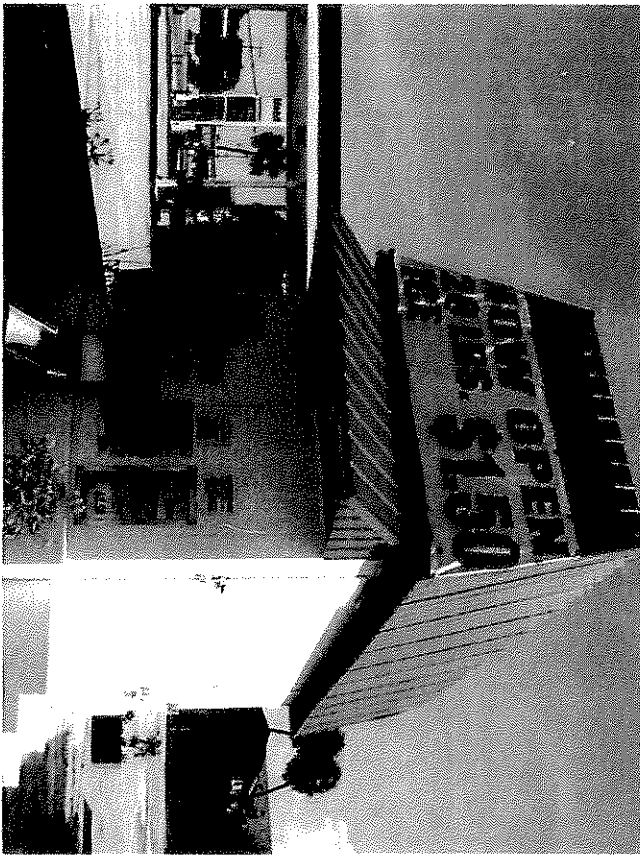
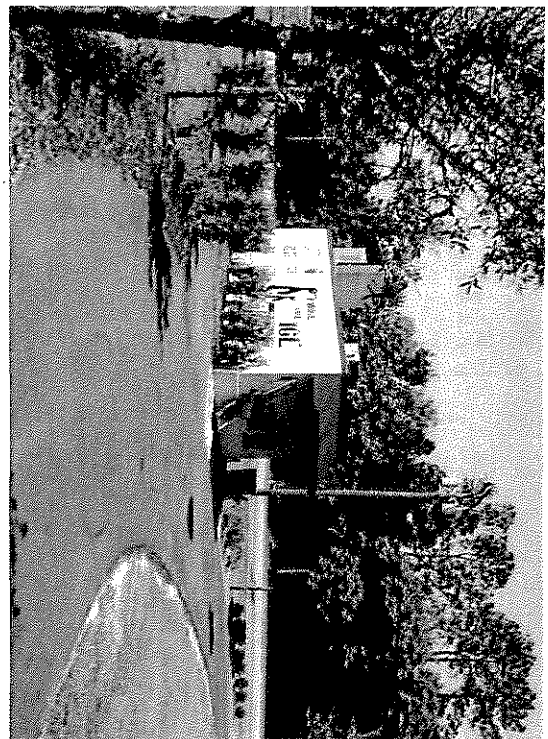
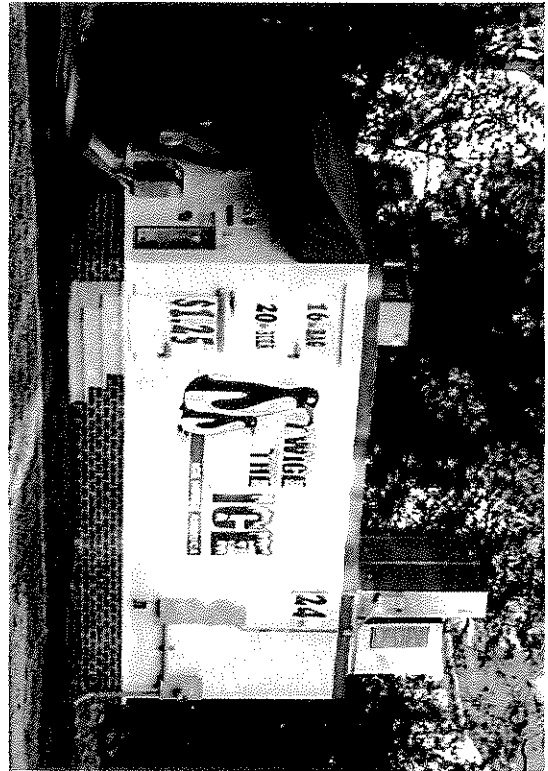
Ability to determine that through
site specifics/special use permit
review

