

## **Appendix A**

Comprehensive Plan, Goals, Objectives  
and Policies

**GOAL 1**

**IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.**

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

Revised 08/12/02, Ord. 000515  
Revised 04/26/04, Ord. 030466  
Revised 12/17/09, Ord. 090184  
Revised 08/15/13, Ord. 120370  
Revised 07/20/17, Ord. 140817

Transportation Mobility **B-33**



Goals,  
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number and width of driveways; limitations on the number of fueling positions; and consideration of pedestrian and bicycle safety at the site.

- Policy 2.2.4 The City's land development regulations shall require the handling of hazardous materials in such a way as to prevent degradation of the natural environment. At a minimum, this shall be achieved by complying with the Alachua County Hazardous Materials Management Code and the Alachua County Murphree Wellfield Protection Code, which:
- a. Prohibit certain new hazardous materials facilities and underground storage tank systems from siting within the unconfined zone of the Floridan aquifer;
  - b. Prohibit new hazardous materials facilities from siting within the primary and secondary wellfield protection zones of the Murphree wellfield, and establish requirements for siting of hazardous materials facilities within the tertiary protection zones of the Murphree wellfield.

Revised 06/10/02, Ord. 000882  
Revised 01/05/12, Ord. 110246  
Revised 08/15/13, Ord. 120370

Conservation, Open Space & Groundwater Recharge **D-5**



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Within the secondary zone, vehicular fuel storage subject to Section 376.317, F.S., may be allowed;

- c. Require new Class C and D hazardous materials facilities, as identified in the Alachua County Hazardous Materials Management Code, to maintain large setbacks from surface waters, wells, and floodplains; and
- d. Require stringent hazardous materials storage and containment designs, periodic monitoring, inspections, a management plan, fees, and penalties for non-compliance.

- Policy 2.3.2 The City shall allow land uses and facility design within wellfield protection zones (and other "community water system" cones of influence as defined by Rule 62-550.200, F.A.C.) as identified in the Environmentally Significant Land and Resources Map Series within the Future Land Use Map Series, and that are in compliance with the Murphree Wellfield Protection Code.

### **Commercial (C)**

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit.

### **Zone B Criteria**

- a. Intersection and/or signalization modifications to address congestion management, including, but not limited to: signal timing studies, fiber optic interconnection for traffic signals, roundabouts, OPTICOM signal preemption, transit signal prioritization, and/or implementation of the Gainesville Traffic Signalization Master Plan. The Master Plan includes installation of Intelligent Transportation System (ITS) features such as state of the art traffic signal controllers, dynamic message signs, and traffic monitoring cameras designed to maximize the efficiency of the roadway network by reducing congestion and delay.
- b. Addition of lanes on existing road facilities (including, but not limited to, the 4-lane expansion of SR 121 north of US 441 to CR 231), where acceptable to the City and/or MTPPO, as relevant.
- c. Construction of new road facilities that provide alternate routes, reduce congestion, and create a better gridded network.
- d. Use of joint driveways or cross-access to reduce curb cuts.
- e. Participation in a transportation demand management program that provides funding or incentives for transportation modes other than single occupant vehicle. Such demand management programs shall provide annual reports of operations to the City indicating successes in reducing single occupant vehicle trips.
- f. Provision of ride sharing or van pooling programs.
- g. Provision of Park and Ride facilities, built to RTS needs and specifications.
- h. Provision of bus pass programs provided to residents and/or employees of the development. The bus passes must be negotiated as part of a contract with the Regional Transit System.



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- i. Deeding of land for the addition and construction of bicycle lanes that meet City specifications. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.
- j. Provision of additional bicycle parking over the minimum required by the Land Development Code. Additional bicycle parking may be used to substitute for the required motorized vehicle parking.
- k. Enhancements to the City's off-street paved trail network (as shown in the Transportation Mobility Map Series) that increase its utility as a multi-modal transportation route. Such enhancements may include, but shall not be limited to: 1) trail amenities such as benches, directional signage, or safety systems; 2) bicycle parking at entry points or connections with transit lines; 3) land acquisition for expansion or better connectivity; 4) additional entry points to the off-street paved trail network; 5) bridges spanning creeks or wetland areas; and 6) appropriate off-street trail surfacing.
- l. Funding of streetscaping/landscaping (including pedestrian-scale lighting, where relevant) on public rights-of-way or medians, as coordinated with the implementation of the City's streetscaping plans.
- m. In order to increase the attractiveness of the streetscape and reduce visual clutter along roadways to promote a more walkable environment, provision of no ground-mounted signage at the site for parcels with 100 linear feet or less of property frontage, or removal of non-conforming signage or billboards at the site. Signage must meet all other regulations in the Land Development Code.
- n. Widening of existing public sidewalks to increase pedestrian mobility and safety.
- o. Construction of public sidewalks where they do not currently exist or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TMPA criteria.
- p. Payments to RTS that either increase service frequency or add additional transit service, including Express Transit service and/or Bus Rapid Transit, where appropriate.
- q. Funding for the construction of new or expanded transit facilities.
- r. Construction of bus shelters built to City specifications.
- s. Bus shelter lighting using solar technology designed and constructed to City specifications.
- t. Construction of bus turn-out facilities to City specifications.



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- u. Construction of access to transit stops and/or construction of transit boarding and alighting areas.
- v. Business operations shown to have limited or no peak-hour roadway impact.
- w. An innovative transportation-mobility-related modification submitted by the developer, where acceptable to and approved by the City.

**Policy 10.1.7** For any development or redevelopment within Zone C, the developer shall, at the developer's expense, meet the following transportation mobility criteria based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The criteria chosen shall relate to the particular development site and the transportation mobility conditions and priorities in the zone, adjacent zones, and/or citywide for criteria that benefit the overall transportation system. Based on cost estimates provided by the developer and verified by the City, the City shall have the discretion to count individual criteria as equivalent to two or more criteria for purposes of satisfying transportation mobility requirements. Provision of the required transportation mobility criteria shall be subject to final approval by the City during the development review process and shall be memorialized in a TMPA agreement between the City and the developer.

Net, New Average Daily Trip Generation	Number of Criteria That Shall Be Met
50 or less	At least 1
51 to 100	At least 3
101 to 400	At least 4.5
401 to 1,000	At least 7.5
1,001 to 5,000	At least 12
Greater than 5,000	At least 18 and meet either a. or b.: <ul style="list-style-type: none"> <li>a. Located on an existing RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours.</li> <li>b. Provide funding for a new RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours or provide funding to improve RTS transit headways to minimum 15-minute frequencies in the a.m. and p.m. peak hours. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a minimum of 3 years.</li> </ul>

## **Appendix B**

### Land Development Code Regulations

## Appendix B – Land Development Code Regulations

### B-1 Governing Principles

- Division 5. Special Use Permits.

