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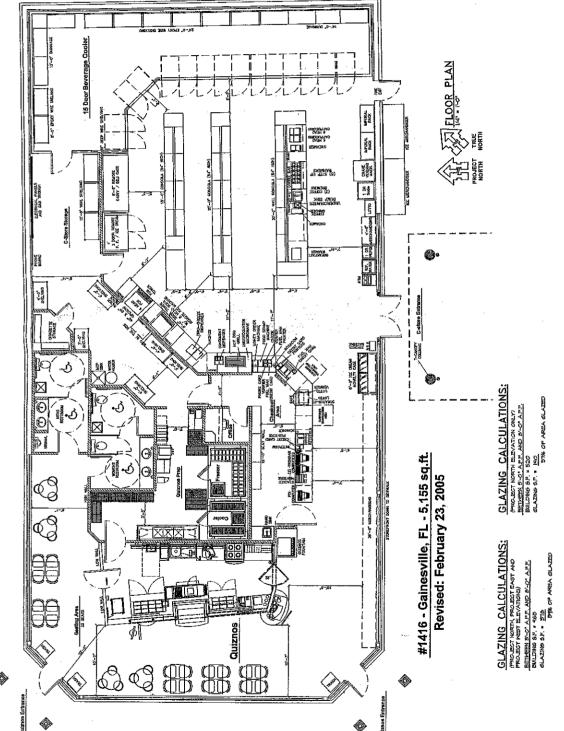
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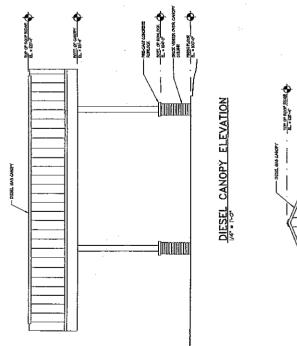
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3 Petition 21SUP-05 PB

Causseaux & Ellington, Inc., agent for The Pantry A special use permit with development plan review for a convenience store/restaurant and a maximum of 12 (twelve) gasoline fueling positions. Zoned: BA (automotive-oriented business district). Located at 1515 North Main Street

Mr. Gene Francis was recognized. Mr. Francis presented a map of the site and described it and the surrounding uses in detail. He also presented an aerial photo of the site and pointed out the derelict buildings abandoned when the Gainesville Dodge dealership moved out. He noted that the site was located in the Transportation Concurrency Exception Area (TCEA) Zone A, and, therefore, a Special Use Permit was required for retail petroleum sales. He indicated that since there were more than 6 fueling positions, the petition would go on to the City Commission with the board's recommendations. Mr. Francis noted that there were members of Alachua County Public Works present to discuss traffic patterns on North Main Street and NE 16th Avenue.

Mr Robert Walpole, agent for the petitioner, was recognized. Mr Walpole presented slides showing the site and the various surrounding uses. He noted that the existing development was 99 percent impervious surface with no stormwater retention on the site. He presented photos of the site and the surrounding area. He described the 3 proposed access points on North Main Street, NE 16th Avenue, and NE 2nd Street. He pointed out property that would be dedicated to Alachua County for improvements to North Main, including new turn lanes. He described the site plan layout, location of sidewalks, the internal road that connected to NE 2nd Street, parking, buffering and landscaping, and a portion of the site left vacant for future development.

Mr. David Gill, project architect, was recognized. Mr. Gill described the building elevation in detail, including floor plan, location of the restaurant, glazing and building materials. He noted that the store would be open 24-hours a day, seven days a week.

Mr. Walpole described the preliminary signage proposed for the site.

Mr. Dave Newport was recognized. Mr. Newport discussed the LEED Certified Building Program and the US Green Building Council, and noted that the project was the first such to come before the board.

Chair Pearce indicated that he wished to follow the procedure for an informal quasi-judicial hearing He asked if any board members had received any ex-parte communication

Mr Gold indicated that he had attended the neighborhood workshop for the project.

