



City of Gainesville  
Department of Doing  
Planning Division

PO Box 490, Station 11  
Gainesville, FL 32627-0490  
306 NE 6<sup>th</sup> Avenue  
P: (352) 334-5022  
F: (352) 334-2648

## CITY PLAN BOARD STAFF REPORT

**PUBLIC HEARING DATE:** March 22, 2018

**ITEM NO:** 3

**PROJECT NAME AND NUMBER:** 13<sup>th</sup> Street Gate Fueling Station, PB-17-00104 SUP

**APPLICATION TYPE:** Special Use Permit, Quasi-judicial

**CITY PROJECT CONTACT:** Megan Echols

**RECOMMENDATION:** Staff recommends approval for Special Use Permit for petition PB-17-00104 SUP with the conditions expressed in this document.



Figure 1: Location Map

**APPLICATION INFORMATION:**

**Agent/Applicant:** CHW, Inc. Ryan Thompson, AICP

**Related Petition(s):** N/A

**Neighborhood Workshop:** September 13, 2017

**SITE INFORMATION:**

**Address:** 506 NW 13<sup>th</sup> Street

**Parcel Number(s):** 15240-000-000, 15239-000-000, 15238-000-000, 15238-001-000

**Acreage:** ±0.9 acres

**Existing Use(s):** 6 position Fueling Station and Vacant Land

**Land Use Designation(s):** UMU: urban mixed use

**Zoning Designation(s):** U6

**Overlay District(s):** UF Context Area

**Transportation Mobility Program Area (TMPA):** Zone A

**SUBMITTED CONCEPT PLAN INFORMATION:**

<b>Building:</b>	
Square feet:	TBD
Height:	Stories: 1
<b>Glazing (ground floor):</b>	(25% required)
<b>Traffic:</b>	Increase of 220 net daily trips (see attached Trip Gen Memo)
<b>Parking:</b>	
Vehicular:	12 (No minimum required)
Bicycle:	TBD (Minimum 1 space per 2,000 of Gross Leasable Area)
<b>Landscaping:</b>	
New plantings:	Shrubbery, Unidentified Street trees
<b>Sidewalks:</b>	
	Existing sidewalks on NW 13 <sup>th</sup> Street and NW 5 <sup>th</sup> Avenue Proposed Sidewalk NW 13 <sup>th</sup> Terrace and NW 6 <sup>th</sup> Avenue
<b>Lighting:</b>	Proposed to meet LDC requirements

**ADJACENT PROPERTY CHARACTERISTICS:**

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Retail	UMU	U6
South	Retail	UMU	U6
East	Retail	UMU	U8
West	Multi Family Housing	RL	U2

**PURPOSE AND DESCRIPTION:**

Petition to develop a 12 fueling position (6 pump) gasoline station on four parcels comprising +/- 0.9 acres in the 500<sup>th</sup> block of NW 13<sup>th</sup> Street between NW 6<sup>th</sup> Avenue and NW 5<sup>th</sup> Avenue (see image 1, page 1). All four parcels are zoned U-6 (Urban 6). Per section 30-4.12, Table V-1 of the Land Development Code, Gasoline and Alternative Fuel Stations are allowed through a Special Use Permit in the U-6 transect zone when the U-6 zoning district abuts a designated principal street (see Map page 1). Per Section 30-5.13, Part D of the Land Development Code, up to 12 fueling positions may be allowed as part of a Special Use Permit process (see Appendix B).

Currently, on the two parcels (15238-000-000 and 15238-001-000) that run along NW 13<sup>th</sup> Street, there is an existing six fueling position GATE Petroleum Company gasoline station and convenience store. Parcels on the western side of the block are currently vacant (see Appendix C).

Parcels directly north, south and east of the site are areas zoned U-8 and U-6, which allow a mix of residential and nonresidential uses, and are currently occupied by small scale retail. Parcels directly west of the site are zoned U-2, which allows a variety of residential dwelling types and are currently developed with low-scale multi-family housing.

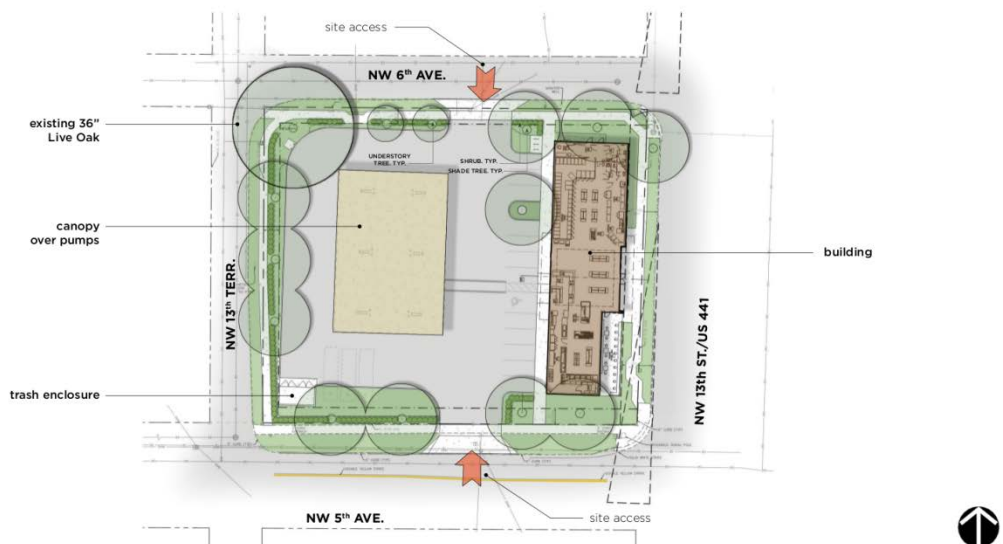


Figure 2: Concept Plan

The applicant has provided a conceptual plan in conjunction with the Special Use Permit request. If approved, the applicant will be required to submit an intermediate development plan to implement the Special Use Permit. The use of a portion of the site will not be changing and will remain a fueling station. From the concept plans it is expected that the current fueling station will be demolished and a new building and canopy will be constructed, allowing an expansion of the fueling station onto the two western parcels, thus the development will occupy the entire block (Figure 1 Concept Plan).

Concept plans show the fueling pumps will be on the west side of the block, while the building will run north to south along NW 13<sup>th</sup> Street (see Appendix C-4). In this configuration the building will be on the principal street (NW 13<sup>th</sup> Street) and the fueling pumps will be on the west side of the block and be adjacent to the Urban-2 zone across NW 13<sup>th</sup> Terrace, which is currently occupied by single story multi-family residential structures.

Little of the relationship to existing structures and development along 13<sup>th</sup> Street will change as the use of the parcels on 13<sup>th</sup> Street will remain a fueling station and convenience store. Bringing the building closer to the 13<sup>th</sup> Street corridor will reinforce the corridor's street wall and will comply with the street setback requirements of the Urban 6 zone. Expectantly, this will encourage a higher level of pedestrian activity and will improve pedestrian safety along NW 13<sup>th</sup> Street.

Curb cuts and drives will be moved from NW 13<sup>th</sup> Street to NW 6<sup>th</sup> Avenue and NW 5<sup>th</sup> Avenue (see Appendix C), indicating that traffic will not affect residential parcels to the west of the site along NW 13<sup>th</sup> Terrace. As the applicant has not submitted a sufficient development plan for full review, there is not adequate information to indicate if there will be mitigation to prevent disturbances from other site conditions such as odor, noise, and light.

## Key Issues

1. Fueling stations in the U-6 zone are an allowed use with a Special Use Permit along Principal Street designated roadways.
2. Within the transect zones up to six fueling positions are permitted by right. Up to 12 fueling positions may be allowed as part of a Special Use Permit.
3. Development plans have not been submitted for development review.
4. Convenience store building will be brought to 13<sup>th</sup> Street, moving the pumps to the rear of the building, making it more consistent with the Comprehensive Plan.
5. The development includes two existing vacant parcels directly west of the existing fueling station.
6. Pumps will face area zoned U2, which has a current use of low scale multi-family housing.
7. Site access will be improved by limiting access and moving existing driveways from NW 13<sup>th</sup> Street to NW 6<sup>th</sup> Avenue and NW 5<sup>th</sup> Avenue.
8. Reduce demand for additional, new fueling stations within the City limits by expanding and maximizing the development potential of existing fueling stations along a principal street.

## STAFF ANALYSIS AND RECOMMENDATION:

### Basis for Recommendation

The staff recommendation is based on the criteria for special use permit issuance that are stated in Land Development Code Sec. 30-3.24, the Land Development Codes Use Standards for Gasoline and Alternative Fuel Stations Sec. 30-5.13, and objectives from the City's Comprehensive Plan. The Plan Board must make findings concerning the special use proposed to ensure that the design,

location, and methods of operation will conform to the Comprehensive Plan and the Land Development Code.

Staff has prepared analysis of the land development code and comprehensive plan; Text from City documents are in *italicized* font, analysis is in sanserif font, and conditions are underlined.

### **Land Development Code Special Use Permit Criteria**

According to Land Development Code *Section 30-3.24 Review Criteria, No Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.*

- A.** *The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.*

The proposed development use is consistent with the Land Development Code with the granting of a Special Use Permit. A concept plan is provided, which shows a layout of certain elements of the development that demonstrate intent to be in compliance with the Land Development Code and the Comprehensive Plan. However this concept plan does not provide enough evidence to ensure compliance with all site and design requirements of the Land Development Code. Staff will review the development plan, upon submission, to ensure consistency with the Comprehensive Plan and the Land Development Code. To address the outstanding issue, staff has included a set of standards, recommendations and conditions that must be implemented during the development plan review, in order for the development to attain full compliance with the required regulations.

- B.** *The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.*

The proposed development is in the Urban Mixed-Use (UMU) future land use area. According to the Future Land Use Element Section of the Comprehensive Plan, "this land use category allows residential, office, retail and service uses either as stand-alone uses or combined in a mixed-use development format in specified zoning districts as specially regulated by the Land Development Code... Structures in this category shall be oriented to the street and encouraged multi-modal transportation through the development design. Developments located within this category shall be scaled to fit the character of the area."

Generally, the compatibility of the site will be changing only with regard to scope and not use as the use of the site will remain a gas station. According to the submitted conceptual plans the site will become more compliant with the goals of the City's Comprehensive Plan for Urban Mixed Use areas by bringing the building to the principal street and placing pumps at the rear of the building.

- C.** *The proposed use will not adversely affect the health, safety, and welfare of the public.*

Expanding and maximizing the potential for this development should not adversely affect health and safety conditions of the area and public as this site currently exist as a gas station. By reconfiguring the location and orientation of the building towards NW 13<sup>th</sup> Street and eliminating the existing driveway access and vehicular use areas currently located between the street and the existing building façade, the proposed development will positively affect pedestrian safety around the site.