#### 2 **DIVISION 5. SPECIAL USE PERMITS**

##### 3 **Section 30-3.22. Purpose.**

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

##### 10 **Section 30-3.23. Required.**

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

##### 13 **Section 30-3.24. Review Criteria.**

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

- 18 A. The proposed use or development is consistent with the Comprehensive Plan and the Land  
19 Development Code.
- 20 B. The proposed use or development is compatible with the existing land use pattern and future uses  
21 designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or  
22 development shall be reviewed include scale, height, mass and bulk, design, intensity, and character  
23 of activity.
- 24 C. The proposed use will not adversely affect the health, safety, and welfare of the public.
- 25 D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is  
26 provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site  
27 and surrounding properties.
- 28 E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent  
29 properties zoned for single-family residential use.
- 30 F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.
- 31 G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed  
32 for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor  
33 storage or display areas, if included, will not adversely impact surrounding properties and shall be  
34 reviewed for screening and location on the site.
- 35 H. Necessary public utilities are available to the proposed site and have adequate capacity to service  
36 the proposed use or development.
- 37 I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility  
38 and harmony of the proposed use and structure with the uses and structures of adjacent and nearby  
39 properties.

- 1 J. The hours of operation will not adversely impact adjacent properties zoned for single-family  
2 residential use.
- 3 K. Any special requirements set forth in the Land Development Code for the particular use involved are  
4 met.

- Sec. 30-5.5 Carwash, Automated or Self-Service.

36 **Section 30-5.5. Carwash, Automated or Self-Service.**

37 All principal and accessory structures used for carwash service shall be located and constructed in  
38 accordance with the following requirements:

39 A. When the use is located in an accessory structure, the structure shall not exceed 25 feet in height.

Article V. Use Standards

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- 1 B. All bay openings shall be oriented away from any property in a residential district (including MH,  
2 mobile home residential district) or other existing, conforming residential use.
- 3 C. Bay openings shall be located to the side or rear of the building and shall be screened from the  
4 street.
- 5 D. All outdoor lighting shall be oriented away from any property in a residential district (including MH,  
6 mobile home residential district) or other existing conforming residential use.
- 7 E. All uses shall comply with the requirements of Article VIII for buffering.
- 8 F. Accessory automotive detailing within enclosed parking structures may be allowed consistent with  
9 Section 30-5.32.

- Sec. 30-5.13. Gasoline and Alternative Fuel Stations.

1 **Section 30-5.13. Gasoline and Alternative Fuel Stations.**

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

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

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

17 B. *Number of fueling positions.*

- 18 1. Within the transect zones, where allowed, up to six fueling positions are permitted by right.
- 19 2. Within all other zoning districts, where allowed, up to six fueling positions are permitted by  
20 right, except for stations located within ¼ mile from an interchange, where there may be up to  
21 12 fueling positions permitted by right.
- 22 3. Up to 12 fueling positions may be allowed as part of a Planned Development rezoning or Special  
23 Use Permit process.

24 C. *Design requirements.*

- 25 1. All fuel pumps and pump islands shall be set back a minimum distance of at least 15 feet from  
26 any right-of-way line or property line.
- 27 2. All gasoline and alternative fuel pumps and accessory automotive uses shall be located to the  
28 rear or side of buildings and at least 50 feet from the property line of any property zoned  
29 residential district or Planned Development district with predominately residential uses. In the  
30 event the physical constraints of the site do not allow such uses to meet these requirements,  
31 the uses may be located to the front of the building in order to meet the 50 foot spacing  
32 requirement. This design requirement shall not apply in the I-1 or I-2 zoning districts.
- 33 3. The number and width of driveways shall be minimized.
- 34 4. Cross-access or joint use driveways shall be provided to adjacent non-residential developments.
- 35 5. A minimum of 25% window area or glazing at pedestrian level (between three and eight feet  
36 above grade) on all first-floor building sides with street frontage. Windows or glazing shall be at  
37 least 80% transparent.
- 38 6. A public entrance shall be provided that faces the street (a corner entrance may be provided  
39 where the building is located at the intersection of streets).

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

B-2 City of Gainesville Land Development Code

**DIVISION 4. MIXED-USE AND NONRESIDENTIAL**

**Section 30-4.19. Permitted Uses.**

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

**Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.**

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
<b>RESIDENTIAL</b>													
Single-family house		P	-	P	P	-	-	-	-	-	P	-	-
Attached dwellings		P	P	P	P	-	-	-	-	-	-	-	-
Multi-family dwellings		P	P	P	P	S	-	-	-	-	P	-	-
Accessory dwelling units	30-5.33	A	A	A	A	-	-	-	-	-	P	-	-
Adult day care homes	30-5.2	P	P	P	P	P	P	-	-	P	-	-	-
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (more than 14 residents)	30-5.6	-	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (7 to 14 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Dormitory, large	30-5.8	-	-	-	S	-	-	-	-	-	-	-	-
Dormitory, small	30-5.8	S	S	S	P	-	S	-	-	-	-	-	-
Family child care homes	30-5.10	P	-	P	P	-	-	-	-	-	P	-	-
<b>NONRESIDENTIAL</b>													
Alcoholic beverage establishments	30-5.3	S	S	-	-	-	P	-	P	P	-	P	P
Assisted living facility		P	P	-	P	-	-	-	-	-	P	-	-
Armor systems manufacturing and assembly	30-5.16	P	-	-	-	-	-	-	-	-	-	-	-
Bed and breakfast establishments	30-5.4	P	P	S	S	-	P	-	P	-	-	-	-
Business services		P	P	-	P	P	P	P	P	P	P	P	P
Car wash facilities	30-5.5	S	S	-	-	-	P	P	S	P	P	P	P
Civic, social & fraternal organizations		P	P	-	-	-	P	P	P	P	-	-	-
Daycare center	30-5.7	P	P	P	P	P	P	-	-	P	P	-	-
Drive-through facility	30-5.9	P	P	-	-	-	P	P	P	P	P	P	P
Emergency shelters		P	P	P	P	P	P	P	P	P	P	P	P
Equipment sales, rental and leasing, heavy		-	-	-	-	-	-	-	-	-	-	P	P
Equipment sales, rental and leasing, light		-	P	P	P	-	P	P	-	P	P	P	P
Food distribution center for the needy	30-5.12	-	-	-	-	-	S	-	S	S	-	-	-
Food truck	30-5.35	P	P	A	A	P	P	P	P	P	P	P	P
Fuel dealers		S	S	-	-	-	S	P	-	-	-	P	P
Funeral homes and crematories		P	P	P	P	-	P	P	-	-	-	-	-
Gasoline/alternative fuel stations	30-5.13	S	S	-	-	-	P	P	P	S	P	S	S
Go-cart raceway and rentals (indoor and outdoor)		-	-	-	-	-	-	-	-	-	-	S	S
Health services		P	P	P	P	P	-	-	-	-	P	-	-
Hotels and motels		S	S	-	-	S	P	-	P	P	S	-	-
Ice manufacturing/vending machines	30-5.38	-	-	-	-	-	S	S	S	A	A	A	A
Industrial	30-5.14	-	-	-	-	-	-	-	-	-	-	P	P
Job training and vocational rehabilitation services		-	P	-	-	-	P	-	-	P	P	P	-
Junkyard/Salvage Yard	30-5.15	-	-	-	-	-	-	-	-	-	-	S	P
Laboratories, medical and dental		P	P	P	P	P	P	-	-	P	P	P	P

