

City of
Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 2

TO: City Plan Board

DATE: March 21, 2002

FROM: Planning Division Staff

SUBJECT: Petition 12WSU-02 CC, Eng, Denman & Associates, Inc., agent for Prestige Hyundai. A Special Use Permit for Wellfield Protection for Automotive Repair. Zoned: BA (automotive-oriented business district). Located at 2110 & 2200 North Main Street. Related to Petition 13SPA-02CD.

Recommendation

Staff recommends that Petition 12WSU-02 CC be approved with staff conditions.

Explanation

The petitioner is requesting Plan Board and City Commission approval of a Wellfield Protection Special Use Permit to allow new uses within an existing building, that was originally approved by the City for a car-wash and detailing. The building in question (southern most) is one of three buildings that comprise the new Prestige Hyundai car dealership site on North Main Street opposite Prestige Lincoln—Mercury. The petitioner plans to utilize that southern most building for Automotive Repair and Service as part of a car dealership which is allowed by right in the BA (business-automotive) zoning district. Because the petitioner is proposing to convert only a portion of the existing facility from an automated car wash to two automotive repair and service bays and storage, the development plan review, associated with this Wellfield Special Use Permit, only requires review by the City's Technical Review Committee (staff). The plan, however, has been provided to the Board and Commission for a better understanding of the request and help in the decision-making process of the special use permit. The facility is located in the southwest corner of the intersection of Northeast 23rd Avenue and North Main Street, on property zoned BA (automotive-oriented business district).

The property in question is located in the Tertiary Zone of the Murphy Wellfield Protection Zones. It has been determined by staff that certain hazardous materials will either be manufactured, stored, used, or sold at this car dealership facility. There has been increasing concern about protecting the community's wellfield (Murphy Water Plant) and water supply from developments/uses which may pose a hazard. The Special Use Permit will allow for a more intensive review of non-residential projects in the wellfield zones and will allow the City to revoke permits for noncompliance. No Wellfield Protection Special Use Permit shall be approved by the City unless positive "Findings" are made concerning the proposed use.

The property is also located in the City's Transportation Concurrency Exception Area, TCEA, Zone A. Because of its location in Zone A, the petitioner is only required to provide a safe and convenient internal pedestrian circulation system that connects to the existing public sidewalk along North Main Street.

Analysis

The subject property has, until recently, operated as a car wash with detailing that required a regular Special Use Permit. The facility in question has not been in operation for several years. Access to the property in question is from a common drive that connects with North Main Street and NE 1st Boulevard that serves both Prestige Hyundai and Automobile Service Center that fronts on NE 23rd Avenue.

The 1.8 acre subject property is zoned BA (automotive-oriented business district). The land use is C (commercial). The properties to the south, east, and west are also zoned (BA) while the land to the north is zoned BA and MU-2 across NE 23rd Avenue. The properties surrounding the site all have C (commercial) land use classification except for the Winn-Dixie Shopping Center located north of NE 23rd Avenue, which has a MUM (mixed-use medium intensity) land use. Properties to the south and east, across North Main Street, each contain an automobile dealership, while one other parcel located across Main Street is a gas station/convenience store. In addition to the Winn-Dixie, there is an Automobile Service Center located north of the site. There is also a Shands publishing facility and Cuban restaurant located west of Prestige Hyundai.

Wellfield Findings

No Wellfield Protection Special Use Permit shall be approved by the City Commission unless the following findings are made concerning the proposed special use:

(A) That the proposed use or development will not endanger the City's potable water supply.

The proposed use or development should not endanger the City's potable water supply if the petitioner complies with the requirements of the Alachua County Hazardous Materials Management Code (HMMC). Approval from the Alachua County Environmental Protection Department (ACEPD) is required prior to issuance of building permits (see attached comment sheet from ACEPD). In addition, the petitioner must abide by all requirements of the GRU Environmental Engineering Division, as stated, which they have.

(B) That the necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.

The necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.

(C) That the use or development conforms to the City's comprehensive plan.

The use or development conforms to the City's comprehensive plan commercial land use designation. The property is zoned BA (automotive-oriented business district) which allows Major Group 76 - Automobile repair, services, and parking. The project must meet all special development guidelines to achieve a Wellfield Special Use Permit from the City.

(D) That the proposed use complies with all federal, state and local laws, rules, regulations, and ordinances now and hereafter in force which may be applicable to the use of the site.