- D.** *Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.*

Due to the intent to move the fuel stations to the rear of the site and relocate the drive entrances and exits to local streets this should improve safety for varying modes of transportation. Further review of the safety for individual modes of travel and review of the plans for loading and service areas will be made after the submission of plans for development review. Due to close proximity to the transition area between Storefront Street and Principal Street zones of NW 13<sup>th</sup> street and an expected increase of pedestrian activity and narrowed building frontage zone, the sidewalk minimum of 6 feet should be increased to 10 feet.

Condition 1.

Sidewalk on 13<sup>th</sup> Street shall be a minimum of 10 feet.

- E.** *Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.*

According to the concept plan that was submitted with the Special Use Permit application, off-street parking will be at the interior of the site along the western side of the convenience store. The plans depict a dumpster located at the southwest corner of the site and a vacuum and air station at the northwestern corner. In order to ensure that service and loading areas will not negatively impact adjacent properties, the special design criteria for gasoline stations provided in Section 30-5.13 of the Land Development Code require that dumpsters must be enclosed in a masonry screening wall and placed no closer than 50' from nearby residential uses. Based on the site layout the dumpster is approximately 38' from the residential property to the west and must be shifted to meet code. Similarly, the design criteria prohibit vacuum facilities when a gasoline station is located adjacent to residential properties.

Condition 2.

Service and loading areas as shown on the concept plan shall be revised during site plan review to ensure compliance with Section 30-5.13.

- F.** *Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.*

The conceptual plans that were submitted with this request do not include photometric sheets detailing site lighting conditions. Application of the land development code during site plan review will ensure that all exterior lighting is designed to prevent light spillage onto adjacent properties and screened to prevent glare. Noise and odor effects on surrounding properties will be mitigated through the provision of a dumpster enclosure and locational criteria for service areas previously discussed.

Condition 3.

Street trees shall be provided within the landscape zone along all street frontages. Additional landscaping located within the proposed westernmost fence line shall be provided as shown on the concept plan to provide enhanced buffering to adjacent residential uses.

- G.** *There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.*

The submitted concept plans do not note locations for outdoor storage. Outdoor storage is not permitted without an application and approval of a special use permit. Areas for refuse are noted on

the plans and have been discussed previously in this report and will need to be adjusted to meet code.

Condition 4.

Outdoor storage or display is prohibited.

- H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.*

As the development is a redevelopment and urban infill site, utility services are already being provided within the area. During the development review process representatives of the technical review committee from Public Works and GRU will review development plans to ensure there is adequate service capacity for the proposed development.

- I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.*

The conceptual plan includes screening and buffering through existing site trees including the preservation of a 36" live oak, the addition of an "opaque fence," and shrubbery. Additionally, the design criteria for gasoline stations require perimeter buffers consisting of a minimum four-foot tall opaque masonry wall or privet type hedge along the side and rear property boundaries to minimize the view of fueling pumps. The proposed combination of hedge material and fencing will ensure compatibility between the station and nearby properties.

Condition 5.

Elevations of fence and fence materials shall be included in Development Plan packets. Fence design shall be approved by the planning staff. Fences must not be fully opaque as indicated in the conceptual plan.

- J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.*

The properties adjacent to the proposed development are zoned for single family residential use. The justification report provided by the applicant indicates that the existing station currently operates 24-hours-a-day, 7-days-a-week. The applicant is requesting that the new station follow the existing hours-of-operation. Staff is recommending limiting the station's early morning hours due to the expanded footprint of the site. The addition of the two westernmost parcels and the expanded area of the service station will bring the on-site uses, particularly those uses involving automobile services, closer to the residential areas.

Condition 6.

Due to proximity to residential areas, the hours of operation shall be limited to the hours of 5:00 AM and 12:00 AM.

- K. Any special requirements set forth in the Land Development Code for the particular use involved are met.*

The submitted conceptual plans are not adequate to ensure that the special requirements for Fueling Stations set forth in the Land Development Code are met. Staff will assure that requirements are met upon submission of the development plans.

**Section 30-5.13. Gasoline and Alternative Fuel Stations. (Land Development Code)**

*Gasoline and alternative fuel stations also include retail petroleum sales at service stations or car washes, either separately or in combination with the sale of food or restaurants, or gas pumps as accessory to a convenience store or restaurant.*

This project is a remodel and expansion of an existing fueling station that exist as an accessory to an existing convenience store. The submitted conceptual plans and reports state that this accessory relationship of the fuel station to the convenience store will remain.

*Accessory uses. Permitted accessory uses to a gasoline or alternative fuel service station are as follows:*

- 1. Rental of vehicles, provided they are screened in accordance with Section 30-5.39.*
- 2. Minor adjustments or repairs to automobiles, trucks, trailers or other vehicles that do not require body work, painting or removal of engines from frames or dismantling of differentials. No lift or repair facilities shall be located outside the principal structure. Additional adjustments or repairs at service stations shall only be permitted within zoning districts where major automotive repairs are a permitted principal use.*
- 3. The retail sale of minor automobile parts and accessories, gasoline, diesel fuel, alternative fuels, kerosene, lubricating oils and greases.*
- 4. Vending machines, provided such machines are located under the roof of the principal structure.*

According to the submitted concept plan and report there will be no accessory uses to the gasoline station.

**B. Number of fueling positions.**

- 1. Within the transect zones, where allowed, up to six fueling positions are permitted by right.*
- 2. Within all other zoning districts, where allowed, up to six fueling positions are permitted by right, except for stations located within ¼ mile from an interchange, where there may be up to 12 fueling positions permitted by right.*
- 3. Up to 12 fueling positions may be allowed as part of a Planned Development rezoning or Special Use Permit process.*

This project is submitting a special use permit in order to have 12 fueling positions.

**C. Design requirements.**

- 1. All fuel pumps and pump islands shall be set back a minimum distance of at least 15 feet from any right-of-way line or property line.*
- 2. All gasoline and alternative fuel pumps and accessory automotive uses shall be located to the rear or side of buildings and at least 50 feet from the property line of any property zoned residential district or Planned Development district with predominately residential uses. In the event the physical constraints of the site do not allow such uses to meet these requirements, the uses may be located to the front of the building in order to meet the 50 foot spacing requirement. This design requirement shall not apply in the I-1 or I-2 zoning districts.*
- 3. The number and width of driveways shall be minimized.*



4. *Cross-access or joint use driveways shall be provided to adjacent non-residential developments.*
5. *A minimum of 25% window area or glazing at pedestrian level (between three and eight feet above grade) on all first-floor building sides with street frontage. Windows or glazing shall be at least 80% transparent.*
6. *A public entrance shall be provided that faces the street (a corner entrance may be provided where the building is located at the intersection of streets).*
7. *Pedestrian and bicycle access shall be provided from the public sidewalk to any retail or restaurant facilities on site.*
8. *Off-street parking shall be located to the side or rear of the building.*
9. *Canopy height: the bottom surface of a canopy shall not exceed 15 ft. in height.*
10. *Perimeter buffers: sites shall include Type B buffers with a minimum four-foot tall opaque masonry wall or privet type hedge along the side and rear property boundaries to minimize the view of fueling pumps.*
11. *Dumpster location: dumpsters shall be enclosed by a masonry wall and placed as far away from existing, adjacent residential uses as practicable on the site and shall not be less than 50 feet as measured from the residential property line.*
12. *Car wash facilities and associated elements such as vacuums shall be prohibited when adjacent to any property in a residential zoning district or a planned development district with predominately residential uses.*
13. *A convenience store or restaurant or combination thereof shall be present when fueling positions exceed six.*

Although some of the design requirements are visible from the conceptual plan, the submitted conceptual plans are not sufficient enough to meet all design requirements for Section 30-5.13 and other site design requirements in the Land Development Code. The applicant is required to submit an intermediate site development plan. Subsequent review of the site plan will ensure the design requirements of 30-5.13 are met.

### **Consistency with the Comprehensive Plan**

The Comprehensive Plan repeatedly refers to the Land Development Code to maintain regulations of fueling station components such as the number of fueling stations and service bays.

***Policy 10.3.2*** states that “new development of automotive-oriented uses within the TMPA, such as retail petroleum sales (gasoline service stations), car washes, automotive repair, and limited automotive services (as defined in the Land Development Code), shall be designed with service bays and fueling (gas) pumps located to the rear or side of buildings. These design standards shall not apply in industrial zoning districts. Land development regulations shall specify the criteria for the placement of these uses. The number of fueling positions and service bays shall be regulated in the Land Development Code.”

The submitted conceptual plans show that this development seeks to improve the existing fueling station site and meet the new regulations for automotive oriented developments expressed in Policy 10.3.2 by moving existing pumps to the rear and placing the building/convenience store on the principal street.

**Policy 10.4.3** states that *“Gasoline and alternative fuel stations shall be specially regulated by the Land Development Code. The regulations shall include provisions that include: locating fueling pumps to the rear or side of buildings; minimization of the number and width of driveways; limitations on the number of fueling positions; and consideration of pedestrian and bicycle safety at the site.”*

The submitted conceptual plans show that this development seeks to meet the new goals for automotive oriented developments by demonstrating pumps at the rear of the building and improving pedestrian safety on and around the site. Other goals of this policy will be reviewed by staff upon submission of the Development Plans.

**Objective 2.1** states that *“redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.”*

Expansion of the existing gas station to occupy the adjacent vacant lots encourages urban infill, promotes compact urbanism, while removing blighted areas. Redevelopment of the existing site, reduces demand for additional new fueling stations within the City limits by maximizing the development potential of already existing fueling stations, and reintroduces properties to the City tax roll.

#### *Future Land Use Element*

**Policy 1.3.1** *When feasible, neighborhood centers should be designed to include a gridded, interconnected street network lined with street-facing buildings and buildings at least 2 stories in height.*

**Policy 1.3.2** *Centers should be pleasant, safe, and convenient for pedestrians and bicyclists and contain a strong connection to transit service.*

**LIST OF CONDITIONS**

Condition 1.

Sidewalk on 13<sup>th</sup> Street shall be a minimum of 10 feet.

Condition 2.

Service and loading areas as shown on the concept plan shall be revised during site plan review to ensure compliance with Section 30-5.13.

Condition 3.

Street trees shall be provided within the landscape zone along all street frontages. Additional landscaping located within the proposed westernmost fence line shall be provided as shown on the concept plan to provide enhanced buffering to adjacent residential uses.

Condition 4.

Outdoor storage or display is prohibited.

Condition 5.

Elevations of fence and fence materials shall be included in Development Plan packets. Fence design shall be approved by the planning staff. Fences must not be fully opaque as indicated in the conceptual plan.

Condition 6.

Due to proximity to residential areas, the hours of operation shall be limited to the hours of 5:00 AM and 12:00 AM.

**DRAFT MOTION FOR CONSIDERATION**

1. Motion to approve Petition **PB-17-00104 SUP** with conditions expressed in this document
  - a. Board is permitted to suggest additional requirements before the motion.

**POST-APPROVAL REQUIREMENTS:**

Requirement 1.

Applicant is required to submit developments plans to staff and go through the Development Plan Review process. In this process plans will be reviewed for completion of conditions agreed upon by the Plan Board, requirements met from Land Development Code and Comprehensive Plan.