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Large-scale retail		-	P	-	-	-	P	P	P	P	-	-	-
Libraries		-	P	-	-	P	-	-	-	-	P	-	-
Light assembly, fabrication, and processing	30-5.16	P	P	-	S	S	S	P	-	P	P	P	P
Liquor stores		P	P	-	-	-	P	P	P	-	P	-	-
Medical marijuana dispensing facility		P	P	A <sup>1</sup>	A <sup>1</sup>	S	P	P	P	P	P	S	S
Microbrewery Microwinery Microdistillery <sup>3</sup>	30-5.17	S	P	-	-	-	P	-	P	P	P	P	P
Mini-warehouses, self-storage		-	-	-	-	-	-	P	-	P	P	P	P
Museums and art galleries		P	P	P	P	P	P	-	P	P	P	-	-
Offices		P	P	P	P	P	P	P	P	P	P	P	P
Offices, medical and dental		P	P	P	P	P	P	-	P	-	P	-	-
Outdoor storage, principal use	30-5.19	-	-	-	-	-	-	-	-	S	P	P	P
Parking, surface (as a principal use)	30-5.20	-	S	-	-	-	S	P	-	P	P	-	-
Passenger transit or rail stations		S	S	-	-	P	P	P	P	P	P	P	-
Personal services		P	P	P	P	P	P	P	P	P	P	P	P
Places of religious assembly	30-5.21	P	P	P	P	P	P	P	P	P	P	-	-
Public administration buildings		P	P	P	P	P	P	P	P	P	P	P	-
Public maintenance and storage facilities		-	-	-	-	-	-	-	-	P	P	P	P
Public parks		S	S	S	S	P	P	P	P	P	P	P	P
Recreation, indoor		P	P	P	P	P	P	P	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	S	P	P	S	-	P	P
Recycling centers		-	S	-	-	-	S	-	-	-	S	S	P
Rehabilitation centers	30-5.24	S	S	S	S	-	S	-	-	S	-	S	-
Research, development and testing facilities		-	-	-	-	P	P	-	-	P	P	P	P
Residences for destitute people	30-5.22	S	S	S	S	-	S	-	S	-	-	-	-
Restaurants		P	P	-	S	P	P	P	P	P	P	P	P
Retail nurseries, lawn and garden supply stores		P	P	-	-	-	P	P	-	P	P	P	-
Retail sales (not elsewhere classified)		P	P	-	-	S	P	P	P	P	P	S	S
Schools, elementary, middle & high (public & private)		P	P	S	S	-	P	-	-	-	P	-	-
Schools, professional		P	P	P	P	P	P	P	-	P	P	P	P

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Schools, vocational and trade		-	P	P	P	-	P	P	-	P	P	P	P
Scooter or electric golf cart sales		P	P	-	-	-	P	P	-	P	-	P	-
Sexually-oriented cabarets	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented motion picture theaters	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented retail store	30-5.23	-	-	-	-	-	P	-	P	-	-	-	P
Simulated gambling establishments		-	-	-	-	-	-	-	-	-	-	-	-
Skilled nursing facility		P	P	-	P	P	P	-	-	-	P	-	-
Social service facility	30-5.25	S	S	S	S	-	-	-	-	-	P	S	S
Solar generation station	30-5.27	-	-	-	-	-	-	-	-	P	-	P	P
Truck or bus terminal/maintenance facilities		-	-	-	-	-	-	P	P	P	P	P	P
Vehicle repair	30-5.28	-	-	-	-	-	-	P	P	P	-	P	P
Vehicle rental		-	-	-	-	-	P	P	P	P	P	P	-
Vehicle sales (no outdoor display)		-	-	-	-	-	P	P	P	P	-	P	-
Vehicle sales (with outdoor display)		-	-	-	-	-	-	P	-	P	-	P	P
Vehicle services	30-5.28	S	S	-	-	-	P	P	P	P	S	P	P
Veterinary services	30-5.29	P	P	P	P	P	P	P	P	P	P	P	P
Warehouse/distribution facilities (<100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Warehouse/distribution facilities (>100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Waste management facilities		-	-	-	-	-	-	-	-	S	-	P	P
Wholesale trade		-	-	-	-	-	-	S	-	P	P	P	P
Wireless communication facilities	30-5.30												

**LEGEND:**

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

1 = Only when accessory to and in the same building as health services or offices of physicians, dentists, and other health practitioners.

2 = Accessory to and in the same building as health services and comprising less than 25% of the gross floor area of the building.

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

**Section 30-4.20. Dimensional Standards.**

The following tables contain the dimensional standards for the various uses allowed in each district.

**Table V - 8: Mixed-Use and Nonresidential Districts Dimensional Standards.**

	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	W	BI	I-1	I-2
<b>DENSITY/INTENSITY</b>												
Residential density (units/acre)												
Min <sup>1</sup>	8	12	None	None	10	None	None	None	8	None	None	None
Max	30	30	20	20	30	None	None	None	30	None	None	None
Nonresidential building coverage	60%	75%	40%	50%	50%	None	None	None	None	None	None	None
Nonresidential GLA (max)	100,000 <sup>2</sup>	None <sup>2</sup>	None	None	None	None	None	None	None	None	None	None
<b>LOT STANDARDS</b>												
Min lot area (sq. ft.)	None	None	6,000	6,000	None	None	None	6,000	None	None	None	None
Min lot width (ft.)	None	None	60	60	None	None	None	60	None	None	None	None
Min lot depth (ft.)	None	None	90	90	None	None	None	90	None	None	None	None
<b>SETBACKS (ft.)</b>												
Front	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	15 min	10 min 100 max	25 min	25 min	25 min	25 min
Side-street (min)	15	15	10	10	10	10	15	10	25	20	25	25
Side-interior (min)	10	10	10	10	10	10	10	10	10 <sup>4</sup>	10	10 <sup>4</sup>	20 <sup>4</sup>
Rear (min)	10	10	10	10	10	10	15	10	10 <sup>4</sup>	20	10 <sup>4</sup>	10 <sup>4</sup>
<b>MAXIMUM BUILDING HEIGHT (stories)</b>												
By right	5	5	3	3	5	5	5	5	5	5	5	5
With building height bonus	8	8	-	8	8	8	-	8	-	-	-	-