There was discussion of procedure

Chair Pearce asked Mr. Francis if he was going to review the conditions placed upon the petition.

Mr. Francis indicated that he could, however, he could also simply answer the board's questions.

Mr. Walpole indicated that he would like to review the staff conditions that he would like to have modified. He stated that he agreed with, and would abide by, all conditions other that those he wished to specifically address Regarding Condition #4, "The applicant shall have the option to install a 6-foot high masonry (splitface block) wall; a garden wall with pickets, or a 6-foot high evergreen vegetative buffer (hedge material and trees)," he requested that it state, "The applicant shall install a 6-foot black aluminum picket style fence in combination with the required vehicular buffer adjacent to the residential uses." He explained that the petitioner had worked with the resident and church on NW 2nd Street, and had arrived at a compromise for the fencing and buffering. Regarding Condition 5, "The applicant shall install shade trees and a low garden wall between the small commercial development fronting on NE 16th Avenue and NE 2nd Street," Mr Walpole requested that it read, "The applicant shall install a 9-foot vehicular buffer, curbing, and a 5-foot sidewalk connection to the commercial site to the east." He explained that Mr Francis wanted a garden wall or other obstruction to prevent vehicles from cutting between the gas station and establishments to the east. He pointed out that there would be a 9-foot buffer with curbing and a 15-foot deep swale to channel stormwater to the retention basin. He indicated that he believed it would be sufficient to prevent cut through traffic Regarding Condition 9, "The petitioner shall reduce the large expanse of pavement and internal driveway being proposed," Mr. Walpole noted that the Public Works Department had provided a slightly different recommendation He requested that the condition read, "The petitioner shall work with Planning and Public Works Department staff to narrow the internal driveway to as close to 40 feet as possible, or a suitable width for a fuel truck to enter the project." He described the progression of the fuel truck entering and leaving the site. He agreed that the internal driveway was too wide at 80-feet, and it would be possible to narrow it and add greenspace and more landscaping

Mr. Reiskind asked about the function of the connection to NE 2nd Street.

Mr. Walpole explained that it would provide interconnectivity between the parcels so not every vehicle had to enter or exit on North Main Street or NE 16th Avenue. He agreed that the site could be designed without the connection. Regarding Condition 11, "The Kangaroo wind vane shall be removed from the design of the building." He presented a photo of the wind vane from a vendor catalog and noted that while it did represent a kangaroo, it was not a part of the Kangaroo logo. He requested that the condition be deleted.

Mr Tecler requested more information regarding the condition

Mr. Gold noted that it was stated in the staff report that the kangaroo weather vane could be counted as part of the signage.

Mr. Walpole noted that the recommendation was part of the package and not part of the Special Use Permit. He explained that, if the board adopted the condition, there could be no kangaroo weather vane.

Mr. Francis indicated that planning staff originally recommended that the kangaroo weather vane had to be considered signage.

Mr. Tecler suggested that the rules were too stringent.

Mr. Francis stated that the kangaroo represented on the weather vane was considered signage as determined by the City Land Development Code

Mr. Tecler indicated that he had no problem with the weather vane

Mr. Walpole suggested that the board change the condition to state that the kangaroo weather vane did not count in the sign calculations rather that deleting it.

Mr. Reiskind asked how counting the weather vane toward signage affected other signage on the site.

Mr Dean Mimms, Chief of Comprehensive Planning was recognized. Mr Mimms stated that the weather vane would be the second sign allowable as a wall sign on the main frontage. He noted that it also might be above the roofline, which was another consideration. He suggested that the matter be left until site plan finalization.

Mr. Walpole indicated that he wished to discuss details so there was no confusion. Regarding the diesel pumps, he stated that he wished to clarify that it was the 12th fueling position, there were not 2 pumps but a single pump with two outlets so trucks that had tanks on both sides could fuel without turning the truck around. Regarding the dedication of right-of-way for a bus stop, he indicated that the petitioner was not proposing to construct a bus stop at the present time

Mr. Gold noted that there was a bus stop on NW 16th Avenue. He asked if it was on the petitioner's property.