Requirement 2.

Applicant must submit plans for Building Permit Review. Building plans are reviewed by staff and upon approval building permits will be granted to applicant.

Effects and Limitations

- A. *Expiration.* Special Use Permits shall expire 12 months after the date of approval unless, at that time, the authorized use has commenced or development at the site is continuing in good faith with an active building permit. At the request of the applicant and for good

cause shown, the City Plan Board may extend the time of the permit's expiration for good cause shown and if not in conflict with any other provision of this chapter.

- B. *Abandonment.* On request of the permit holder, the City Manager or designee may approve the abandonment of a Special Use Permit provided no construction has begun. In addition, if the use allowed by a Special Use Permit has been abandoned for a continuous period of 12 months, the permit shall be void. The process to determine whether a use has been abandoned shall be the same as that provided for nonconforming uses in Article X.
- C. *Revocation.* If any conditions of an issued Special Use Permit are violated, the City Plan Board may, after giving proper notice to the permit holder, revoke the permit at a public hearing. The permit may be reinstated by the City Manager or designee if the circumstances leading to the revocation are corrected.

**LIST OF APPENDICES:**

**Appendix A Comprehensive Plan Goals, Objectives and Policies**

**Appendix B Land Development Code Regulations**

**Appendix C Existing Conditions**

**Appendix D Concept Plans**

**Appendix E Trip Generation**

**Appendix F Neighborhood Workshop**

## **Appendix A- Comprehensive Plan GOPs**

### **Exhibit A-3 - Transportation Mobility Element, Policy 10.3.2**

Policy 10.3.2 New development of automotive-oriented uses within the TMPA, such as retail petroleum sales (gasoline service stations), car washes, automotive repair, and limited automotive services (as defined in the Land Development Code), shall be designed with service bays and fueling (gas) pumps located to the rear or side of buildings. These design standards shall not apply in industrial zoning districts. Land development regulations shall specify the criteria for the placement of these uses. The number of fueling positions and service bays shall be regulated in the Land Development Code

### Exhibit A-2- Transportation Mobility Element, Policy 10.4.3

Policy 10.4.3 Gasoline and alternative fuel stations shall be specially regulated by the Land Development Code. The regulations shall include provisions that include: locating fueling pumps to the rear or side of buildings; minimization of the number and width of driveways; limitations on the number of fueling positions; and consideration of pedestrian and bicycle safety at the site.

### Exhibit A-3- Future Land Use Element, Objective 2.1

Objective 2.1 states that *“redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.”*

## Appendix B- Land Development Code

### Appendix B-1: Permitted Use Table

**Table V - 1: Permitted Uses within Transects.**

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
<b>RESIDENTIAL</b>											
Single-family house		P	P	P	P	P	P	P	P	P	P
Attached dwellings (up to 6 attached units)		-	P	P	P	P	P	P	P	P	P
Multi-family, small-scale (2-4 units per building)		-	P	P	P	P	P	P	P	P	P
Multi-family dwelling		-	-	P	P	P	P	P	P	P	P
Accessory dwelling unit	30-5.33	-	P	P	P	P	P	P	P	-	-
Adult day care home	30-5.2	P	P	P	P	P	P	P	P	P	P
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	P	P	P	P	-	-
Community residential homes (more than 6 residents)	30-5.6	-	-	P	P	P	P	P	P	P	-
Dormitory (small)	30-5.8	-	P	P	P	P	P	P	P	P	P
Dormitory (large)	30-5.8	-	-	P	P	P	P	P	P	P	P
Family child care home	30-5.10	P	P	P	P	P	P	P	P	P	-
<b>NONRESIDENTIAL</b>											
Alcoholic beverage establishment	30-5.3	-	-	-	-	-	-	P	P	P	P
Assisted living facility		-	-	-	P	-	P	P	P	P	P
Bed & Breakfast establishments	30-5.4	-	S	P	P	P	P	P	P	P	P
Business services		-	-	-	P	-	P	P	P	P	P
Car wash facilities	30-5.5	-	-	-	-	-	-	P	P	-	-
Civic, social & fraternal organizations		S	P	P	P	P	P	P	P	P	P
Day care center	30-5.7	-	S	S	P	P	P	P	P	P	P
Drive-through facility	30-5.9	-	-	-	-	-	P	P	P	P	P
Emergency shelter		-	-	-	-	P	P	P	P	P	P
Equipment rental and leasing, light		-	-	-	-	-	-	P	P	P	P
Exercise studios		-	-	-	P	-	P	P	P	P	P

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
Farmers market	30-5.11	-	-	-	-	-	P	P	P	P	P
Food distribution for the needy	30-5.12	-	-	-	-	-	-	-	S	S	S
Food truck	30-5.35	-	-	-	A	-	P	P	P	P	P
Funeral homes and crematories		-	-	-	-	-	P	P	P	P	P
Gasoline/alternative fuel station	30-5.13	-	-	-	-	-	S <sup>1</sup>	P	P	-	-
Hotel		-	-	-	-	-	-	P	P	P	P
Laboratory, medical & dental		-	-	-	P	-	P	P	P	P	P
Library		-	-	-	-	S	P	P	P	P	P
Light assembly, fabrication and processing	30-5.16	-	-	-	-	-	P	P	P	P	P
Medical marijuana dispensaries		-	-	-	-	-	-	-	P	P	P
Microbrewery Microwinery Microdistillery <sup>2</sup>	30-5.17	-	-	-	-	-	S	P	P	P	P
Mini-warehouse/self-storage	30-5.18	-	-	-	-	-	-	-	P	P	-
Museums and art galleries		-	-	-	P	S	P	P	P	P	P
Office		-	-	-	P	P <sup>3</sup> / S <sup>4</sup>	P	P	P	P	P
Office- medical, dental, & other health related services		-	-	-	P	-	P	P	P	P	P

**LEGEND:**

P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

1 = When located along a Principal Street.

2 = Prohibited where adjacent to single-family zoned property.

3 = Office uses as a home occupation.

4 = Office uses up to 20% of the building square footage and shall be secondary to a principal residential use. No outdoor storage allowed.



## Appendix B-2 Division on Special Use Permits

### DIVISION 1. SPECIAL USE PERMITS

#### Section 30-3.1. Purpose.

It is the intent of this division to recognize and permit certain uses and developments that require special review, and to provide the standards by which the applications for permits for uses and development shall be evaluated. It is further intended that Special Use Permits be required for developments that, because of their inherent nature, extent, and external effects, require special care in the control of their location, design, and methods of operation in order to ensure conformance with the Comprehensive Plan and this chapter.

#### Section 30-3.2. Required.

The applicable uses listed in Article IV may be established in that zoning district only after issuance and recordation of a Special Use Permit by the City Plan Board.

#### Section 30-3.3. Review Criteria.

No Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.

- A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.
- B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.
- C. The proposed use will not adversely affect the health, safety, and welfare of the public.
- D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.
- E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.
- F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.
- G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.
- H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.

- I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.
- J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.
- K. Any special requirements set forth in the Land Development Code for the particular use involved are met.

#### Section 30-3.4. Review Procedures.

- A. *Pre-application meeting.* A pre-application meeting is not required; however, the applicant is encouraged to attend a meeting with staff to review applicable procedural and regulatory requirements.
- B. *Applications.* Each application shall be filed with the City Manager or designee on the form prescribed. Any incomplete applications will be returned to the applicant. The application shall include proof of having met the requirements of a neighborhood workshop as provided in this article.
- C. *Staff meeting.* The applicant for a Special Use Permit shall meet with city staff to discuss the procedures and requirements and to consider the elements of the proposed use and site and the proposed site layout.
- D. *Staff report.* The City Manager or designee shall submit to the City Plan Board a written report that includes analysis of the application and a recommendation based on the review criteria provided in this division.
- E. *City Plan Board hearing.*
  - 1. The City Plan Board shall consider the evidence presented in the public hearing and the written report submitted by the City Manager or designee and shall act on the application based on the review criteria provided in this division.
  - 2. Action on the application shall be one of the following:
    - a. Approval;
    - b. Approval subject to conditions; or
    - c. Denial, with a statement of the reasons for denial.
- F. *Effect of denial or withdrawal.* No application for a Special Use Permit may be submitted within two years after the date of denial or withdrawal of a request for the same use for the same property. The City Plan Board may waive this time limitation by the affirmative vote of five members, provided 30 calendar days have elapsed and provided the City Plan Board deems such action necessary to prevent an injustice.
- G. *Amended application.* Amendment of an application may be allowed at any time prior to or during the public hearing, provided that no such amendment shall be such as to make the case different from its description in the notice of public hearing. If the amendment is requested by the applicant after notice of the hearing has been given and such amendment is at variance with the information set forth in the notice, then the applicant shall pay an additional fee in the same amount as the original fee for amended public notice. If the amended notice can be mailed at least 10 calendar days prior to the hearing originally scheduled, the hearing on the amended petition may be held on

that date; otherwise, the chairperson shall announce at the public hearing that the hearing will be continued to a future meeting with proper public notice.

#### Section 30-3.5. Effect and Limitations.

- A. *Effect.* Special Use Permits, including any permit conditions, shall run with the land and shall be binding on the original applicant as well as any successors or assigns.
- B. *Modifications.* After approval and issuance of a Special Use Permit, the following situations are allowed only with the review and issuance of a new Special Use Permit:
  - 1. A change in the boundaries of the approved site.
  - 2. A change from the approved use.
  - 3. Either an increase of 10% or more or incremental increases that total 10% or more in the floor area or number of parking spaces as approved.
  - 4. Substantial changes in the approved location of principal or accessory structures.
  - 5. Structural alterations significantly affecting the basic size, form, style, ornamentation, and appearance of principal or accessory structures as shown on the approved plans.
  - 6. Substantial changes in approved pedestrian or vehicular access or circulation.
  - 7. Substantial change in the approved amount or location of landscape screens or buffers.
- C. *Expiration.* Special Use Permits shall expire 12 months after the date of approval unless, at that time, the authorized use has commenced or development at the site is continuing in good faith with an active building permit. At the request of the applicant and for good cause shown, the City Plan Board may extend the time of the permit's expiration for good cause shown and if not in conflict with any other provision of this chapter.
- D. *Abandonment.* On request of the permit holder, the City Manager or designee may approve the abandonment of a Special Use Permit provided no construction has begun. In addition, if the use allowed by a Special Use Permit has been abandoned for a continuous period of 12 months, the permit shall be void. The process to determine whether a use has been abandoned shall be the same as that provided for nonconforming uses in Article X.
- E. *Revocation.* If any conditions of an issued Special Use Permit are violated, the City Plan Board may, after giving proper notice to the permit holder, revoke the permit at a public hearing. The permit may be reinstated by the City Manager or designee if the circumstances leading to the revocation are corrected.

### **Appendix B-3: Article V, Division 1. Principal Uses, Section 30-5.13**

#### Section 30-5.13. Gasoline and Alternative Fuel Stations.

Gasoline and alternative fuel stations also include retail petroleum sales at service stations or car washes, either separately or in combination with the sale of food or restaurants, or gas pumps as accessory to a convenience store or restaurant.