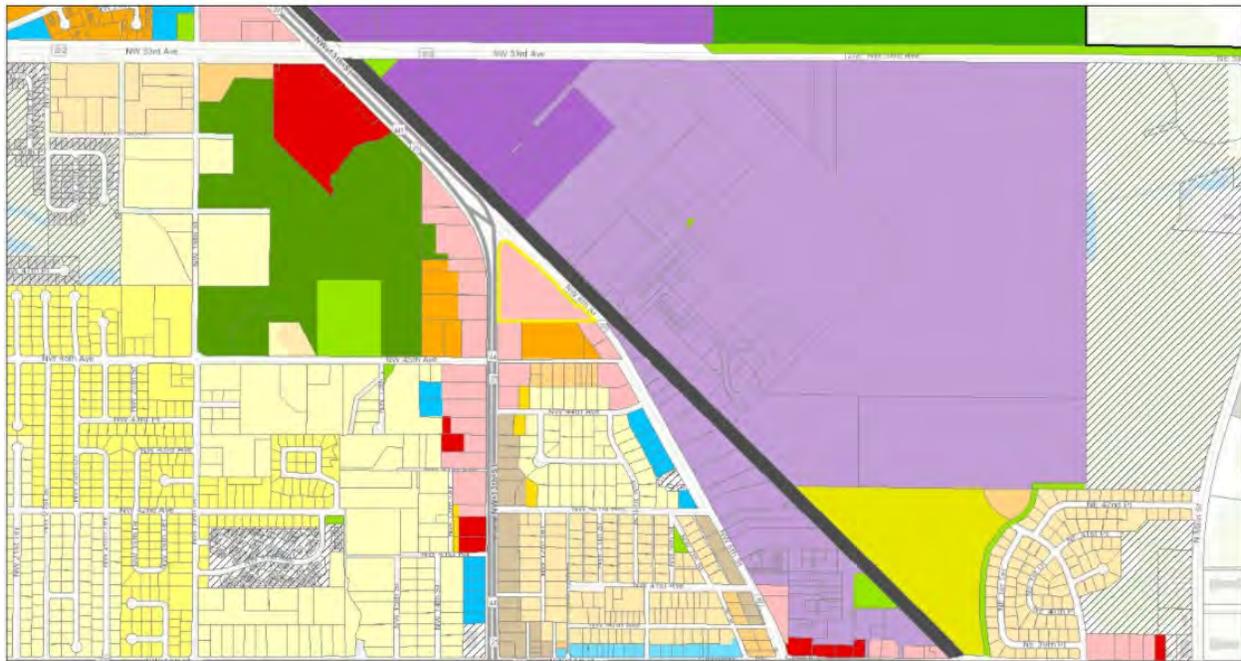
**LEGEND:**

- 1 = Lots that existed on November 13, 1991, as recorded in the city and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.
- 2 = Developments of 50,000 sq. ft. or more of gross leasable area shall be located along arterials or collectors, as defined in the official roadway map.
- 3 = Where the yard abuts and is used for access to a railroad siding, the minimum setback shall be zero feet.
- 4 = Where the rear or side yard abuts U1 or single-family residential zoning or a historic district, Section 30-4.8 development compatibility standards shall apply.

# **Appendix C**

## Maps

# Exhibit C-1: Existing Zoning



10/5/2020, 10:27:48 AM

Gainesville City Limits

Public Parcels

City of Gainesville Zoning

AGR: Agriculture

BA: Automotive-Oriented Business

BUS: General Business District

CON: Conservation

I-1: Limited Industrial

I-2: General Industrial

MH: Mobile Home Residential

MU-1: Mixed Use Low Intensity

OF: General Office

OR: Office Residential

PD: Planned Development

PS: Public Services and Operations

RMF-5: Single-Family/Multiple-Family Residential

RMF-6: Multiple-Family Residential

RMF-7: Multiple-Family Residential

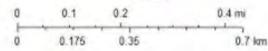
ROW

RSF-1: Single-Family Residential

RSF-2: Single-Family Residential

RSF-4: Single-Family Residential

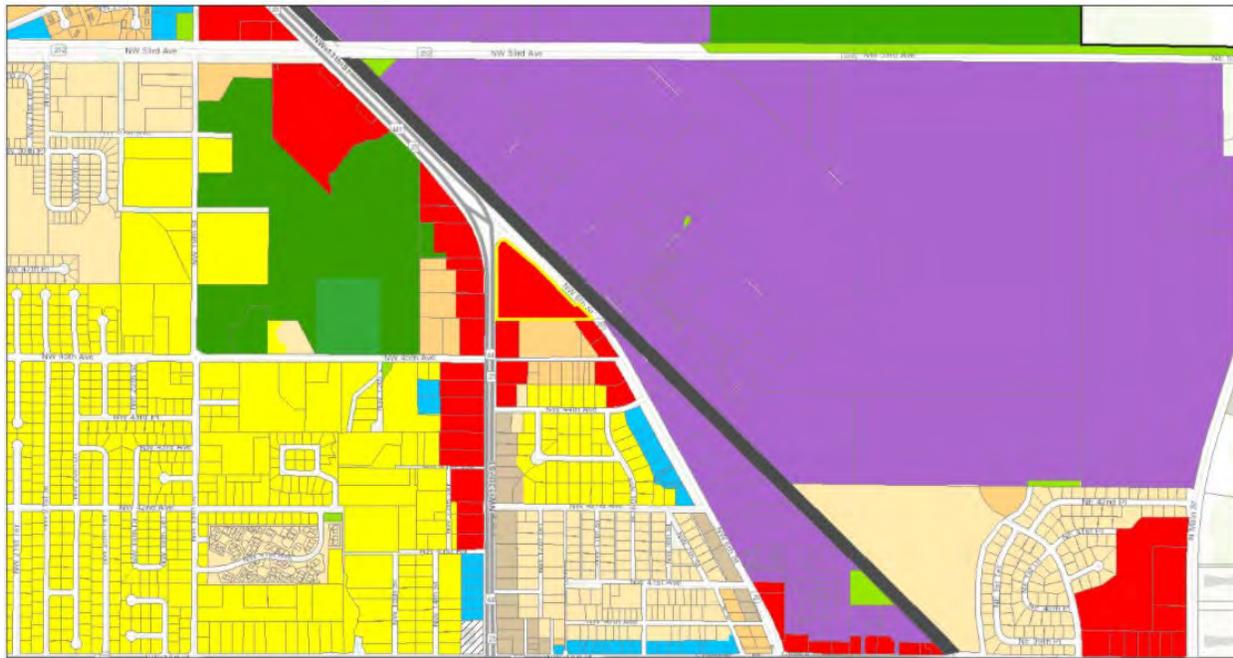
1:9,598



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, and the GIS User Community