The proposed use will comply with all federal, state and local laws, rules, regulations, and ordinances now and hereafter in force which may be applicable to the use of the site.

(E) That the proposed use is not exempt under section 30-202 of this code.

The proposed use is not exempt under section 30-202 of this code because the petitioner will either "manufacture, store, use, or sale hazardous materials at the site or development as defined and regulated in the Alachua County Hazardous Material Code".

Respectfully submitted,



Ralph Hilliard
Planning Manager



Board of County Commissioners

ALACHUA COUNTY ENVIRONMENTAL PROTECTION DEPARTMENT

201 SE 2nd Avenue, Suite 201 • Gainesville, Florida 32601

Tel: (352) 264-6800 • Fax (352) 264-6852

Suncom: 651-6800

Home Page: www.co.alachua.fl.us

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Natural Resources
Supervisor
norton@co.alachua.fl.us

March 8, 2002

Gene G. Francis, Planner
Department of Community Development
P.O. Box 490
Gainesville FL 32602

RE: Petition No. 12WSU-02CC, Prestige Hyundai

Dear Mr. Francis:

Alachua County Environmental Protection Department has reviewed the plans for the referenced location and provides the following comments:

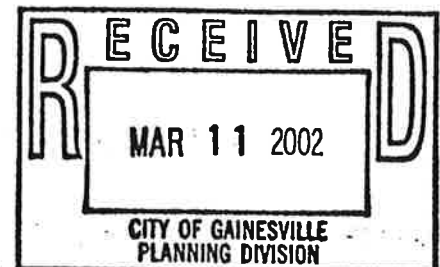
1. Facility shall maintain compliance with the Alachua County Hazardous Materials Management Code (HMMC).
2. Facility shall notify and obtain approval from ACEPD prior to the addition of any hazardous materials storage system, including but not limited to above ground and underground storage tanks and hydraulic lifts systems.

Please do not hesitate to contact me if there are concerns or questions about these comments.

Sincerely,


Agustin Olmos
Hazardous Materials Engineer

\\EPD1\USERS\GSAMPLE\City DRB\12WSU-02CC.doc





**DEVELOPMENT REVIEW EVALUATION
GAINESVILLE REGIONAL UTILITIES**

Ellen Underwood, New Development Coordinator
PO Box 147117, Gainesville, FL 32614
Voice (352) 334-3400 x 1644 - Fax (352) 334-3480

Mar 11, 2002

7 12WSU-02 CC

Eng, Denman & Associates, Inc., agent for Leo Hill. A special use permit for wellfield protection for limited automotive repair and detailing. **Prestige Hyundai**. Zoned: BA (automotive-oriented business district). Located at 2120 North Main Street. (GENE)

Conceptual Comments
 Approved as submitted

Approved w/conditions
 Insufficient information to approve

New
Services

Water

Sanitary
Sewer

Electric

Gas

Real
Estate

February 28, 2002

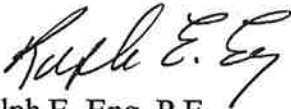
City of Gainesville Planning Department
P.O. Box 490, Station 12
Gainesville, Fl 32602

Re: Prestige Hyundai
Petition 12WSU-02CC

To Whom It May Concern:

This is to certify that a "foot survey" was made of the site. There was no visible evidence of any existing water supply well(s) or septic tank(s) on site. To the best of our knowledge the owner has no intention of constructing any new water supply well(s) on this site.