- A. *Accessory uses.* Permitted accessory uses to a gasoline or alternative fuel service station are as follows:
1. Rental of vehicles, provided they are screened in accordance with Section 30-5.39.
  2. Minor adjustments or repairs to automobiles, trucks, trailers or other vehicles that do not require body work, painting or removal of engines from frames or dismantling of differentials. No lift or repair facilities shall be located outside the principal structure. Additional adjustments or repairs at service stations shall only be permitted within zoning districts where major automotive repairs are a permitted principal use.
  3. The retail sale of minor automobile parts and accessories, gasoline, diesel fuel, alternative fuels, kerosene, lubricating oils and greases.
  4. Vending machines, provided such machines are located under the roof of the principal structure.
- B. *Number of fueling positions.*
1. Within the transect zones, where allowed, up to six fueling positions are permitted by right.
  2. Within all other zoning districts, where allowed, up to six fueling positions are permitted by right, except for stations located within  $\frac{1}{4}$  mile from an interchange, where there may be up to 12 fueling positions permitted by right.
  3. Up to 12 fueling positions may be allowed as part of a Planned Development rezoning or Special Use Permit process.
- C. *Design requirements.*
1. All fuel pumps and pump islands shall be set back a minimum distance of at least 15 feet from any right-of-way line or property line.
  2. All gasoline and alternative fuel pumps and accessory automotive uses shall be located to the rear or side of buildings and at least 50 feet from the property line of any property zoned residential district or Planned Development district with predominately residential uses. In the event the physical constraints of the site do not allow such uses to meet these requirements, the uses may be located to the front of the building in order to meet the 50 foot spacing requirement. This design requirement shall not apply in the I-1 or I-2 zoning districts.
  3. The number and width of driveways shall be minimized.
  4. Cross-access or joint use driveways shall be provided to adjacent non-residential developments.
  5. A minimum of 25% window area or glazing at pedestrian level (between three and eight feet above grade) on all first-floor building sides with street frontage. Windows or glazing shall be at least 80% transparent.

6. A public entrance shall be provided that faces the street (a corner entrance may be provided where the building is located at the intersection of streets).
7. Pedestrian and bicycle access shall be provided from the public sidewalk to any retail or restaurant facilities on site.
8. Off-street parking shall be located to the side or rear of the building.
9. Canopy height: the bottom surface of a canopy shall not exceed 15 ft. in height.
10. Perimeter buffers: sites shall include Type B buffers with a minimum four-foot tall opaque masonry wall or privet type hedge along the side and rear property boundaries to minimize the view of fueling pumps.
11. Dumpster location: dumpsters shall be enclosed by a masonry wall and placed as far away from existing, adjacent residential uses as practicable on the site and shall not be less than 50 feet as measured from the residential property line.
12. Car wash facilities and associated elements such as vacuums shall be prohibited when adjacent to any property in a residential zoning district or a planned development district with predominately residential uses.
13. A convenience store or restaurant or combination thereof shall be present when fueling positions exceed six.



Department of Doing  
Planning Division  
PO Box 490, Station 11  
Gainesville, FL 32602-0490

306 N.E. 6<sup>th</sup> Avenue  
P: (352) 334-5022  
P: (352) 334-5023  
F: (352) 334-2648

## Appendix C

### C-1 Existing Conditions



C-2 East View of Site from NW 13<sup>th</sup> Street



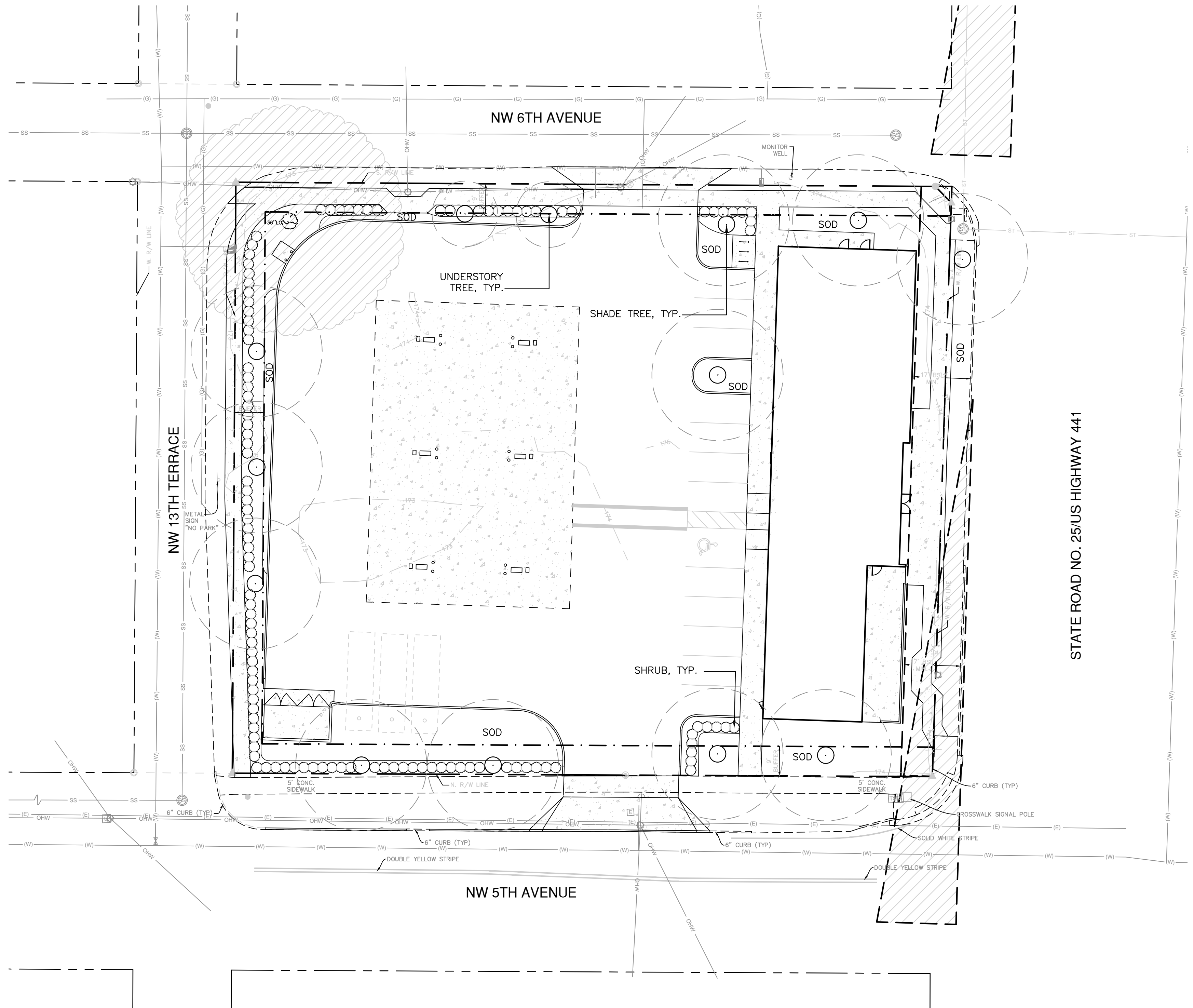
C-3 View North of NW 13<sup>th</sup> Terrace (western side of site)



A  
B  
C  
D

1 2 3 4

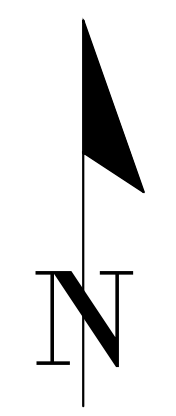
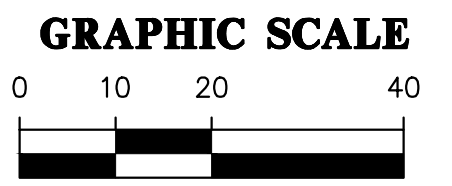
Text: h:\new Proj Date: Mar 09, 2018 1:50pm Filename: \\fs1\user\2014\14-0518\Design\02\_SPA\02\_Current\14-0518-Design-bonus.dwg



**LEGEND**

NEW TREES TO BE ADDED  
 1-QV

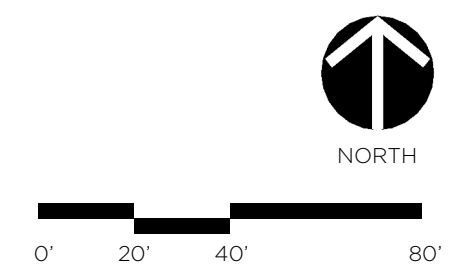
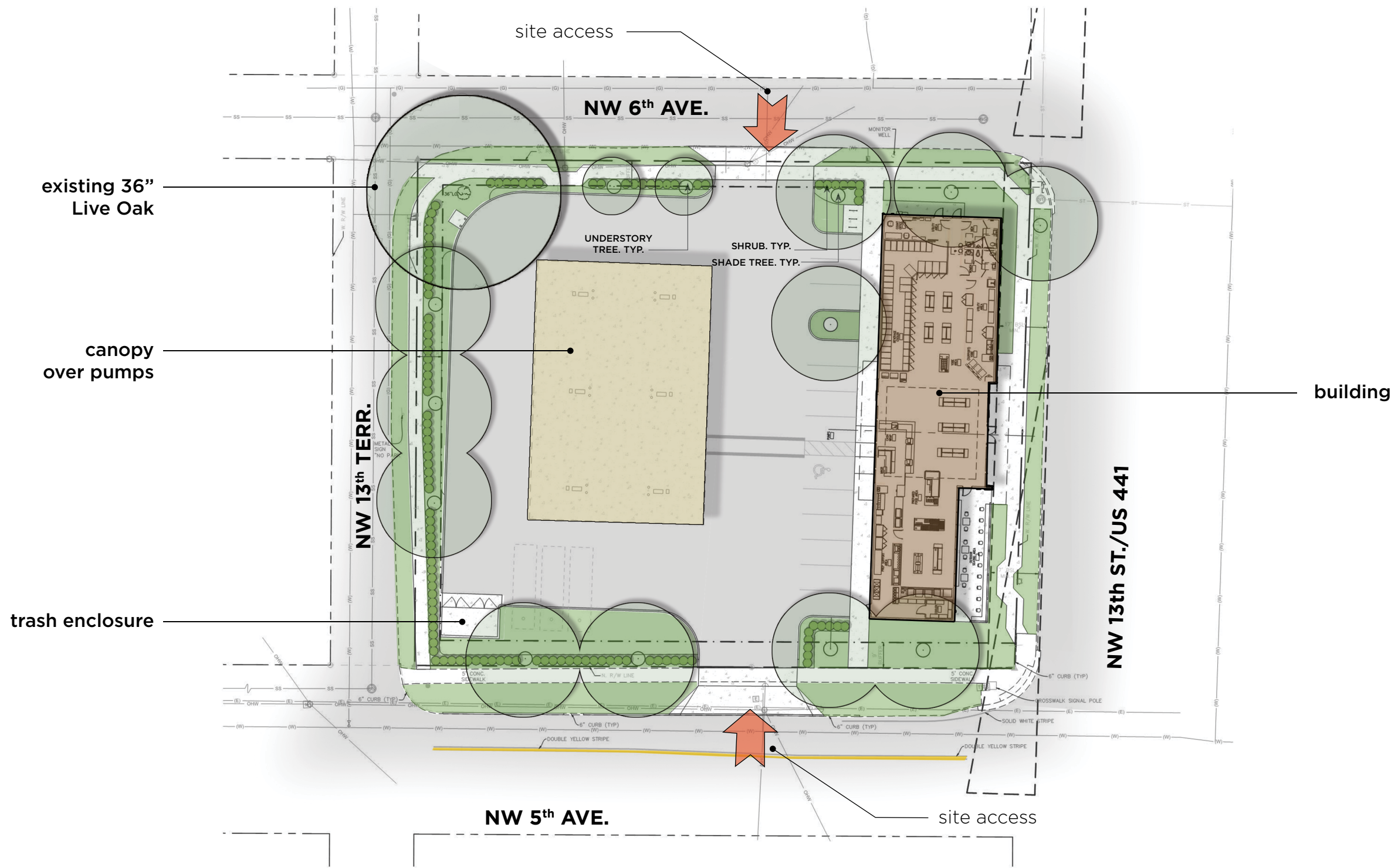
EXISTING TREES TO REMAIN