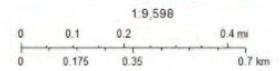
Department of Sustainable Development  
 County of Alachua, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METHANSA, EPA, USDA (1) KBN Engineering and Applied Sciences, ed  
 (2) Alachua County Department of Growth Management, comp

# Exhibit C-2: Existing Land Use



10/5/2020, 10:32:37 AM

- |                                     |   |                        |
|-------------------------------------|---|------------------------|
| Gainesville City Limits             | IND: Industrial                         | RL: Residential Low    |
| Public_Parcel                       | MUL: Mixed-Use Low                      | RM: Residential Medium |
| <b>City of Gainesville Land Use</b> |   |                        |
| AGR: Agriculture                    | PF: Public and Institutional Facilities | SF: Single Family      |
| C: Commercial                       | O: Office                               | ROW                    |
| CON: Conservation                   | PUD: Planned Use District               | REC: Recreation        |



Source: Esri, HERE, Garmin, Intermap, Inramat P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Exhibit C-3: Subject Property in Relation to Murphree's Wellfield Protection Zones

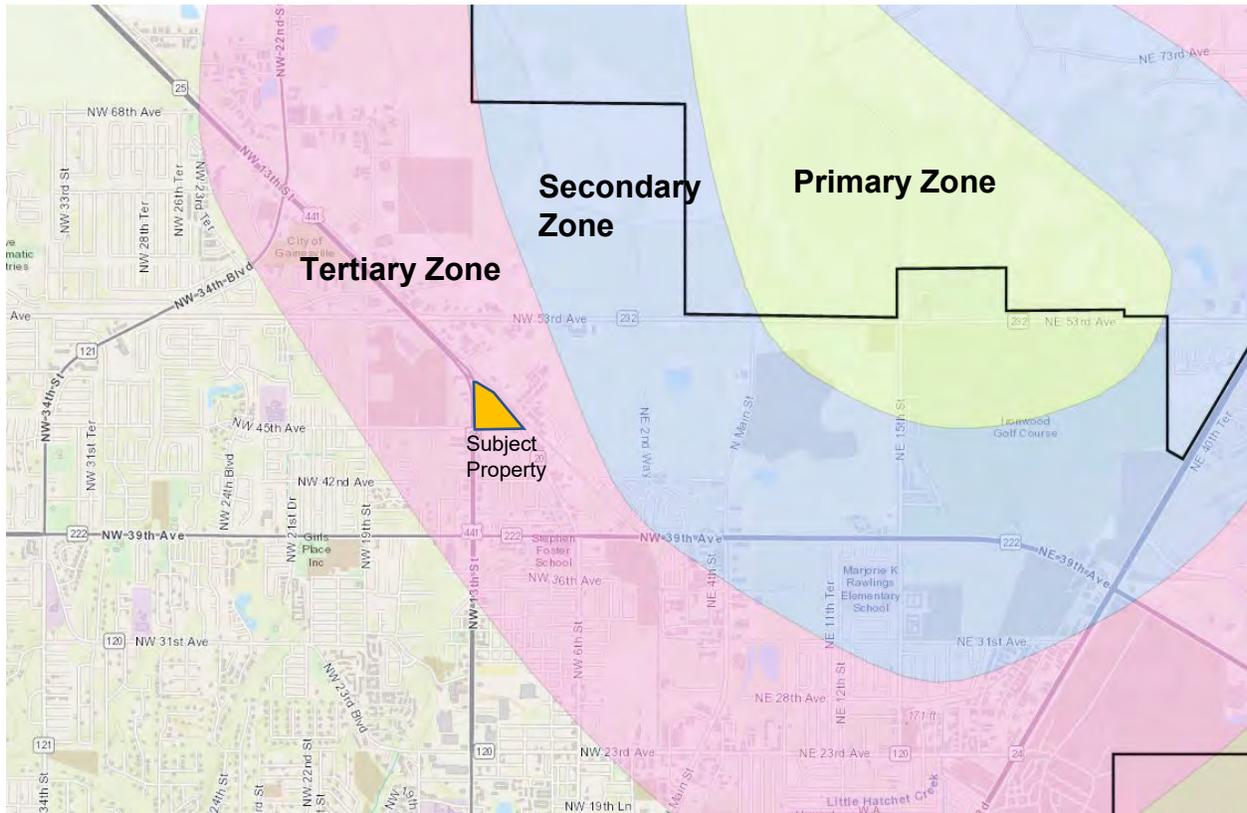


Exhibit C-4: GRU Water Utility Infrastructure

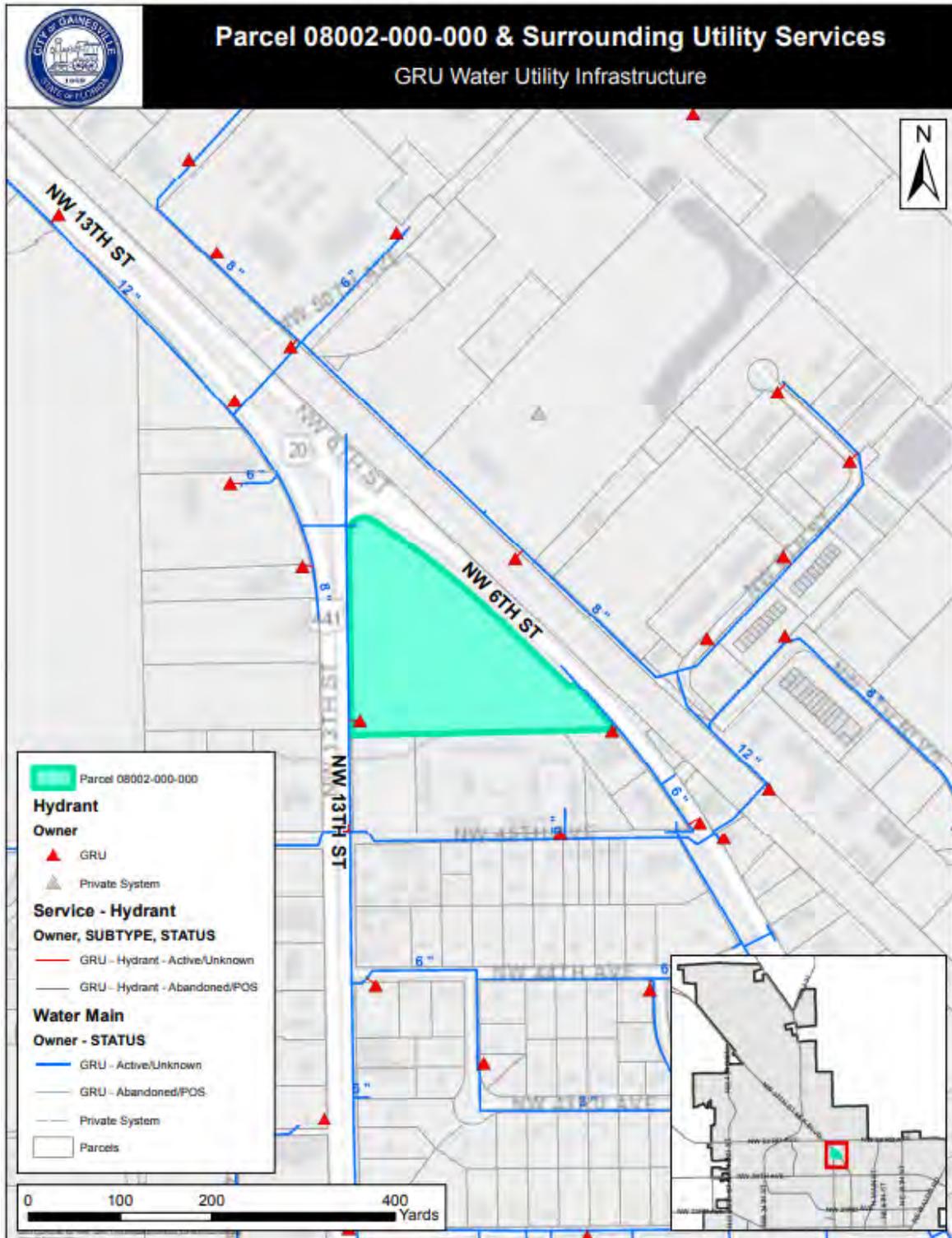
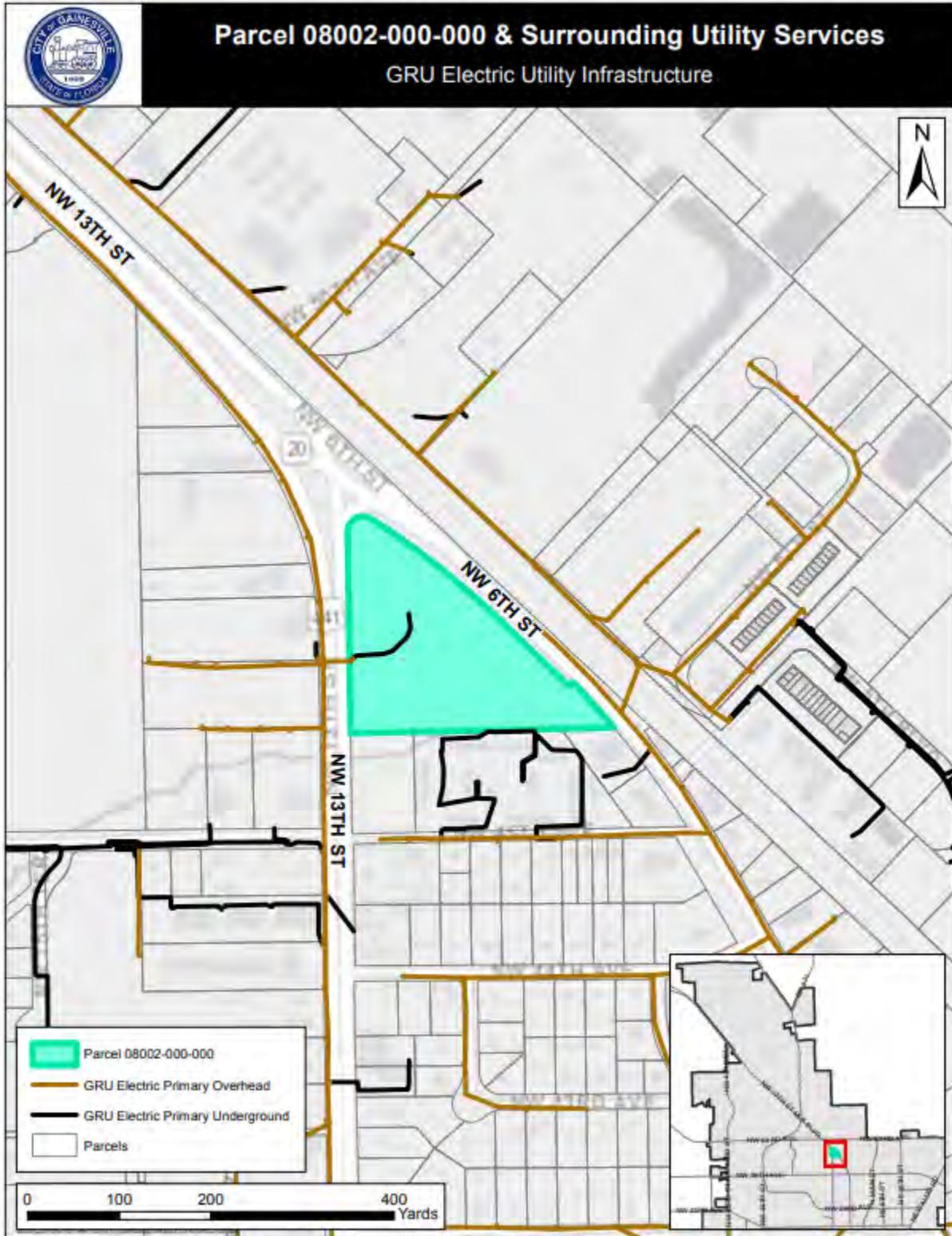






