

Petition PB-16-34 SUP. Greenberg Farrow, agent for Walmart Stores East, owner. A Special use permit with an intermediate development plan to allow for the construction of a gas station with convenience store. Zoned: MU-2 (12—30 units/acre mixed use medium intensity). Located at 1800 NE 12th Avenue.

Lead Planner Lawrence Calderon gave the staff presentation. He explained that this is a continuation of the Special Use Permit petition hearing that was held on May 26, 2016. During the public comments portion of the May 26th hearing, neighborhood residents stated that they did not receive notice of the neighborhood meeting conducted by the applicant and that they did not receive notice of the May 26th City Plan Board from the City. Some neighborhood representatives expressed opposition to several aspects of the development, particularly the location of the fuel tanks and proximity of the development to the residential neighborhood. Others spoke in support of the overall concept and the positive benefits to the community.

Mr. Calderon said that the Plan Board asked staff to confirm whether proper notice of the May 26th Plan Board meeting had been provided, and, whether the neighborhood meeting had been conducted and properly advertised. Staff has reviewed the record and determined that both meetings were properly noticed. He noted that some of the residents who spoke at the May 26th Plan Board meeting are not on the list of property owners administered by the Property Appraiser's office. He added that subsequent to the May 26th meeting staff reviewed some modifications to the design of the site and hosted a meeting with the neighbors and the applicant.

Wayne Gibson of Murphy USA spoke on behalf of the applicant. John Veccio, P.E., of Greenberg Farrow, made a presentation as agent for the applicant in which he explained the modifications to the development plan that were made since the May 23rd meeting. The following members of the public spoke during the public comments portion of this SUP petition hearing: Carla Lewis; Andrew Miles; Pastor Earnestine Butler; Juanita Miles Hamilton; Carrie Parker-Warren; Gilbert Means; and, Yvette Clark.

The Plan Board then deliberated and voted.

Motion By: Bob Ackerman	Seconded By: Stephanie Sutton
Moved To: Approve Petition PB-16-34 SUP with staff conditions, Technical Review Committee (TRC) comments, the associated development plan, and two additional conditions: 1) Relocate the underground tanks from the south side to the west side of the development, and; 2) Add an oil/water separator to the stormwater management system of the site.	Upon Vote: 5-0