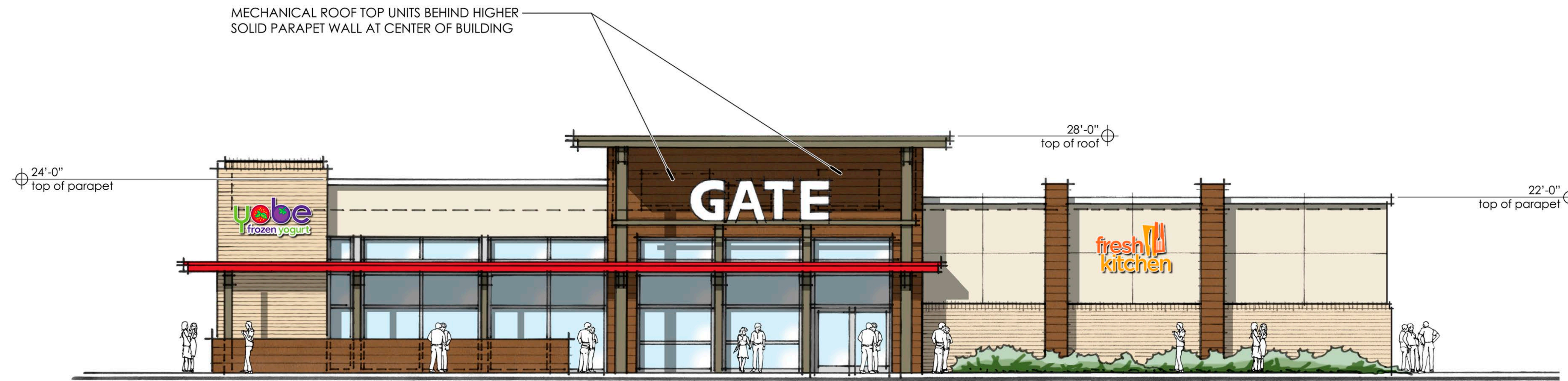


<p><b>CHIX</b> Professional Consultants</p> <p>139 NW 78th Drive Gainesville, Florida 32607 (882) 331-1876 / (882) 331-2476 www.chix-inc.com est. 1988 FLORIDA LC28000564</p>	
<p>SCALE: 1"=20'</p> <p>REFER SCALE ON BASE SCALE OF ORIGINAL DRAWING 0' 10' 20' 30' 40' IF ANY SCALE DIFFERENCES ON THIS SHEET, ADJUST SCALES ACCORDINGLY.</p>	<p>CONSTRUCTION/REV. REVISIONS</p>
<p>DATE: 2018-03-09 - SUP 2017-10-23 - SUP 2017-09-15 - SUP</p>	<p>CLIENT: GATE PETROLEUM</p>
<p>DESIGNER: C. TOLAR QUANTITY CONTROL: L. HALL PROJECT NUMBER: 14-0518</p>	<p>PROJECT: NW 13TH STREET GATE PETROLEUM DEVELOPMENT</p>
<p><b>PROGRESS SET NOT FOR CONSTRUCTION</b></p>	
<p>SHEET TITLE: CONCEPTUAL LANDSCAPE PLAN</p>	
<p>SHEET NUMBER: 14-0518</p>	
<p>SHEET NO.: LS-1</p>	

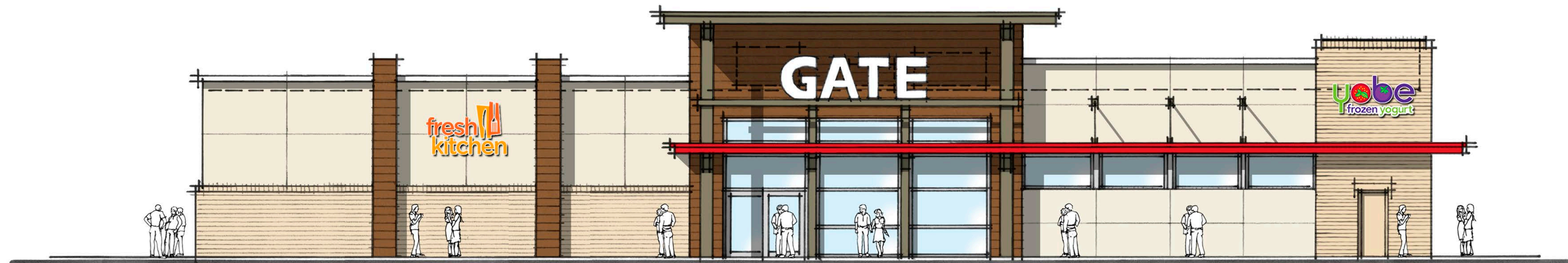








East Elevation



West Elevation



# GATE STORE 1445 - GAINESVILLE

GATE PETROLEUM

March 22, 2018

Conceptual Building Model

THIS MATERIAL REPRESENTS DEVELOPMENT CONCEPTS AND ARCHITECTURAL AND OTHER DESIGN CONCEPTS BEING CONSIDERED AT THE TIME IT WAS PRODUCED. THIS INFORMATION IS SUBJECT TO REVISIONS AND MODIFICATIONS WITHOUT NOTICE. ALL ORAL AND WRITTEN INFORMATION, DESCRIPTIONS, PLANS, COPY, GRAPHICS, PHOTOGRAPHY, CHARTS, GRAPHS AND RENDERINGS MAY BE MODIFIED AT ANY TIME AND SHOULD NOT BE RELIED UPON AS FINAL.

planning  
architecture  
landscape architecture  
urban design  
visual communication



## Appendix E



# MEMORANDUM

**To:** Deborah Leistner, PTP, City of Gainesville Public Works Planning Manager 14-0518.03  
**From:** Brian Snyder, PE, Project Manager  
**Date:** September 14, 2017  
**RE:** GATE Gas Station and Convenient Store – Trip Generation and Distribution

The proposed GATE gas station and convenience store will be located in the northwest quadrant of the NW 13<sup>th</sup> Street and NW 5<sup>th</sup> Avenue intersection in Gainesville, Florida. The gas station is expected to contain an approximately 6,000 SF convenient store, and 12 fueling positions. The proposed gas station will replace an existing gas station that has 4 fueling positions with an approximately 2,500 SF convenience market. This memorandum provides the estimated trip generation and daily trip distribution of the proposed gas station.

The estimated trip generation for the proposed GATE Gas Station/Convenience Store is provided in the table below. The proposed trip generation rates are based on a 2014 FDOT report titled “Trip Generation Recommendations Report” prepared by Kimley-Horn, due to the larger size of the proposed site being in range with the studies from this report. The trip generation estimated for the existing site is based on ITE land use code 945.

Trip Generation – GATE Gas Station and Convenience Store									
Land Use	**AM Peak			*PM Peak			Daily		
	Total	In	Out	Total	In	Out	Total	In	Out
Proposed									
Gasoline/Service Station with Convenience Market	193	97	96	241	120	121	2,213	1,106	1,107
***Pass-by Trips (78%)	151	76	75	188	94	94	1,726	863	863
New External Trips	42	21	21	53	26	27	487	243	244
Existing									
Gasoline/Service Station with Convenience Market (945)	41	21	20	54	27	27	651	325	326
****Pass-by Trips (AM=62%, PM=56%, Daily=59%)	25	13	12	30	15	15	384	192	192
External Trips	16	8	8	24	12	12	267	133	134
<b>Net Trip Generation</b>	<b>26</b>	<b>13</b>	<b>13</b>	<b>29</b>	<b>14</b>	<b>15</b>	<b>220</b>	<b>110</b>	<b>110</b>

## Appendix E

\* The PM and daily (weekday) trip generation was determined from a FDOT 2014 report titled "Trip Generation Recommendations Report". The equations are provided below:

$$\text{Weekday trips} = 256.7 \times \text{FP} - 144.5 \times \text{kft}^2 =$$

$$\text{Weekday trips} = 256.7 \times 12 - 144.5 \times 6.0 \text{ kft}^2 = 2,213$$

$$\text{PM peak hour trips} = 12.3 \times \text{FP} + 15.5 \times \text{kft}^2 =$$

$$\text{PM peak hour trips} = 12.3 \times 12 + 15.5 \times 6.0 \text{ ft}^2 = 241$$

\*\* An AM trip generation is not provided for in the FDOT 2014 report. The AM trip generation is based on the ratio of the ITE AM average rate of a Convenience Market with Gas Pumps (per 1,000 SF GLA) to the PM average rate (per 1,000 SF GLA) which equates to 80%. This ratio is multiplied by the PM peak hour trips to derive the AM peak hour trips.

\*\*\* The Pass-by rate of 78% was recommended from the FDOT 2014 report titled "Trip Generation Recommendations Report".

\*\*\*\* The pass-by rate of the existing site is based on the ITE Trip Generation Manual 9<sup>th</sup> Edition. The daily pass-by rate is estimated as the average of the given AM and PM rates.

The trip distribution is based on annual average daily traffic (AADT) provided by FDOT traffic online for NW 13<sup>th</sup> Street, and AADT provided by the City of Gainesville for NW 5<sup>th</sup> Ave. The directional AADT and percentage of the directional AADT to the total directional AADT are provided in Figure 1. These percentages were applied to the daily inbound and outbound trip generation to obtain the daily project trip distribution, shown in Figure 2.