Mr. Walpole indicated that there was a bus stop in the Alachua County right-of-way on NE 16th Avenue. He noted that there were no improvements proposed to that site. He noted he had met with Jeff Reese of the Police Department on the 24/7 operation security and crime issues. He explained that he was informed that the criminologist had indicated that there was no data to support a claim that a 24/7 business increased crime. He stated that Little Champ was in the process of changing all of their stores to a 24/7 operation because operational costs were less than break-in costs. He noted that there were company policies regarding loitering.

Mr. Gold asked if the other station on NW 16th Avenue that was similar to the proposed station was open 24/7. He asked if those operational hours were necessary for the project to proceed.

Mr. Walpole indicated that it was very important to the petitioner to have those operational hours based upon its location and security concerns about break-in crimes.

Mr. Gold indicated that he attended the neighborhood workshop and was also on the Northeast Park Stormwater Taskforce. He explained that the entire infrastructure on NE 2nd Street was very old. He asked where the waste pipes would exit the site.

Mr. Walpole explained that all of the infrastructure on site would be new, but it would tie into the sewer main in NE 2nd Street. He noted that GRU could check the line for possible problems. He stated that parts of NE 2nd Street were in good condition. He agreed that the project would probably be successful without the NE 2nd Street roadway connection, but he believed it would be good for the neighborhood to have a pedestrian and vehicular connection. Mr. Walpole indicated that the only other sewer main available was on the north side of NE 16th Avenue and would require massive construction to reach. He stated that all of the stormwater runoff from the site would now be treated in basins. He pointed out the flow of stormwater and the outfall system to a County basin across Main Street.

Mr. Reiskind asked what type of development was proposed for the undeveloped south side of the property.

Mr. Walpole indicated that there would be a lot split and that area would be sold. He explained that anything that fell under BA Zoning classification could be developed.

Mr. Gold cited a concern with the proximity of the diesel fueling position near the church.

Mr. Walpole pointed out that the diesel pump would be near the back of the church, which was a blank wall. He also pointed out significant landscaping in the 50-foot distance between the pump and the building

Mr Gold noted that information in the board's packets indicated that, "The site access and traffic safety conditions on adjacent roadways and intersections are not compromised by the additional trips generated by the additional fueling positions." He cited concerns about the additional traffic on NE 2nd Street.

Mr Walpole stated that the Alachua County Public Works Department would make a presentation on the proposed flow of the traffic and the effect the improvements to North Main Street would have on the intersection at NE 16th Avenue.

Mr. Reiskind asked about the demolition delay referred to in the staff report.

Mr. Francis indicated that a demolition delay was imposed on buildings over 45 years old to determine historic value and if someone wished to remove and preserve them.

Mr. Rwebyogo asked for staff's comment on the proposed modifications to the agenda.

Mr. Francis stated that, regarding Condition 4, he was not necessarily recommending a wall, but whatever the homeowner desired. He agreed that the picket fence was acceptable. Regarding Condition 5, he cited a concern about cross access to the business to the east on NE 16th Avenue. He pointed out that it was a very short distance.

Mr. Walpole explained that the proposal was for a 9-foot buffer with 6-inch curbing, and a stormwater swale.

Mr. Francis suggested curbing on both sides of the buffer and swale

Mr. Walpole indicated that he would agree to curbing both sides.

There was discussion of the distances involved with the large expanse of pavement and internal driveway as stated in Condition 9

Mr. Walpole stated that he would work with Planning and Public Works staff to have the proper radius in a narrower driveway.

Chair Pearce indicated that he thought the connection to NE 2nd Street would be beneficial as an access. He cited a concern about the 24-foot width of the drive

Mr. Francis suggested that the driveway connection to NE 2nd Street be 20 feet.