Permit in BA, BUS and BT by
Special Use

Permit in BA, BUS and BT by
right BUT with design criteria
approved by Plan Board/City
Council

**EAST
COAST ICE**
TRIPLE THE ICE

**ICE HOUSE
AMERICA**
TRIPLE THE ICE





Examples of Mixed Use 1 and Mixed Use 2 properties

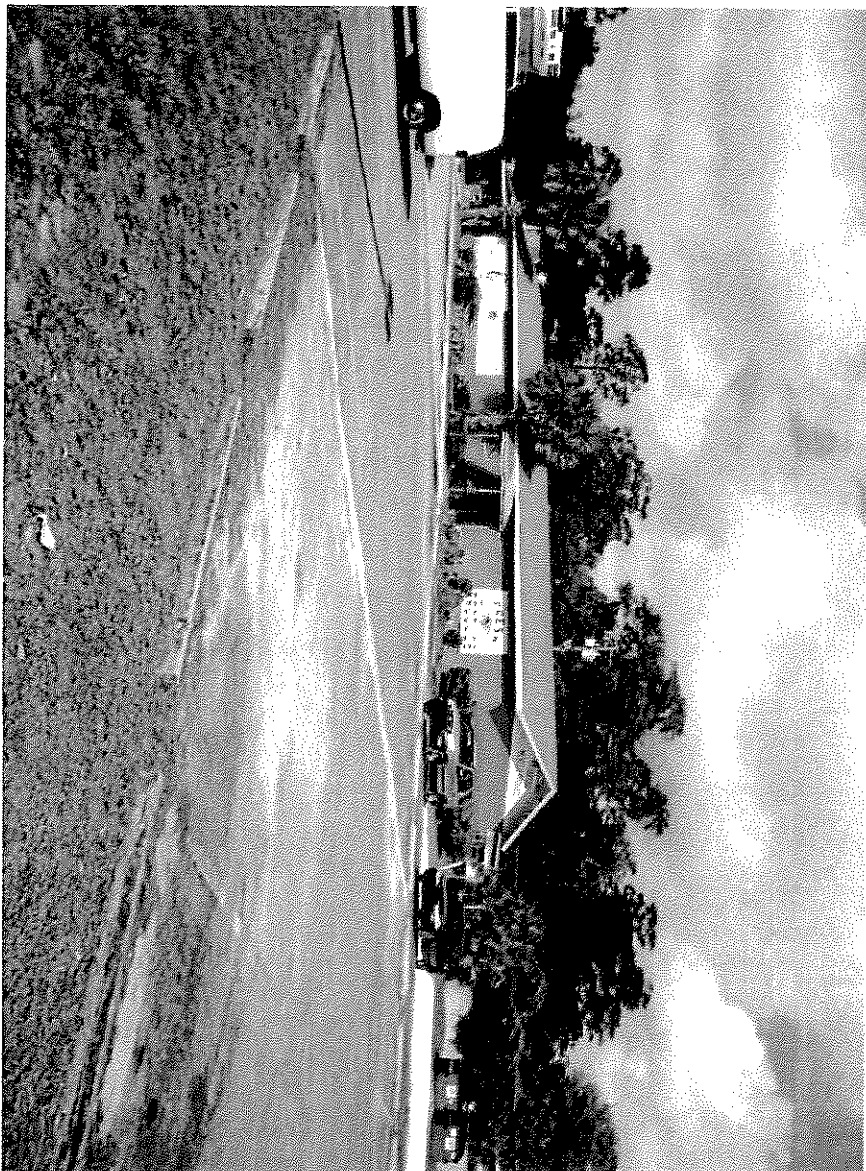
1030 SE 4th Avenue





Examples of Mixed Use 1 and Mixed Use 2 properties