**Figure 1: Daily AADT Percentages  
GATE Gas Station/Convenience Store**



Projection: NAD\_1983\_StatePlane  
Florida North Central FIPS 5003  
Datum: North American 1983  
Spheroid: GRS\_1980  
Central Meridian: -84.500000  
Standard Parallel 1: 29.563333  
Standard Parallel 2: 29.000000  
Latitude of Origin: 28.000000  
GCS: North\_American\_1983  
Prepared by: Employee ##  
Date: 6/2/2017



**Figure 2: New Daily Trip Distribution  
GATE Gas Station/Convenience Store**



Projection: NAD\_1983\_StatePlane  
Footprint: Lambert Conformal Conic  
False Easting: 1985000.000000  
Central Meridian: -84.500000  
Standard Parallel 1: 29.568333  
Latitude of Origin: 29.000000  
GCS: North\_American\_1983  
Prepared by: Employee ##  
Date: 6/2/2017



TODAY IN HISTORY

In 1533, the last Incan King of Peru, Atahualpa, was executed on orders of Spanish conqueror Francisco Pizarro. In 1944, 15,000 American troops of the 28th Infantry Division marched down the Champs-Élysées in Paris as the French capital continued to celebrate its liberation from the Nazis. In 1952, the composition "4'33" ("Four Minutes, Thirty-three Seconds") by avant-garde composer John Cage premiered in Woodstock, New York, as David Tudor sat down at a piano, and, for four minutes and 33 seconds, played... nothing. In 2005, Hurricane Katrina hit the Gulf Coast near Buras, Louisiana, bringing floods that devastated New Orleans. More than 1,800 people in the region died.

TODAY'S BIRTHDAYS

Betty Lynn (TV: "The Andy Griffith Show") is 91. Sen. John McCain, R-Ariz., is 81. Actor Elliott Gould is 79. Movie director Joel Schumacher is 78. TV personality Robin Leach is 76. Actress Rebecca DeMornay is 58. Supreme Court Justice Neil Gorsuch is 50. Actress Carla Gugino is 46. Actor John Hensley is 40. Actress-singer Lea Michele is 31. Actress Charlotte Ritchie is 28.

LOTTERY

Monday, Aug. 28 Pick 2 Early drawing: 4-9 Night drawing: 1-8 Pick 3 Early drawing: 1-6-3 Night drawing: 5-1-4 Pick 4 Early drawing: 1-9-9-0 Night drawing: 0-1-4-8 Pick 5 Early drawing: 4-3-9-6-4 Night drawing: 0-1-5-7-4 Fantasy 5 5-13-16-28-33 CASH4LIFE 4-9-20-42-46 CB: 2

PREVIOUS RESULTS

Fantasy 5 - Sunday 20-31-32-34-35 Match... Payoff... Winners 5-of-5... \$175,325,46... 1 4-of-5... \$83,500... 337 3-of-5... \$12,652

Now at Whole Foods: Lower prices

By Joseph Pisani The Associated Press

NEW YORK — A half-gallon of milk was 50 cents cheaper at a Whole Foods in New York. Ground beef was down by \$2 a pound. And an organic avocado cost a buck less. Amazon kicked off its first day as the owner of Whole Foods by slashing prices, adding its logo on signs and setting up a stand of "farm fresh" Amazon Echo voice-assistant devices by store entrances. It's just the first taste of the moves the e-commerce giant will make at the organic grocer after it completed the \$13.7 billion deal on Monday.

More changes are coming: The company aims to make Amazon Prime the rewards program at Whole Foods and some Whole Foods products will show up on Amazon's site. The deal could also spur big changes in how people shop for groceries overall.

What will change

Amazon already lowered prices at Whole Foods Monday on a range of items, including rotisserie chicken, organic eggs and baby kale. Whole Foods had been just starting to test a loyalty program. But soon, shoppers at all stores will be able to tap Amazon's \$99-a-year Prime program to get discounts at stores. And they will eventually be able to buy some Whole Foods products from Amazon.com. Lockers will be added in some locations so Amazon shoppers can pick up e-commerce



A woman shops for eggs Monday at a Whole Foods Market in New York. Amazon is moving swiftly to make big changes at Whole Foods, saying it plans to cut prices on avocados, bananas, eggs, salmon, beef and more. (AP Photo/Lenihan/The Associated Press)

orders or return items they don't want. Amazon said those changes were just the beginning, but didn't give details on what more is coming.

What Amazon wants

The deal gives Amazon more than 465 physical stores in the U.S., Canada and the U.K. Before the acquisition, Amazon had a small brick-and-mortar presence with less than a dozen bookstores, a prototype convenience store in Seattle and pickup locations in some cities near college campuses. The tie-up may also give the Seattle-based company valuable data on how people shop in stores, where the vast majority of retail sales still take place. Amazon is an expert in using data on past purchases and

browsing to offer suggestions that might make people buy more, and could start applying that in stores as well as online.

Whole Foods, meanwhile, gets to exhale. Before the deal, the chain was under intense pressure from shareholders to improve its financial results and figure out how to stop customers from going to lower-priced supermarkets to buy natural foods. Whole Foods CEO John Mackey, who will stay in that role, said Amazon's history of innovation could transform Whole Foods from "the class dunce" to "a valedictorian."

What it means for the competition

Shares of supermarkets took a hit when the deal was announced in June, and again when Amazon

said last week that it planned to cut prices at Whole Foods. Rivals are scrambling to keep up: Kroger is testing online grocery delivery in several cities. And Walmart, the nation's largest grocer, is expanding its online grocery ordering and store-curb pickup to more stores.

Last week, Walmart said it is joining forces with Google to let customers order goods with their voice on Google-run smartphones and other devices.

But despite the price drops, Whole Foods may still be pricier than the competition.

At a Philadelphia Trader Joe's, a dozen extra-large organic eggs were selling for \$3.69 on Monday, 30-cents lower than large organic eggs at a Whole Foods store less than a mile away.

How the deal went through

Despite Amazon's dominance online, Walmart remains the leading retailer overall, with more than three times Amazon's retail revenue. A union that represents food-industry workers had asked the Federal Trade Commission to examine the deal carefully, saying it could hurt competition, but the U.S. regulator didn't see it that way.

The FTC said last week that it conducted an investigation to see if the acquisition lessened competition and "decided not to pursue" the matter. Typically, deals that bring two direct competitors together raise flags with regulators, but Amazon — despite its online dominance — doesn't currently have a big groceries business.

Pair of suits filed over transgender military ban

By Randall Chase and Gene Johnson The Associated Press

Transgender soldiers, sailors, airmen and other members of the military, along with others who want to enlist, sued President Donald Trump on Monday, hoping the

federal courts will stop him from preventing their service.

One federal lawsuit was filed in Baltimore by the American Civil Liberties Union of Maryland on behalf of six transgender individuals currently serving in the Army, Navy, Air Force, National Guard and Naval Reserve.

Another was filed in Seattle by Lambda Legal, on behalf of a 12-year Army veteran and two young transgender men who hope to enlist, along with Human Rights Campaign and the Gender Justice League.

"I thought the Army

would make a man of me," joked Army Staff Sgt. Cathrine Schmid, 33, who is stationed at Joint Base Lewis-McChord near Tacoma, Washington, and is a plaintiff in the Seattle case.

Schmid, who has served in South Korea, Germany and Iraq, claims that Trump's ban on transgender people joining the military has halted her appointment as a warrant officer.

Trump directed the Pentagon on Friday to implement a ban on transgender individuals from enlisting in or continuing

to serve in the military, which he first announced in a tweet.

The ban, which would take effect next year, also orders a halt to the use of Defense Department resources to fund sex-reassignment surgeries for military personnel, except if needed to protect the health of an individual who already has begun a course of sex-reassignment treatment.

"Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail," Trump tweeted.

The ACLU plaintiffs, who claim they face immediate and irreparable harm, are asking the court to declare the ban invalid as an unconstitutional violation of their rights to equal treatment and due process.

White House officials said Monday that they do not comment on pending litigation.

Two weeks after Trump initially announced the ban, GLBTQ Legal Advocates and Defenders (GLAD) and the National Center for Lesbian Rights sued in Washington, D.C., on behalf of five transgender service members with nearly 60 years of combined military service.

Advertisement for Windward Design Group featuring Oxford Woven Foam Collection Powder Coated Aluminum Frame Fully Woven All-Weather Seat. Includes contact info for Sissett's Home & Patio.

Public Notice for a Neighborhood Workshop held to discuss a Special Use Permit on ±0.89 acres (Alachua County Tax Parcels 15239-000-000, 15239-001-000, 15239-002-000, and 15240-000-000) located at 506 NW 13th Street in Gainesville, FL.

Advertisement for BeautiFeel shoes, featuring a red or black suede bootie. Includes contact info for Pinner's Fine Shoes.

Advertisement for The Gainesville Sun newspaper, listing subscription rates and contact information.

Advertisement for CHW (Community Health Workers) with contact information for Ryan Thompson, AICP.

Advertisement for BeautiFeel shoes, featuring a red or black suede bootie. Includes contact info for Pinner's Fine Shoes.



---

## MEMORANDUM

---

**To:** Neighbors of the NW 13<sup>th</sup> Street (US-441) and NW 5<sup>th</sup> Avenue intersection 14-0518.03  
**From:** Ryan Thompson, AICP, Planning Project Manager  
**Date:** Tuesday, August 29, 2017  
**RE:** Neighborhood Workshop Public Notice

---

A Neighborhood Workshop will be held to discuss a Special Use Permit (SUP) on ±0.89 acres (Alachua County Tax Parcels 15238-000-000, 15238-001-000, 15239-000-000, and 15240-000-000.) The SUP will allow up to 12 fueling stations on the existing Gate site. The intent is to improve site access, update facilities, and increase the number of fueling positions.

The site is located at 506 NW 13<sup>th</sup> Street in Gainesville, FL. Existing Future Land Use is Urban-Mixed Use 1 (UMU-1) and the Zoning is Urban 6 (U6).

**Date:** **Wednesday, September 13, 2017**

**Time:** **6:00 p.m.**

**Place:** **Alachua County Public Library Headquarters, Foundation Room  
401 East University Avenue  
Gainesville, FL 32601**

**Contact:** **Ryan Thompson, AICP  
(352) 331-1976**

This is not a public hearing. The purpose of the workshop is to inform the public about the nature of the proposal and seek their comments.



CHW  
Professional Consultants

**GATE Petroleum  
Fueling Station  
On NW 13<sup>th</sup> Street  
Special Use Permit (SUP)**

Neighborhood Workshop  
September 13, 2017

## Workshop Purpose



- City of **Gainesville** requires **SUP applicants** to host a neighborhood workshop.
- The workshop's **purpose is to inform neighbors** of the proposed development's nature **and to get feedback** early in the development process.
- This meeting provides the applicant with an **opportunity to mitigate concerns** prior to the application's submission.