Mr. Walpole agreed if the 20-foot width was limited to the actual area of the drive. He noted that Public Works had requested some type of calming device on the roadway, and he had agreed to that condition.

Mr. Mimms cited a concern and suggested that the language state, "subject to the approval of the Planning and Public Works Department."

Mr. Francis stated that Planning staff had no objection if the board wished to delete Condition 11

Mr. Gold asked Mr. Francis for his opinion on the traffic impact of the connection to NE 2^{nd} Street and the 24-hour operation.

Mr. Francis indicated that he believed the connection would benefit the neighborhood. He explained that he had spoken with GPD and was told that 24-hour operation did not necessarily mean there would be problems. He noted that, should the station become a gathering place, it could be closed for a few hours, then reopen.

Chair Pearce opened the floor to testimony by affected parties.

Mr. Rodchester Roberts, member of the trustees of the church, was recognized. Mr. Roberts indicated that the applicant had spoken to the church and did agree on the decorative fence and buffer. He explained that the only concern was the condition of NE 2nd Street and the number of elderly people and children who used it to walk to church

Chair Pearce indicated that he knew the location and it was his opinion that persons coming from the east would not take NE 2^{nd} Street.

Mr. Gold asked if the church members had discussed the diesel fueling station that was approximately 50 feet from the church.

Mr. Roberts indicated that the matter of noise was discussed, but he had not seen a physical layout of the site.

Mr. Kim Popejoy was recognized. Mr. Popejoy indicated that he supported the petition but cited a concern about NE 2nd Street. He suggested that the City should address the substandard roadway. He also cited a concern about the 24/7 operation of the business.

Ms. Jeannette Wilson, trustee of the church, was recognized. Ms. Wilson discussed the severe problems with flooding and speeders on NE 2^{nd} Street.

Chair Pearce opened the floor to public comment.

Mr. Randy Wells was recognized. Mr. Wells agreed with the comments about NE 2nd Street and the hours of operation. He stated improvement of NE 2nd Street was crucial. He stated that he was also concerned about the additional lane proposed for North Main Street. He indicated that he believed the 24/7 operation was a concern, but he believed how the business functioned was as important as hours.

Mr. Tom Fox was recognized. Mr. Fox indicated he was speaking for Mr. Jim Kessell who was unable to attend the meeting. He cited concerns about flooding along NE 2nd Street and was opposed to the driveway connection.

Mr David Cerlanek, Alachua County Public Works Department, was recognized. Mr Cerlanek presented a computer simulation of current traffic patterns at the intersection of North Main Street and 16th Avenue. He noted that there was a split-phased light at the intersection. He also presented simulated traffic patterns after the proposed left turn lane on the dedicated right-of-way was constructed. He discussed the proposed three lane of Main Street by FDOT and Alachua County.

Mr (unintelligible) was recognized. He indicated that he approved of the location of the building near the street. He noted that he hoped there would be many large trees planted. He explained that he did not approve of the connection to $NE\ 2^{nd}$ Street. He agreed that it would be convenient, but he did not believe everything had to be at the maximum level of convenience all the time, especially when other people would be adversely affected.

Chair Pearce closed the floor to public comment.

Mr. Walpole indicated that he would like to address some of the concerns expressed. He noted that one concern of the church was fuel deliveries on Sunday during church services. He stated that the petitioner was conscious of that and would schedule the deliveries accordingly. Regarding the increases in crime, he referred to the photos of the existing buildings and noted that the homeless and drug addicts were currently using it as a shelter. He noted that such crime would be removed when the buildings were demolished. Mr. Walpole indicated that there was no problem with removing the connection to NE 2nd Street. He agreed, however, that the connection was beneficial to the project. Regarding flooding on NE 2nd Street, he pointed out that the project would have no effect on the problem since all stormwater would be retained, treated, and discharged to a basin across Main Street. He stated that no fuel delivery truck would enter or exit the site on NE 2nd Street. He indicated that the board could make it a condition if they wished the connection to proceed as proposed. He discussed Pantry Pride's policy where a store that had problems could close for an hour, then reopen. He noted that persons who might have been gathering would leave when the lights were turned off. Mr. Walpole agreed that traffic calming devices could be placed on the NE 2nd Street connection to prevent cut through traffic.