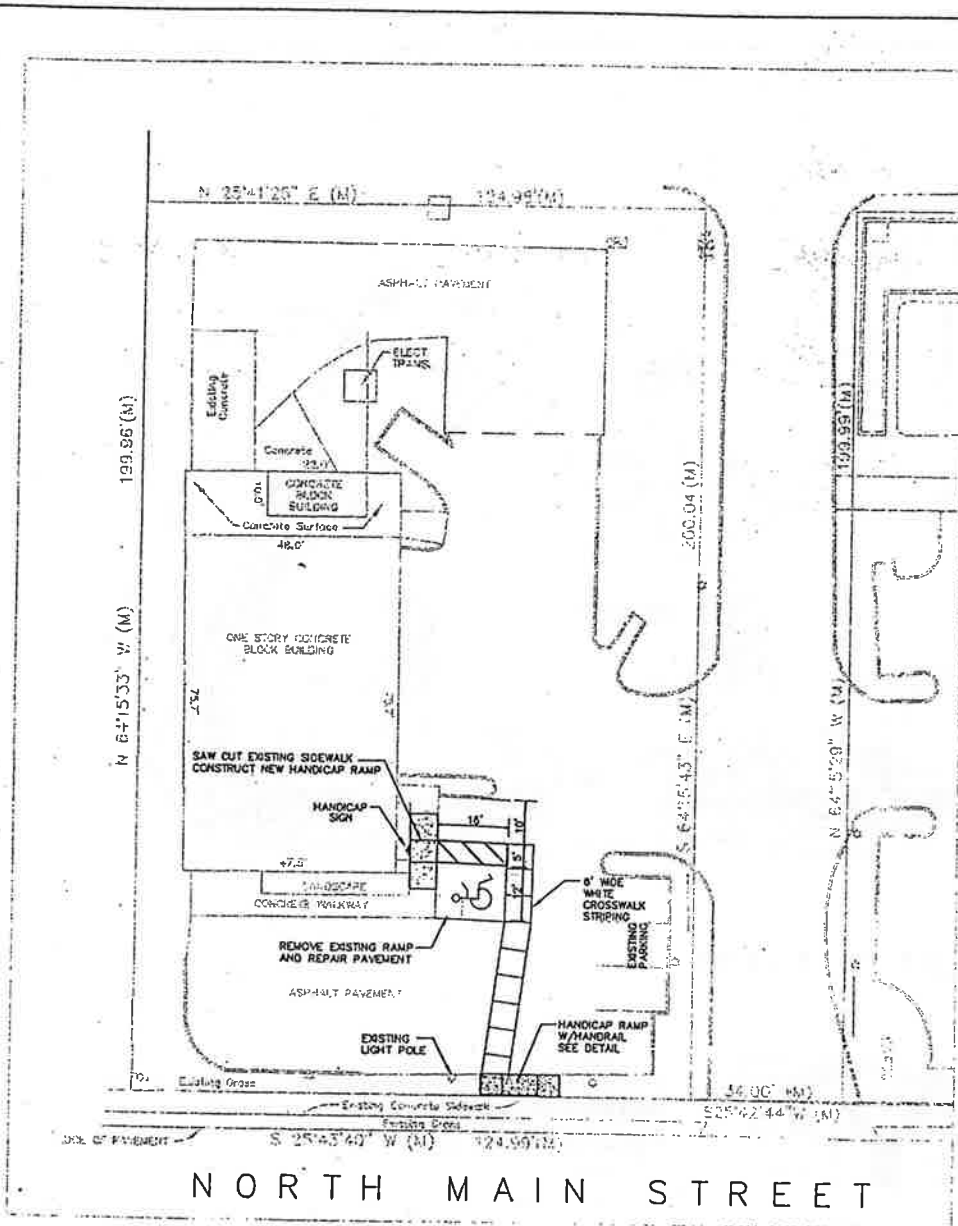
Sincerely,



Ralph E. Eng, P.E.