# Public Notification

JACKSONVILLE | GAINESVILLE | LOCAL  
888 Hedge Bottom Lane, Ste. 3, Jacksonville, Florida 32244  
132 NW 7th Street, Gainesville, Florida 32607  
352 331-1976 | www.chw.com

**MEMORANDUM**

**To:** Neighbors of the NW 13<sup>th</sup> Street (US-441) and NW 5<sup>th</sup> Avenue intersection 14-0518.03

**From:** Ryan Thompson, AICP, Planning Project Manager

**Date:** Tuesday, August 29, 2017

**RE:** Neighborhood Workshop Public Notice

A Neighborhood Workshop will be held to discuss a Special Use Permit (SUP) on ±0.89 acres (Alachua County Tax Parcels 15238-000-000, 15238-001-000, 15239-000-000, and 15240-000-000.) The SUP will allow up to 12 fueling stations on the existing Gale site. The intent is to improve site access, update facilities, and increase the number of fueling positions.

The site is located at 506 NW 13<sup>th</sup> Street in Gainesville, FL. Existing Future Land Use is Urban-Mixed Use 1 (UMU-1) and the Zoning is Urban 6 (U6).

**Date:** Wednesday, September 13, 2017

**Time:** 6:00 p.m.

**Place:** Alachua County Public Library Headquarters, Foundation Room  
401 East University Avenue  
Gainesville, FL 32601

**Contact:** Ryan Thompson, AICP  
(352) 331-1976

This is not a public hearing. The purpose of the workshop is to inform the public about the nature of the proposal and seek their comments.

**Now at Whole Foods: Lower prices**

**Pair of suits filed over transgender military ban**

**BeautiFeel**

Cool new palette, red or black suede

**PUBLIC NOTICE**

A Neighborhood Workshop will be held to discuss a Special Use Permit on ±0.89 acres (Alachua County Tax Parcels 15238-000-000, 15238-001-000, 15239-000-000, and 15240-000-000.) The site is located at 506 NW 13<sup>th</sup> Street in Gainesville, FL.

This is not a public hearing. The purpose of this workshop is to inform the public about the nature of the proposal and seek their comments.

**Time:** 6:00pm on Wednesday, September 13, 2017

**Location:** Alachua County Public Library Headquarters, 401 East University Avenue, Foundation Room, Gainesville, FL 32601.

**Contact:** Ryan Thompson, AICP  
**Phone Number:** (352) 331-1976


planning design.surveying.engineering.construction.
professional consultants

# Request & Intent

- Request:
  - Special Use Permit (SUP) application to allow a gasoline / alternative fuel station
  - Redeveloped convenience store and 12 fueling positions are proposed
- Intent:
  - To redevelop and expand the current site in a manner that has more efficient vehicular ingress/egress and internal circulation, as well as enhanced site compatibility with pedestrians and bicyclists.

planning design.surveying.engineering.construction.
professional consultants

# Review Process

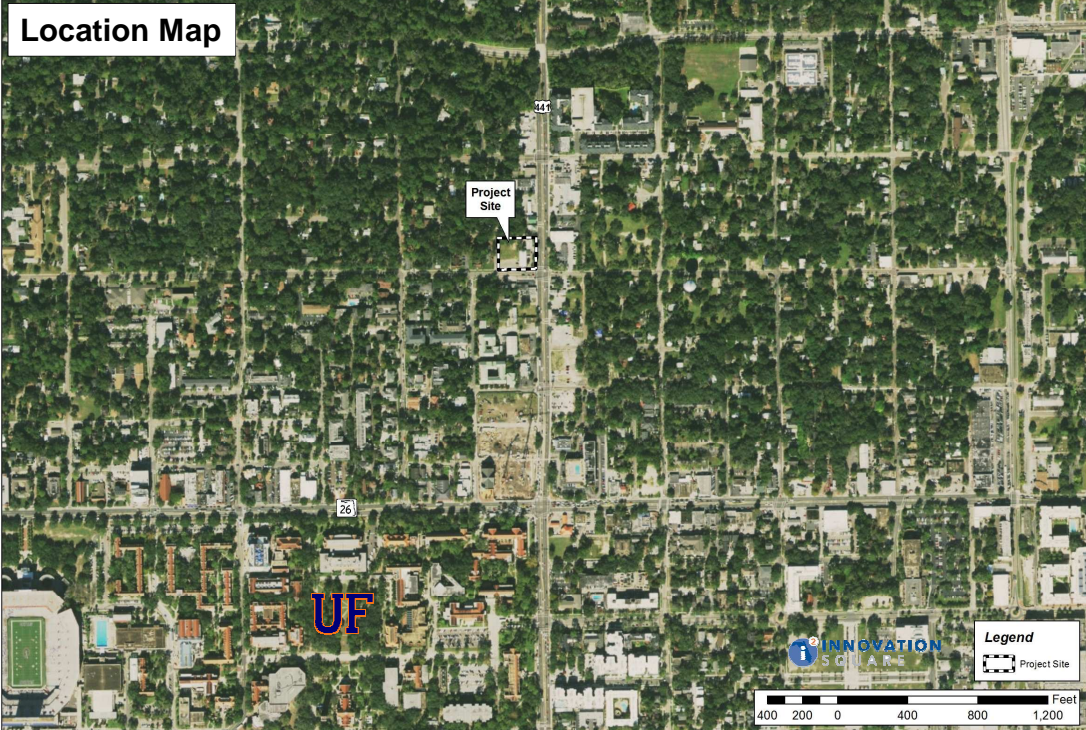


First-Step Meeting	September 1 <sup>st</sup>
Neighborhood Workshop	September 13 <sup>th</sup>
Submit Special Use Permit (SUP) Application	September 18 <sup>th</sup>
Staff Review	October/November
City Plan Board Hearing*	December 5 <sup>th</sup>

\*Development Plan review process will follow SUP review process

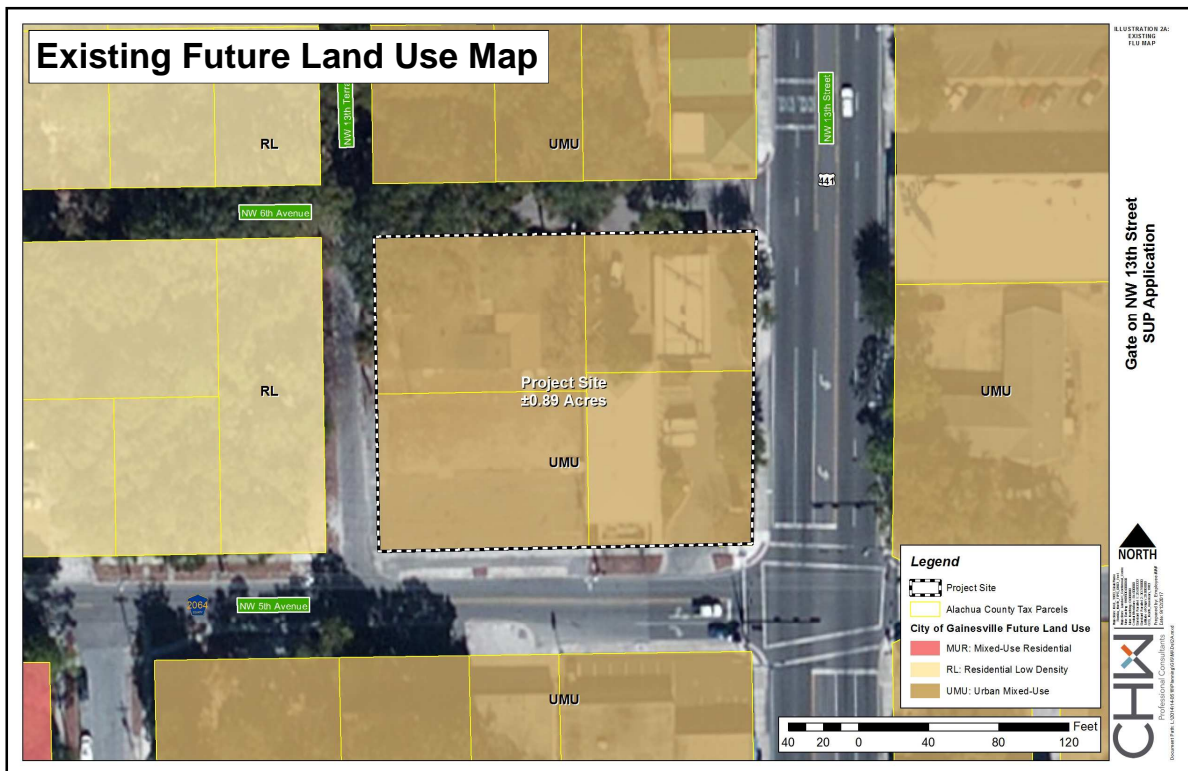
planning design.surveying.engineering.construction.
professional consultants