Mr. Gold indicated that it should be part of the plan that there be no NE 2nd Street roadway connection. He agreed that the plan was good, but he still had concerns about the 24/7 operation. He stated that it was the City's responsibility to improve NE 2nd Street.

Mr. Tecler indicated that, while he understood the concern about the 24/7 operation, he did not believe it was within the purview of the board to consider such things.

Mr Rwebyogo stated that he supported the project's connectivity to NE 2nd Street. He discussed the economic losses when people were delayed in traffic. He agreed that it was the City's responsibility to improve NE 2nd Street. He suggested that crime and the homeless was a larger community issue and needed to be dealt with by the community at large.

Chair Pearce indicated that, if the business became an attractive nuisance, it was a police issue. He stated that he did not believe the store being open 24/7 would attract any more of a criminal element that if it was closed Regarding the NE 2nd Street connector, he pointed out that the models show traffic significantly reduced at the NE 16th Avenue and Main Street intersection, which would lessen any problems with cut through traffic. He agreed that speed tables and narrowing the connector down to 20 feet would also help the situation.

Mr. Reiskind indicated that he was impressed by the petitioner's willingness to remove the connection to NE 2^{nd} Street, and he saw no reason to maintain the roadway. He asked about the amount of impermeable surface when the project was completed.

Mr Walpole stated that impervious surface with just the gas station site would be 41.07 percent as opposed to the existing 99 percent, and when a development came to the southern part of the site it would be 65 to 70 percent.

Mr. Gold made a motion to approve Petition 21SUP-05 PB with staff conditions and the agreed upon changes to those conditions, closing the proposed NE 2nd Street vehicular access.

Mr Reiskind seconded the motion

Mr. Tecler suggested that the board should show some foresight in the matter because there was no way to determine future development in the area. He agreed that, while the connector might not be the best thing at the present time, it might become so in the future

Chair Pearce indicated that he agreed with Mr Tecler on the matter

Motion By: Mr. Gold	Seconded By: Mr. Reiskind
Moved to: Approve Petition 21SUP-05 PB with staff conditions and the agreed upon changes to those conditions, closing the proposed NE 2 nd Street vehicular access.	Upon Vote: Motion Failed 3 - 2 Ayes: Gold, Reiskind, Nays: Rwebyogo, Pearce, Tecler

Motion By: Mr Reiskind	Seconded By: Mr. Tecler	
Moved to: Approve Petition 21SUP-05 PB with staff conditions and the agreed upon changes to those conditions with traffic calming as approved by the Public Works Department.	Upon Vote: Motion Carried 5 - 0 Ayes: Gold, Rwebyogo, Reiskind, Pearce, Tecler	
Modifications to Conditions		
Staff Condition 4, "The applicant shall have the option to install a 6-foot high masonry (split-face block) wall; a garden wall with pickets, or a 6-foot high evergreen vegetative buffer (hedge material and trees)," be modified to state,		

"The applicant shall install a 6-foot black aluminum picket style fence in combination with the required vehicular buffer adjacent to the residential uses"

Staff Condition 5, "The applicant shall install shade trees and a low garden wall between the small commercial development fronting on NE 16th Avenue and NE 2nd Street," be modified to read, "The applicant shall install a 9-foot vehicular buffer, curbing, and a 5-foot sidewalk connection to the commercial site to the east."

Staff Condition 9, "The petitioner shall reduce the large expanse of pavement and internal driveway being proposed," be modified to read, "The petitioner shall work with Planning and Public Works Department staff to narrow the internal driveway to as close to 40 feet as possible, or a suitable width for a fuel truck to enter the project."

Strike staff Condition 11.