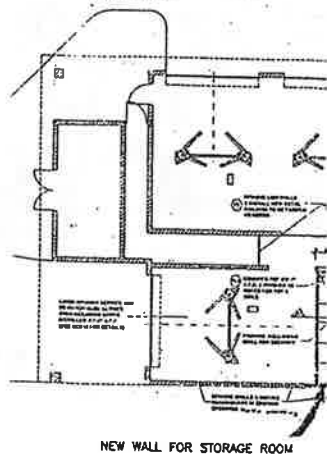
REE/tm

C:\OFFICE\WPWIN\WPDOCS\PRESTIGE\INSPECT.WPD

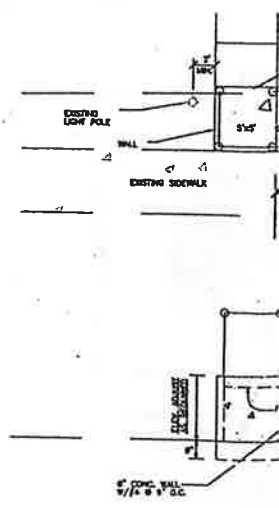
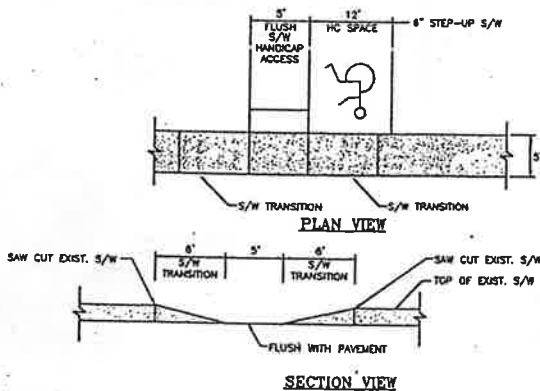
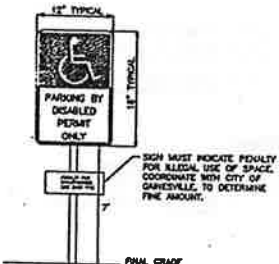
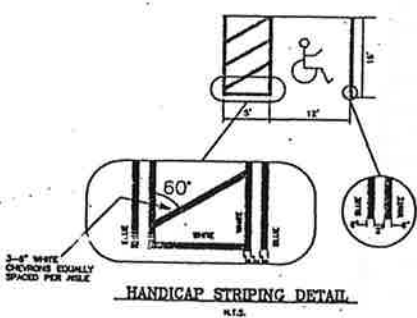