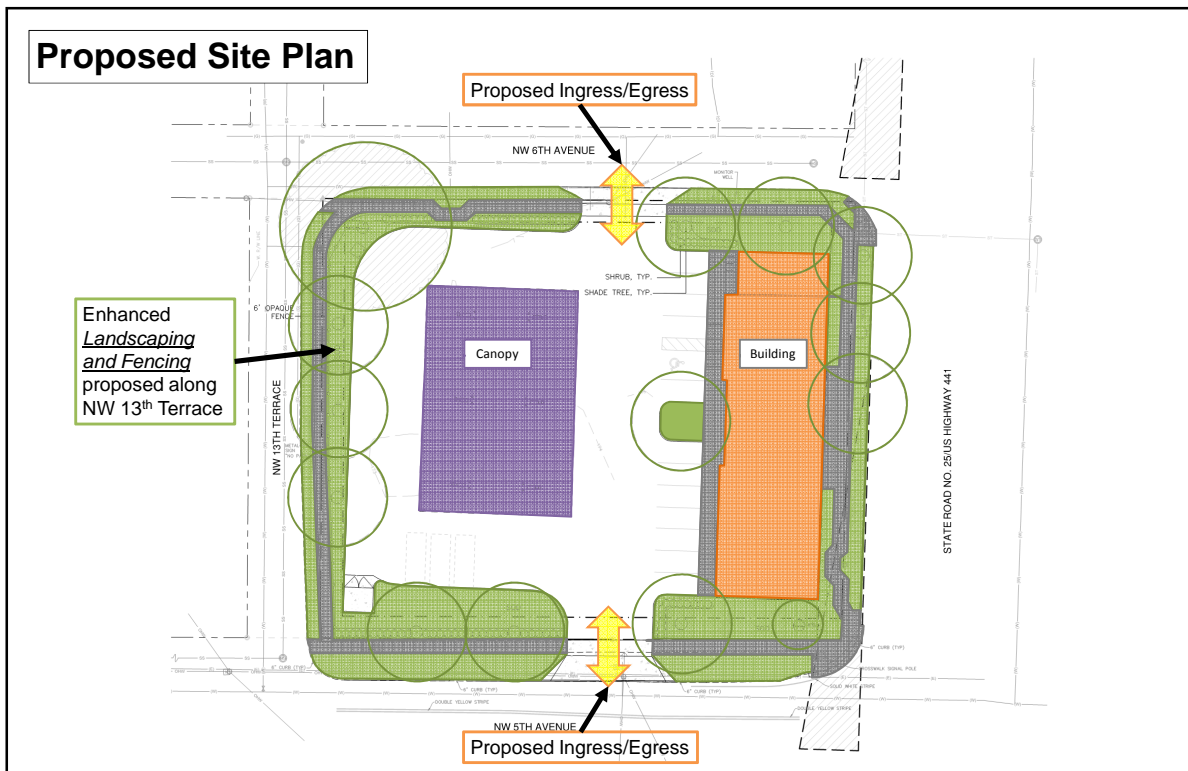
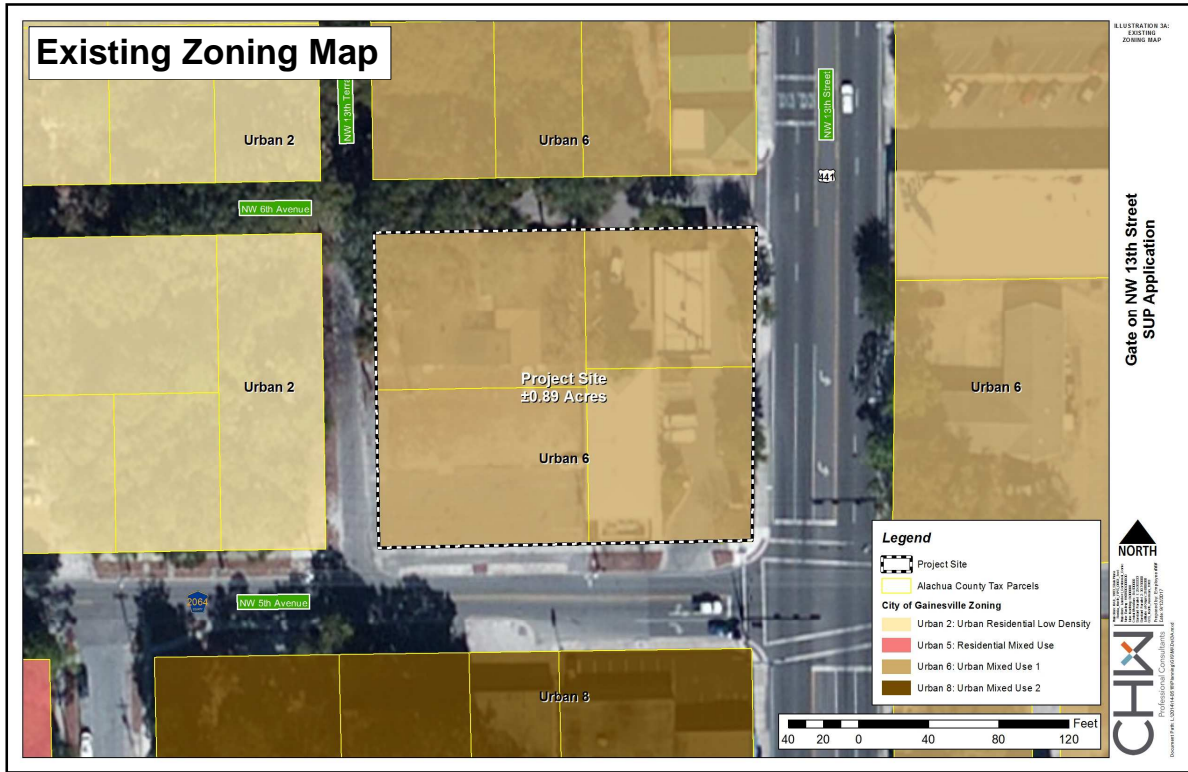
## Location Map



Gate on NW 13th Street  
SUP Application

**CHW**





## Current Driveway Locations

East Entrance  
(NW 13th Street)

North Entrance  
(NW 6th Avenue)

South Entrance  
(NW 5th Avenue)

East Entrance  
(NW 13th Street)

planning design.surveying.engineering.construction. professional consultants

## Current Site Conditions

Looking NW

NW 5th Avenue

NW 13th Street

Looking SW

NW 6th Avenue

NW 13th Street

Looking NE

NW 13th Terrace

NW 5th Avenue

Looking SE

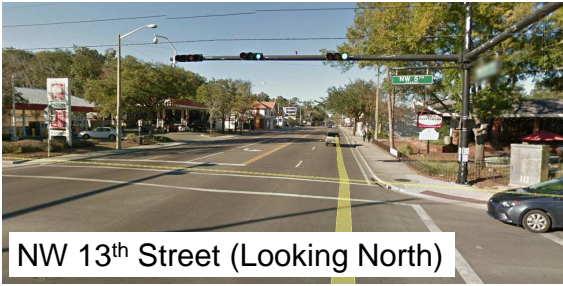

NW 13th Terrace

NW 6th Avenue

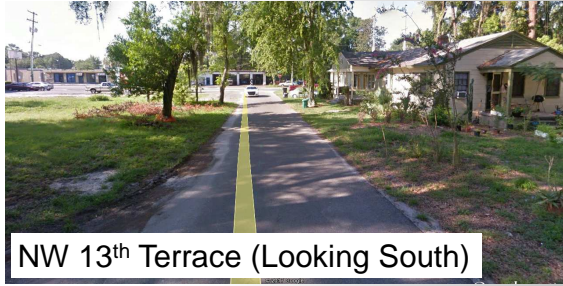
planning design.surveying.engineering.construction. professional consultants



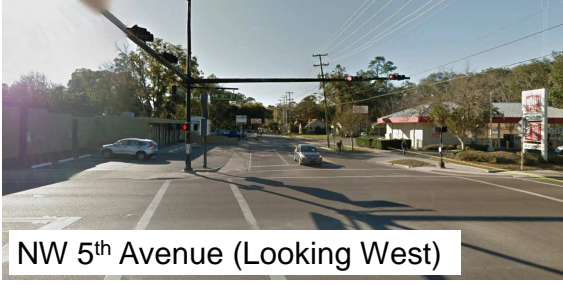
# Adjacent Property Conditions



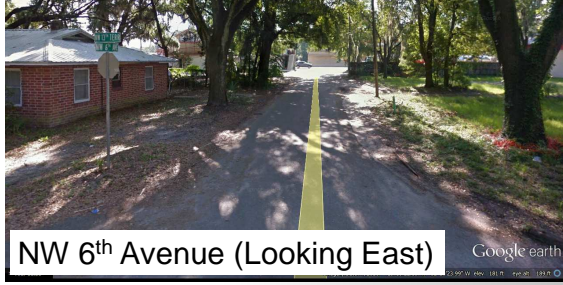
NW 13<sup>th</sup> Street (Looking North)



NW 13<sup>th</sup> Terrace (Looking South)



NW 5<sup>th</sup> Avenue (Looking West)



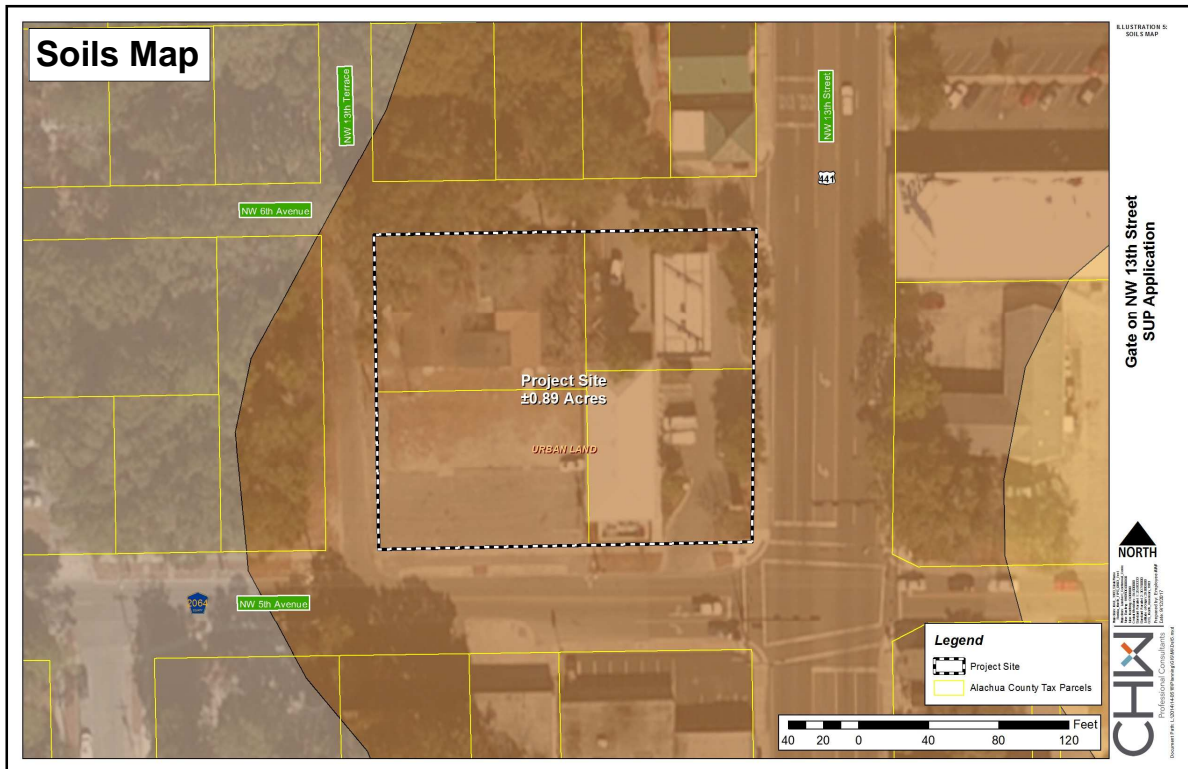
NW 6<sup>th</sup> Avenue (Looking East)

planning design.surveying.engineering.construction. professional consultants



# CHW

Professional Consultants





## SIGN-IN SHEET

**Event:** Neighborhood Workshop  
**Date/Time:** September 13, 2017 at 6:00pm  
**Place:** Alachua County Public Library Headquarters  
**Re:** Gate Petroleum Fueling Station on NW 13<sup>th</sup> Street – Special Use Permit

<u>No.</u>	<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
1	BELLY HAMILTON	JAX, FL 32257 9540 SAN JOSE Blvd.	
2	Michael Turk	9540 SAN JOSE Blvd JACKSONVILLE FL. 32250	
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			



---

## NEIGHBORHOOD WORKSHOP MINUTES

---

**Gate Petroleum Fueling Station on NW 13<sup>th</sup> Street**

**Special Use Permit (SUP) Application**

**September 13, 2017 at 6:00 PM**

**Alachua County Public Library Headquarters**

**401 East University Avenue, Gainesville, FL 32601**

Recorded and transcribed by CHW staff.

CHW Attendees – Craig Brashier, AICP; Ryan Thompson, AICP

Community Members in Attendance: None

CHW Staff hosted the required Neighborhood Workshop at the Alachua County Public Library Headquarters. CHW was prepared to give a presentation that contained detailed information pertaining to the purpose of the workshop, the application's request and intent, public notification information, the estimated schedule and review process, and various maps illustrating the project site's location and characteristics. However, the only workshop attendees were representatives from Gate Petroleum, not the notified public.

**CHW staff remained onsite until 6:50 pm.**