

5. **Petition 157LUC-03 PB** **Larry H. Cheshire, agent for LEF/Gainesville, LLC. Amend the City of Gainesville Future Land Use Map from MUM (Mixed-Use Medium Intensity, 12-30 units per acre) to C (Commercial). Located in the 2500 block of North Main Street. Related to Petition 158ZON-03 PB.**

Mr. Jason Simmons was recognized. Mr. Simmons presented a map of the site and described it and the surrounding uses in detail. He noted that a carwash had been proposed on the site, and much of the area around the site was auto oriented. He explained that the site had been designated as part of a superfund site, so any development would have to receive permits from the US Environmental Protection Agency, the Florida Department of Environmental Protection, and any other applicable regulatory agency. Mr. Simmons stated that the proposed commercial land use was consistent with the Comprehensive Plan and compatible with the surrounding land uses. He indicated that staff believed the site was appropriate for automotive oriented development and recommended approval of the petitions. He offered to answer any questions for the board.

Mr. Gold asked about the status of the superfund site.

Mr. Hilliard addressed the issue and pointed out the superfund site.

Chair Pearce opened the floor to public comment.

Ms. Sara Poll was recognized. Ms. Poll indicated that she lived in the neighborhood to the southeast of the site. She stated that she opposed the petition. She cited concerns about disturbing the ground on a superfund site and loitering and undesirable activity at an unattended carwash. Ms. Poll requested that the petition be postponed.

Chair Pearce noted that the site would have to go through the development review process before it could be developed. He indicated that the site would have environmental review and such issues as run off and lighting would be dealt with at that time.

Mr. Polshek asked if the US Environmental Protection Agency would review the project.

Mr. Hilliard stated that staff's experience indicated that the EPA and the Florida Department of Environmental Protection would allow the development in the areas as long as certain precautions were taken throughout the development process. He discussed other developments around the superfund site and how they were developed.

Mr. Polshek stated that he did not believe the petition met the Comprehensive Plan. He suggested that the proposed development fit in with strip type development and allowed the proliferation of automotive oriented uses. He noted that the area of the proposed development was already saturated with automotive uses. He stated that the proposal for the location would allow automotive uses to infect an activity center that might be redeveloped in the future to allow more mixed-use development in the vicinity. Mr. Polshek noted that there were residential communities within a quarter mile of the site. He stated that the current zoning was satisfactory and allowed for a number of other uses.

Mr. Gold indicated that he supported the idea, but he noted that the board was not being requested to support a carwash, only a land use and zoning change. He agreed that there were concerns about pollution.

Mr. Rwebyogo asked if there were studies on the contamination under the site.

Mr. Jim Meehan, speaking on behalf of the petitioner, indicated that a Level II environmental survey had been performed on the site and there were no contaminants in the top twelve feet of the soil. He noted that, it was possible that there would be retail development at the street with the carwash behind that retail. He pointed out that the site was too large for just a carwash.

Mr. Cole indicated that he supported the petition.

Mr. Polshek cited a concern that all of the development on the street would become automobile oriented.

<u>Motion By:</u> Mr. Andrews	<u>Seconded By:</u> Mr. Gold
<u>Moved to:</u> Approve Petition 157LUC-03 PB.	<u>Upon Vote:</u> Motion Carried 5 – 1 Ayes: Andrews, Cole, Gold, Pearce, Rwebyogo Nay: Polshek