510 NE Waldo Road





Examples of Mixed Use 1 and Mixed Use 2 properties

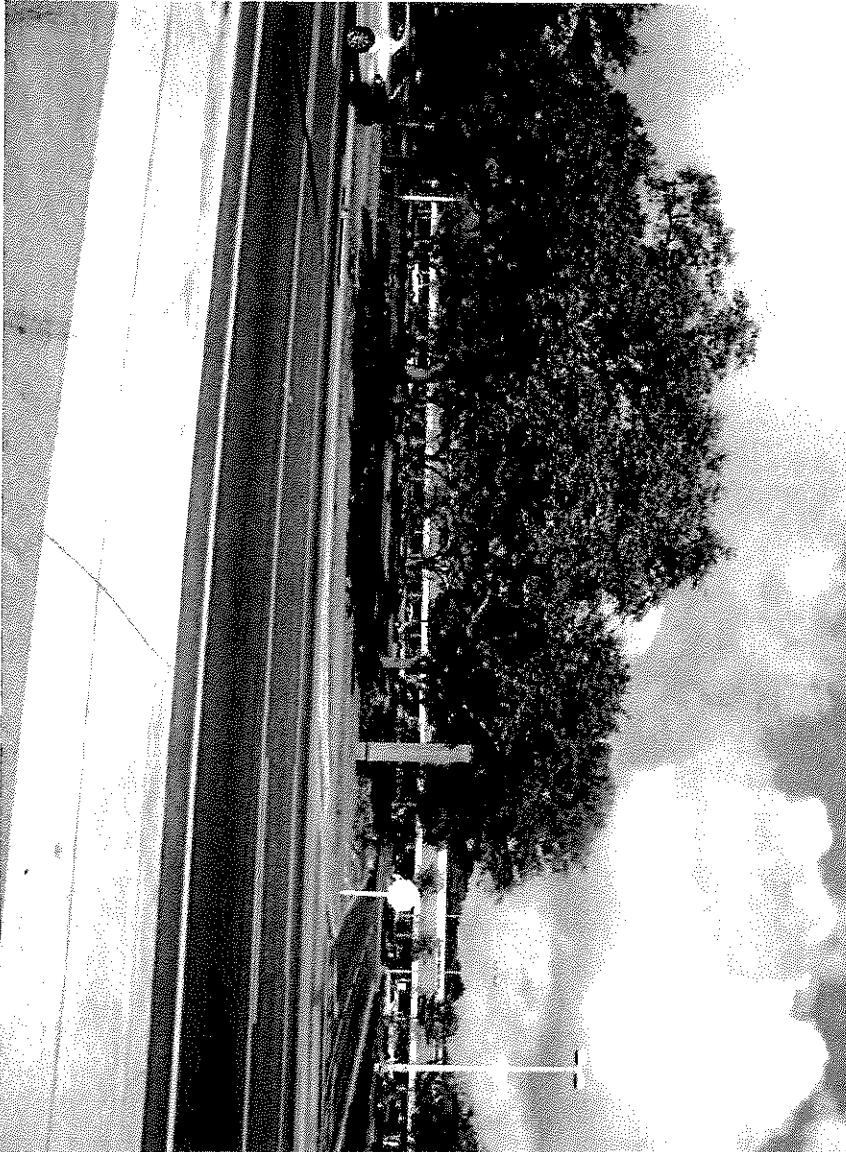
2400 Hawthorne Rd.





Examples of Mixed Use 1 and Mixed Use 2 properties

North Main St. and 8th Avenue





Example of Front facade setback being infeasible

2400 N. Main St.



Large site set back hundreds of yards from roadway in V-shape. No one size fits all