Exhibit C-7: Electric Utility Infrastructure



## **Appendix D**

### Application Documents



**APPLICATION FOR SPECIAL USE PERMIT**  
**Planning & Development Services**

<b>OFFICE USE ONLY</b>	
Petition No. _____	Fee: \$ _____
1 <sup>st</sup> Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 [ ]	
Account No. 001-660-6680-1124 (Enterprise Zone) [ ]	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) [ ]	

*Application for a special use permit will be accepted for review only after a pre-application conference (First Step Meeting). Application to be completed by applicant. Application must include a preliminary development plan. Incomplete applications will be returned to the applicant.*

Name of Owner(s) (please print)	Applicant(s)/Agent(s), if different
Name: W.R.J. Sales, Inc.	Name: CHW
Address: 600 Packard Court Safety Harbor, FL 34695	Address: 11801 Research Drive, Alachua, FL 32615
Phone: (contact agent) Fax:	Phone: (352) 331-1976 Fax:
Owner's Signature: (see affidavit)	
(If additional owners, please include on back)	

<b>PROPERTY INFORMATION:</b> (Information below applies to property for which a Special Use Permit is being requested.)
Street address: 4545 NW 13th Street, Gainesville, FL 32609
Tax parcel no(s): 08002-000-000
Legal description (use separate sheet, if needed): See attached.

I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area for which the permit is being requested.