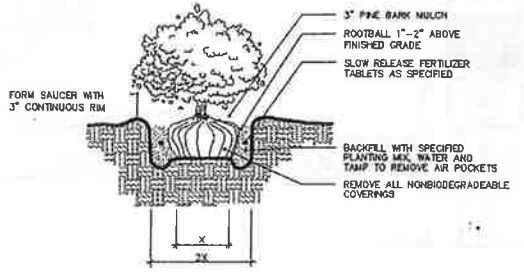
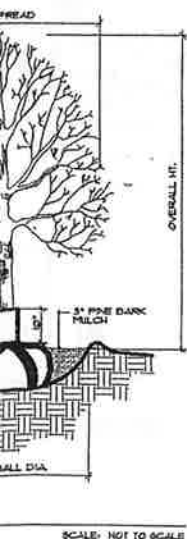
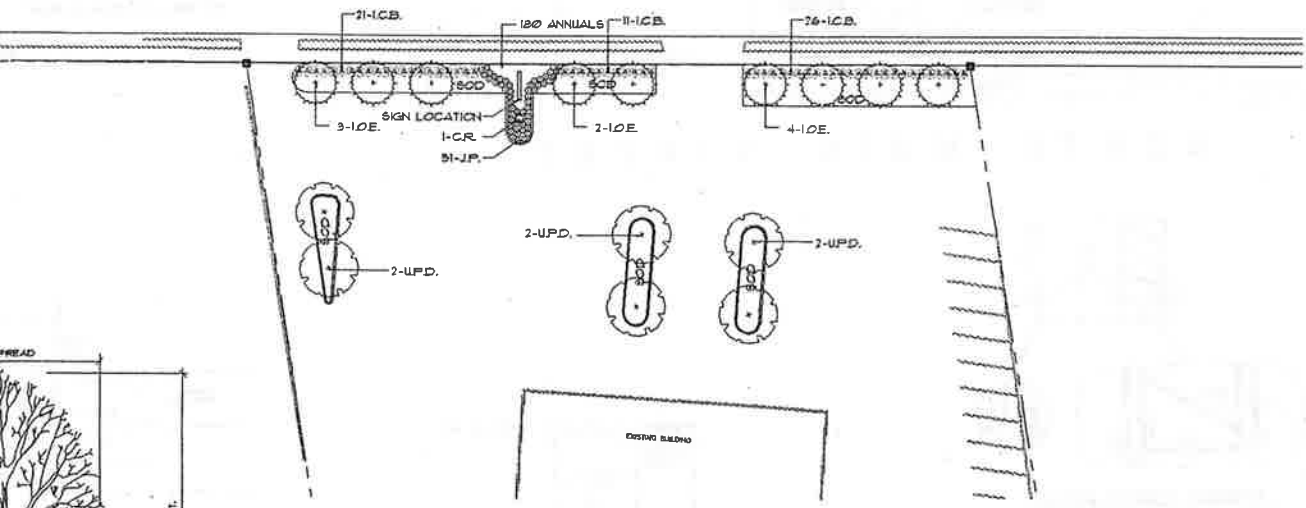
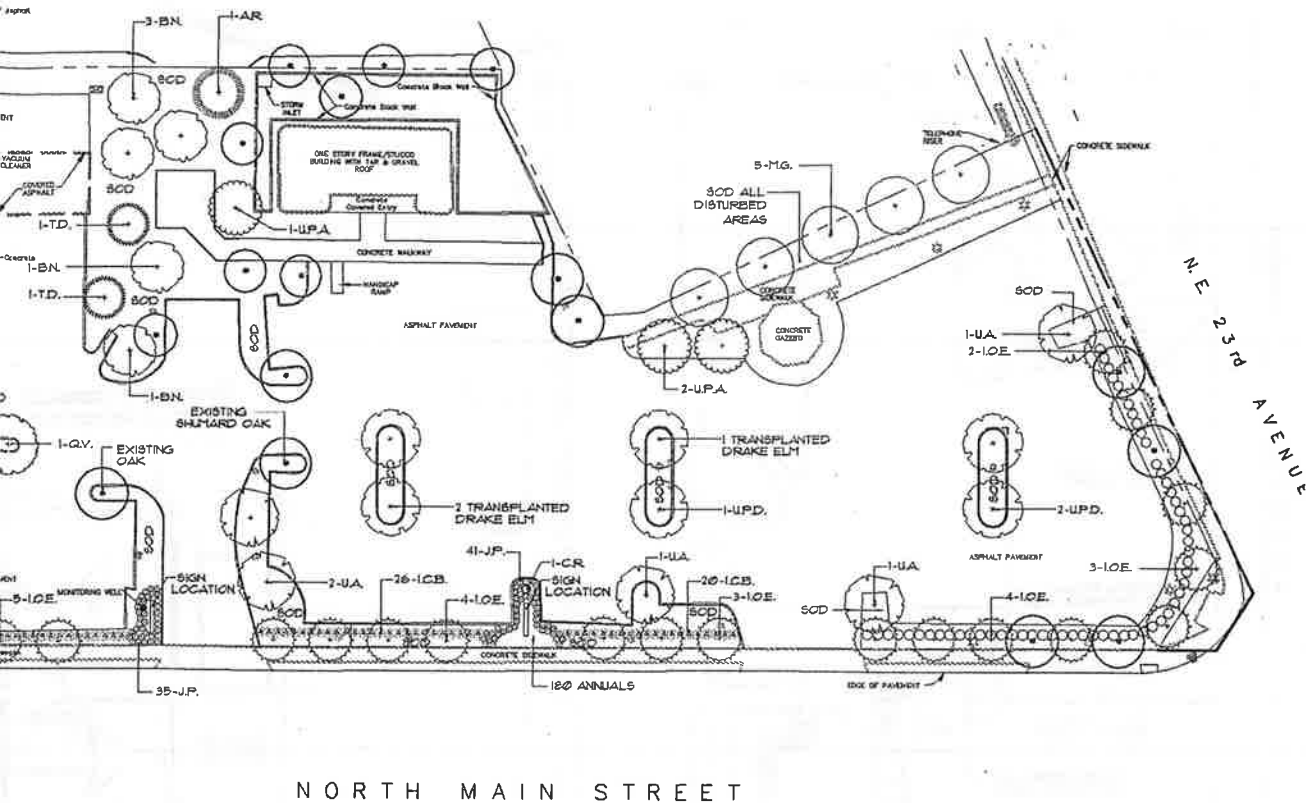
SCALE 1" = 20'

WITH DIMENSIONS SHOWN AND PROVIDED FOR THE PURPOSE OF OFFICIAL LAYOUT AND PLACEMENT OF PROPOSED ELEMENTS AND CONSTRUCTION. ANY PROFESSIONAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PROPOSED ELEMENTS CAN BE PLACED AS SHOWN ON THIS PLAN.