Board Condition: Narrow the roadway connection to NW 2nd Street from 24 feet to 20 feet east of the internal driveway connection to the convenience store/gas station and add traffic calming devices as approved by the Public Works Department.

NEIGHBORHOOD WORKSHOP

Date:

January 12, 2005

Time:

6:00 p.m.

Place:

Gainesville Community Design Center

300 E. University Avenue

Gainesville, FL

RE:

Lil' Champ #1416: A neighborhood workshop to discuss the development of a 5000+/- s.f. gas station and convenience store located on the southeast corner of N. Main Street and E. 16th Avenue, Gainesville, FL.

+ SITE Introduction by Robert J. Walpule + Introduction of Leeds component

Discussed 3 locations by Grey Self

Oil change pit, by drawlic lifts & old USST

t Needs Accessment or market Study can dietell *Kin- n Popejoy I traffic study conducted + Phanges flow of stormater into sweet water

+ 2nd street - Any improvements proposed Impact to "2" street? + what dollars brought in Stayin Florida.

+ Lets of pedestrians on 2 nd street competity of

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SIGN-IN SHEET

NEIGHBORHOOD WORKSHOP

Date:

Wednesday, January 12, 2005

Time:

6:00 p.m.

Place:

Gainesville Community Design Center

300 E. University Avenue

Gainesville, FL

RE:

Lil' Champ #1416: A neighborhood workshop to discuss the development of a 5000+/- s.f. gas station and convenience store located on the southeast corner of N. Main Street and E. 16th

Avenue, Gainesville, FL.

No.	Print Name	Street Address	Signature
1	HEMANG PATEL	119 NE 16th ALE	ems las
2	DAVID GOLD	1938 NE TTERR	David Hold
3	Jeff Sirmons	1105 W Univ. Ave.	Efficano
4	Grea Seff	2025 N.W. 24th St	In Set
5	Kim Popejoy	300 ME 13 AU	Toping
6	RobertWAlpolo	6011NW15+P/ACE	R
7	Boh Cohen	1515 NW7 + Pl.	Man
8	Tave Voutout	2023 SW 146 ST 32669	Dung

held at Providence United Methodist Church Cemetery, Windsor FL Arrangements are under the care of MILAM FUNERAL AND CREMATION SERVIC-ES 311 South Main Street Gainesville, FL 32601, (352)376-5361. Mr. Hope, a resident of Alachua, FL, died on Sunday, December 26, 2004 at 11151 NW 66th Drive Visitation will be held from 1-2:00 p.m. prior to the service. In Lieu of Flowers, Memorial Contributions may be made to the Providence United Methodist Church Cemetery Fund or to Hospice of NCF 4200 NW 90th Blvd Gainesville FL 32606

ing the services. Burial will be held at I.O.O.F Cemetery, Convoy Ohio. Arrangements are under the direction of WILLIAMS-THOMAS FUNERAL HOME, 494 North Main Street, Gainesville, FL 32601. Mr Wilson, a resident of Newberry, Florida died on Sunday December 26, 2004 in Newberry Florida. Visitation will be held from 6-7:00 p.m. at Williams-Thomas Funeral Home on Tuesday (Tonight)

FOR FURTHER INFORMATION: WILLIAMS THOMAS 376-7556

DIAMONDS

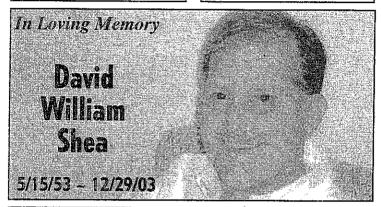


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PUBLIC NOTICE

A neighborhood workshop will be held to discuss the development of a 5000+/- s.f. gas station and convenience store, located on the southeast corner of N. Main Street and E. 16th Avenue, Gainesville, FL. The 2+/- acre site is zoned MU-1. 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 January 12, 2005 at 6:00 pm at Gainesville Community Design Center, 300 E. University Avenue, Gainesville, FL.

Contact person: Robert J. Walpole (352) 331-1976

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