Signature of applicant: Date: 8/27/19

**Certified Cashier's Receipt:**

A Special Use Permit is requested pursuant to Section 30-5.13, Subsection B, Paragraph 3, of the Land Development Code, City of Gainesville, to allow the following use:

A fueling station with 12 fueling positions and convenience store.

A preliminary site plan  is not required and  is not attached.

Existing zoning classification: Commercial (C) Existing land use designation: Automotive-Oriented Business (BA)

Existing use of property: Mobile home sales lot with office and 6-vehicle parking lot

<b>SURROUNDING PROPERTY INFORMATION:</b> (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
North:	N/A	N/A	Intersection of US 441 and NW 6th Street
South:	BA/RMF-7	C-Residential Medium	Nelson's Buildings/Oak Ridge Apartments/Office building (vacant)
East:	NW 6th Street R.O.W.	NW 6th Street R.O.W.	NW 6th Street R.O.W./CSX Railroad
West:	NW 13th Street R.O.W.	NW 13th Street R.O.W.	NW 13th Street R.O.W./Park Place Motors/US Social Security Administration/Paradise Trailer Court

**TO THE APPLICANT:** (Please sign the bottom of this application after you have read the following.)

- The City of Gainesville will notify owners of property within 400 feet of the subject property of this application.
- No application for a Special Use Permit shall be entertained within 2 years after the denial or withdrawal of a request for the same use for the same property.
- The City Plan Board's decision concerning a Special Use Permit may be appealed by the applicant to a hearing officer within 15 days of the date notification of the decision is sent by certified mail to the applicant.

Signature:  Date: 8/27/19

<b>Name of Owner (please print)</b>	
Name:	
Address:	
Phone:	Fax:
Owner's Signature:	
(If additional owners, please list on separate sheet)	

<b>Name of Owner (please print)</b>	
Name:	
Address:	
Phone:	Fax:
Owner's Signature:	

Reference: Chapter 30, Land Development Code  
City Code of Ordinances, Article VII, Division 1

## **Appendix E**

Workshop Package Circle K



**Mailed Memorandum**

NEIGHBORHOOD  
WORKSHOP  
NOTIFICATION



**To:** Neighbors of 4545 NW 13<sup>th</sup> Street  
**From:** Ryan Thompson, AICP, Planning Project Manager  
**Date:** Tuesday, July 2, 2019  
**RE:** Neighborhood Workshop Public Notice

PN# 18-0118

A Neighborhood Workshop will be held to discuss a Development Plan and Special Use Permit application on ±6.6 acres (Alachua County Tax Parcel 08002-000-000) for a fuel station (up to 12 positions) and a convenience store. The site is located at 4545 NW 13th Street, Gainesville, FL 32609.

**Date:** Wednesday, July 17, 2019  
**Time:** 6:30 p.m.  
**Place:** Alachua County Library – Millhopper Branch  
Room A  
3145 NW 43<sup>rd</sup> Street,  
Gainesville, FL 32606  
**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.

## **Mailing Labels**

Neighborhood Workshop Notice  
5th Avenue  
ROBERTA PARKS  
616 NW 8 ST  
GAINESVILLE, FL 32602

Neighborhood Workshop Notice  
CITY OF GAINESVILLE  
ATTN: MIKE HOGE  
PO BOX 490 MS 11  
GAINESVILLE, FL 32627

Neighborhood Workshop Notice  
Ashton  
ROXANNE WATKINS  
4415 NW 58 AVE  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Azalea Trails  
MARIE SMALL  
1265 SE 12 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Black Acres/Black Pines  
REGINA HILLMAN  
506 NW 30 STREET  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Capri  
JOHN DOLES  
4539 NW 37 TER  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Carol Estates South  
BECKY RUNNESTRAND  
1816 NE 16 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Cedar Grove II  
HELEN HARRIS  
1237 NE 21 ST  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Creekwood  
HELEN SCONYERS  
2056 NW 55 BLVD.  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Debra Heights  
SARAH POLL  
PO BOX 14198  
GAINESVILLE, FL 32604

Neighborhood Workshop Notice  
Northwood at Possum Creek  
WES WHEELER  
4728 NW 37 WAY  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Duval  
GILBERT S MEANS, SR  
PO BOX 7  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Edgewood Hills  
BONNIE O'BRIAN  
2329 NW 30 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Elizabeth Place  
GALE FORD  
715 NW 23 ST  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
LEE NELSON  
DIRECTOR OF REAL ESTATE – UF  
PO BOX 113135  
GAINESVILLE, FL 32611-3135

Neighborhood Workshop Notice  
Gateway Park  
HAROLD SAIVE  
1716 NW 10 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Golfview  
CHRIS MONAHAN  
222 SW 27 ST  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Greater Northeast Community  
MIRIAM CINTRON  
915 NE 7 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Grove Street  
MARIA HUFF-EDWARDS  
1102 NW 4 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Hazel Heights  
ALLAN MOYNIHAN  
PO BOX 357412  
GAINESVILLE, FL 32635

Neighborhood Workshop Notice  
Hibiscus Park  
CAROL BISHOP  
2616 NW 2 AVE  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Hidden Lake  
GEORGE KASNIC  
2116 NW 74 PL  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Ironwood  
NANCY TESTA  
4207 NE 17 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Kensington Park  
MAXINE HINGE  
5040 NW 50 TER  
GAINESVILLE, FL 32606

Neighborhood Workshop Notice  
Kingswood Court  
BARBARA KELLEHER  
5350 NW 8 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Kirkwood  
JANE BURMAN-HOLTON  
701 SW 23 PL  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Lampighter  
LARRY NICHOLSON (PROP MGR)  
5200 NE 50 DR  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Landmark Woods  
JACK OSGARD  
4332 NW 12 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Landmark Woods  
PETER JANOSZ  
3418 NW 37 AVENUE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Woodland Terrace  
PETER PRUGH  
207 NW 35 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Lincoln Estates  
DORIS EDWARDS  
1040 SE 20 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Mason Manor  
JOANNA LEATHERS  
2550 NW 13 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Mill Pond  
HAROLD HANEL  
309 NW 48 BLVD  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
North Lincoln Heights  
ANDREW LOVETTE SR.  
430 SE 14 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Northwood  
SUSAN W WILLIAMS  
P.O. BOX 357492  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Northeast Neighbors  
SHARON BAUER  
1011 NE 1 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Northwest Estates  
VERN HOWE  
3710 NW 17 LN  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Oakview  
DEBRA BRUNER  
914 NW 14 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Phoenix  
APRIL JONES  
3214 SW 26 TERR, APT B  
GAINESVILLE, FL 32608