NORTH MAIN STREET





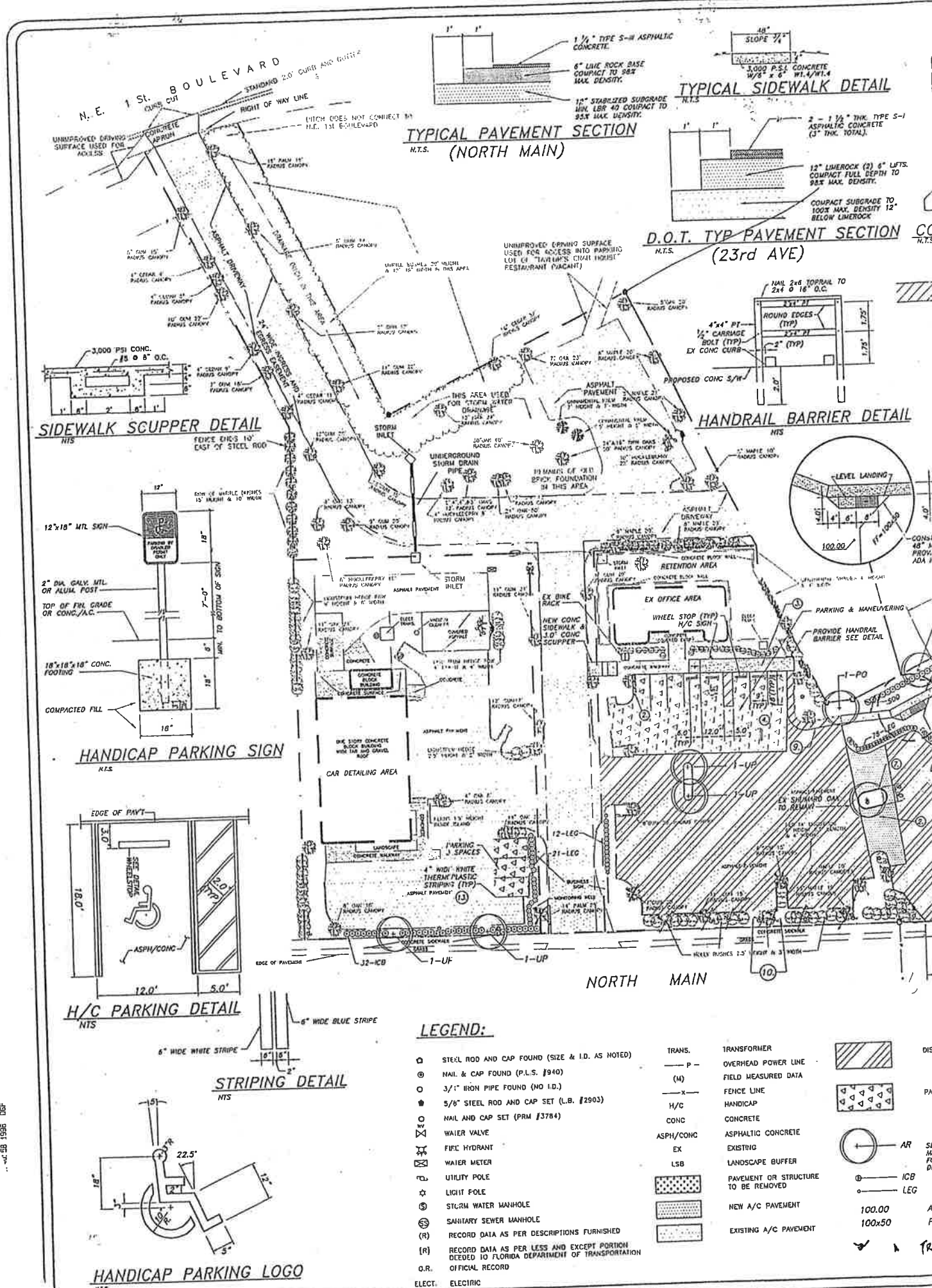
SHRUB PLANTING DETAIL

McCLAIN DESIGN GROUP, INC.
 LANDSCAPE ARCHITECTURAL AND GRAPHIC SERVICES
 GAINESVILLE, FLORIDA
 EMAIL: MCD@AOL.COM
 PHONE: 372-2806
 FAX: (352) 372-6622

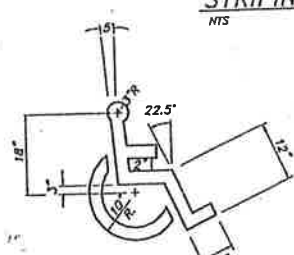
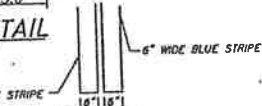
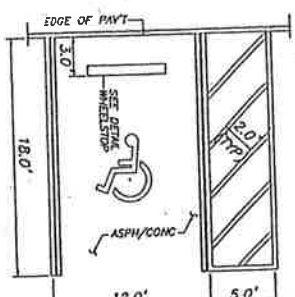
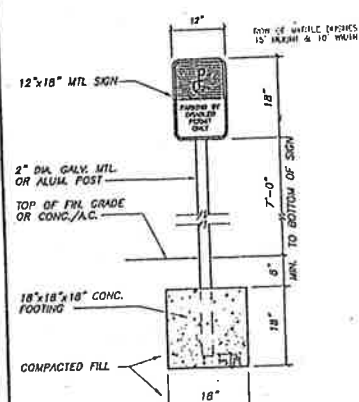
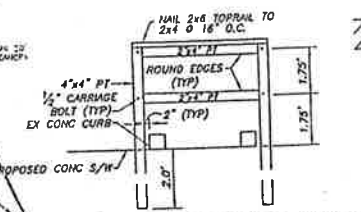
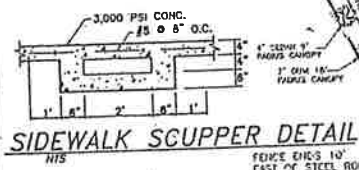
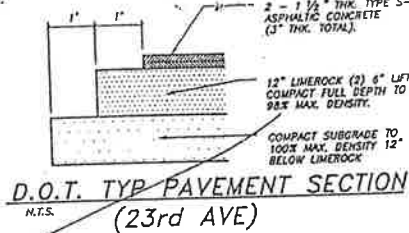
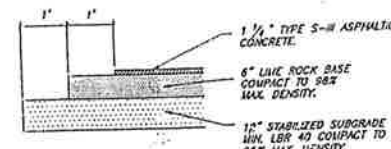
PRESTIGE LINCOLN MERCURY
 LANDSCAPE PLAN

PREPARED FOR:
 PRESTIGE LINCOLN MERCURY

DATE:	11-21-00
SUBMITTAL DATE:	
REVISIONS:	
NORTH:	
SCALE:	1" = 30'-0"
JOB NO:	00-088
SHEET #:	LS-1



N. E. 1st. BOULEVARD
 CURB CUT
 STANDARD 2.0' CURB AND GUTTER
 RIGHT OF WAY LINE
 UNIMPROVED DRIVEWAY SURFACE USED FOR ADDRESS



LEGEND:

- STEEL ROD AND CAP FOUND (SIZE & I.D. AS NOTED)
- NAIL & CAP FOUND (P.L.S. #940)
- 3/4" IRON PIPE FOUND (NO I.D.)
- 5/8" STEEL ROD AND CAP SET (L.B. #2903)
- NAIL AND CAP SET (PRM #3784)
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ UTILITY POLE
- ⊕ LIGHT POLE
- ⊕ STORM WATER MANHOLE
- ⊕ SANITARY SEWER MANHOLE
- (R) RECORD DATA AS PER DESCRIPTIONS FURNISHED
- (R) RECORD DATA AS PER LESS AND EXCEPT PORTION DECEDED TO FLORIDA DEPARTMENT OF TRANSPORTATION OFFICIAL RECORD
- O.R. OFFICIAL RECORD
- ELECT. ELECTRIC
- TRANS. TRANSFORMER
- P — OVERHEAD POWER LINE
- (M) FIELD MEASURED DATA
- X — FENCE LINE
- H/C HANDICAP
- CONC CONCRETE
- ASPH/CONC ASPHALTIC CONCRETE
- EX EXISTING
- LSB LANDSCAPE BUFFER
- PAYMENT OR STRUCTURE TO BE REMOVED
- NEW A/C PAVEMENT
- EXISTING A/C PAVEMENT
- DISP DISPOSED
- PARK PARKING
- AR SEE MAT FOR DES
- ICB
- LEG
- ASS
- PRO

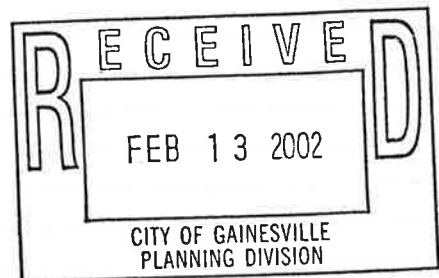
... 5B 1996 DGB

PUBLIC NOTICE

A neighborhood workshop will be held to discuss a change in use for an existing building located at 2120 N. Main Street, from exclusive car wash and detailing use to include automotive repair, and sales of automotive products (lubrication, major/minor repairs, tires, batteries, etc.) This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held February 12, 2002 at 6:00 p.m. at the Prestige Lincoln/Mercury Dealership, 2201 N. Main Street, Gainesville, FL

Contact person: Ralph E. Eng, P.E.
Phone: (352) 373-3541



PRESTIGE HYDUNDAI-SUP.

CHANGE IN USE

SIGN UP SHEET

2/12/02

6:00 PM

NAME

ADDRESS

TELEPHONE No

Laili Euy
Rent form

Eric Donnan Assoc -
PRESTIGE LINE Merc

No Person/Residence - Attached -

R	RECEIVED	D
	FEB 13 2002	
CITY OF GAINESVILLE PLANNING DIVISION		

2. **Petition 12WSU-02 CC** Eng, Denman & Associates, Inc., agent for Leo Hill. A special use permit for wellfield protection for automotive repair. Prestige Hyundai. Zoned: BA (automotive-oriented business district). Located at 2110 and 2200 North Main Street.

Mr. Lawrence Calderon was recognized. Mr. Calderon described the process and criteria for obtaining a Wellfield Special Use Permit. He noted that the major reviewers for a Wellfield Special Use Permit were ACDEP and Gainesville Regional Utilities. He explained that all Wellfield Special Use Permit petitions were required to have a development review. He presented a map of the site and described it in detail. Mr. Calderon indicated that the petitioner was converting a carwash to a full automotive repair facility. He reviewed the criteria and findings the board was required to make to grant the permit and indicated that staff recommended approval of the petition with conditions. Mr. Calderon offered to answer any questions from the board.

Mr. Gold asked about the procedure for containing spills in automotive repair facilities.

Mr. Calderon indicated that the clean-up would be handled according to the type of spill. He explained that some were handled by the Fire Department or ACDEP. He noted that large containers of hazardous materials often were required to have a containment wall.

Mr. Ralph Eng, agent for the petitioner, was recognized. Mr. Eng indicated that the petitioner recently purchased the facility and was not aware that the previous owner was using the building for automotive repair. He explained that, when the petitioner tried to obtain a building permit for renovations, it was discovered that the original site plan required that the building be used for car detailing services and a change in use was required to allow automotive repair. He offered to answer any questions from the board.

Mr. Guy noted that information presented in the board's packets spoke to a 'foot survey.' He requested that Mr. Eng discuss the term.

Mr. Eng noted that one of the criteria for the permit was that a foot survey be performed. He explained that the survey was to determine if there were any existing wells or underground tanks on the site. He indicated that he walked the site personally and did not find any.

Mr. Guy pointed out that a foot survey would not find something buried under the ground. He asked if the foot survey was the minimum requirement.

Mr. Eng explained that underground tanks and wells would be registered with the ACDEP and there were no registrations for the site.

Mr. Guy asked if Mr. Eng was required to perform any excavation.

Mr. Eng indicated that he was not.

Mr. Guy asked who, if anyone, was responsible to research the records to determine if any existing abandoned tanks or wells existed on a site.

Mr. Eng indicated that such a search might have been performed when the site was renovated. He explained that, when the petitioner purchased the property, a Phase I environmental report was performed and there were no tanks on the site.

Chair Polshek called for public comment on the petition.

Ms. Sara Poll was recognized. Ms. Poll noted that she lived close to the site and all loudspeaker intercom pages at the business were clearly audible inside her home. She requested that the board, as part of their review, require that the petitioner not connect the facility to the main dealership's intercom system. She suggested that the petitioner could use a beeper or phone system. She noted that the same problem existed with another nearby automobile dealership. Ms. Poll described situations she had observed where fuel and other hazardous waste materials were not contained but dumped on the ground.

Chair Polshek requested that staff respond to Ms. Poll's concerns about the noise issue.

Mr. Calderon explained that the criteria for a Wellfield Special Use Permit did not address noise. He indicated that, during the minor review process, staff would discuss the matter with the petitioner and let him know that he cannot violate the noise ordinance.

Chair Polshek closed the floor to public comment.

Mr. Rwebyogo indicated that he was familiar with Phase I environmental review. He explained that the review covered the history of the site since its first development. He noted that if the Phase I survey did not find tanks, most likely there were none.

<u>Motion By:</u> Mr. Andrews	<u>Seconded By:</u> Mr. Gold
<u>Moved to:</u> Approve Petition 12WSU-02 CC, with staff conditions.	<u>Upon Vote:</u> Motion Carried 7 - 0 Ayes: Andrews, Gold, Guy, Pearce, Myers, Rwebyogo, Polshek