Neighborhood Workshop Notice  
Appletree  
JUDITH MORROW  
3616 NW 54 LANE  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Pine Park  
DELORES BUFFINGTON  
721 NW 20 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Kirkwood  
KATHY ZIMMERMAN  
1127 SW 21 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Pleasant Street  
DOTTY FAIBISY  
505 NW 3 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Porters Community  
GIGI SIMMONS  
712 SW 5 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Rainbows East  
JOE THOMAS  
5014 NW 24 TER  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Rainbows End  
SYLVIA MAGGIO  
4612 NW 21 DR  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Raintree  
RONALD BERN  
1301 NW 23 TER  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Ridgeview  
ROB GARREN  
1805 NW 34 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Ridgewood  
KERRI CHANCEY  
1310 NW 30 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Royal Gardens  
DOUGLAS BURTON  
2720 NW 27 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Shadow Lawn Estates  
CONNIE SPITZNAGEL  
3521 NW 35 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
South Black Acres  
DEANNA MONAHAN  
14 SW 32 ST  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Southeast Evergreen Trails  
MAUREEN RESCHLY  
1208 SE 22 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Springhill/Mount Olive  
VIVIAN FILER  
1636 SE 14 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Springtree  
KATHY MEISS  
2705 NW 47 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Stephen Foster  
ROBERT PEARCE  
714 NW 36 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Suburban Heights  
BETH GRAETZ  
4321 NW 19 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Sugarfoot Community/Anglewood  
KELLY AISSSEN  
4306 SW 5 AVE  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Sugarhill  
CYNTHIA COOPER  
1441 SE 2 TER  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Sutters Landing  
PETER REBMAN  
3656 NW 68 LN  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Turkey Creek Forest Owners Assn  
ATTN: URBAN DIRECTOR  
4055 NW 86 BLVD  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Pinebreeze  
JUDITH MEDER  
3460 NW 46 PLACE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
University Village  
BRUCE DELANEY  
1710 NW 23 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Forest Ridge/Henderson Heights  
MARCIA GREEN  
2215 NW 21 AVENUE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Pineridge  
BERNADINA TUCKER  
721 NW 20 AVENUE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Appletree  
CHRIS GARCIA  
5451 NW 35 DR  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Ashton  
ROXANNE WATKINS  
4415 NW 58 AVE  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Duckpond  
STEVE NADEAU  
2821 NW 23 DR  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Duckpond  
MELANIE BARR  
216 NE 5 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Front Porch Florida, Duval  
JUANITA MILES HAMILTON  
2419 NE 8 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Porters Community  
GIGI SIMMONS  
712 SW 5 STREET  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Porters  
INA HINES  
320 SW 5 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
School Board  
VICK McGRATH  
3700 NE 53 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
University of Florida  
LINDA DIXON  
PO BOX 115050  
GAINESVILLE, FL 32611

Neighborhood Workshop Notice  
University Park  
ROBERT MOUNTS  
1639 NW 11 RD  
GAINESVILLE, FL 32605-5319

Neighborhood Workshop Notice  
Millennium Bank  
DANNY GILLILAND  
4340 NEWBERRY RD  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Florida Bank  
LAUDE ARNALDI  
13840 W NEWBERRY RD  
NEWBERRY, FL 32669

Neighborhood Workshop Notice  
University Park  
RICHARD DOTY  
2158 NW 5 AVENUE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
MAC McEACHERN  
1020 SW 11 TER  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Stephen Foster Neighborhood Assoc, Inc  
SANDRA WATTS KENNEDY  
514 NW 31 LANE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
BOBBIE DUNNELL  
3118 NE 11 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
JAMES WOODLAND  
225 SE 14 PL  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Bivens North Association  
PENNY WHEAT  
2530 SW 14 DR  
GAINESVILLE, FL 32608

Neighborhood Workshop Notice  
BELLINGTON'S CUSTOM SERVICE  
% BRAXTON LINTON  
1907 SE HAWTHORNE RD  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
KAREN BILLINGS  
2123 NW 72 PL  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

07970-000-000 Fuel Station on 13th/6th  
4501 NW 6TH LLC  
1630 W UNIVERSITY AVE  
GAINESVILLE FL 32603

**Neighborhood Workshop Notice**

07966-012-007 Fuel Station on 13th/6th  
4605G LLC  
4605 NW 6TH ST UNIT G  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-001-006 Fuel Station on 13th/6th  
6TH STREET INDUSTRIAL LLC  
3434 SW 24TH AVE STE A  
GAINESVILLE FL 32607

**Neighborhood Workshop Notice**

08096-002-000 Fuel Station on 13th/6th  
ADAMS TRUSTEE & FREDERICI  
2622 NW 43RD ST STE A-3  
GAINESVILLE FL 32606-6678

**Neighborhood Workshop Notice**

07905-000-000 Fuel Station on 13th/6th  
ALTERNATIVE HOUSING INC  
3303 NW 83RD ST  
GAINESVILLE FL 32606-6227

**Neighborhood Workshop Notice**

08099-000-000 Fuel Station on 13th/6th  
ARNOLD E C & PATRICIA E  
8943 SW 65TH PL  
GAINESVILLE FL 32608

**Neighborhood Workshop Notice**

08096-001-004 Fuel Station on 13th/6th  
BAROT JIGNESHKUMAR  
1101 NW 45TH AVE  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

08005-000-000 Fuel Station on 13th/6th  
BLESSED CHILD PROPERTIES LLC  
1124 NW 25TH TER  
GAINESVILLE FL 32605

**Neighborhood Workshop Notice**

08005-001-000 Fuel Station on 13th/6th  
CHESHIRE LARRY H  
1325 NW 53RD AVE #E  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-013-010 Fuel Station on 13th/6th  
CHEUVRONT A E  
4607 NW 6TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-013-009 Fuel Station on 13th/6th  
CHEUVRONT A E  
4607 NW 6TH ST # H  
GAINESVILLE FL 32609-4198

**Neighborhood Workshop Notice**

07966-013-008 Fuel Station on 13th/6th  
CHEUVRONT ALLEN  
4607 NW 6TH ST STE I  
GAINESVILLE FL 32609-4198

**Neighborhood Workshop Notice**

07966-013-007 Fuel Station on 13th/6th  
CHEUVRONT ALLEN E  
4607 NW 6TH ST STE I  
GAINESVILLE FL 32609-4198

**Neighborhood Workshop Notice**

07966-001-000 Fuel Station on 13th/6th  
COMMERCIAL SITES LLC  
4611 NW 6TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-001-001 Fuel Station on 13th/6th  
COMMERCIAL SITES LLC  
1325 NW 53RD AVE #E  
GAINESVILLE FL 32653

**Neighborhood Workshop Notice**

07966-012-008 Fuel Station on 13th/6th  
DEREN HOLDINGS LLC  
4605 NW 6TH ST STE H  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

08005-001-001 Fuel Station on 13th/6th  
DOUGLAS & DOUGLAS TRUSTEES  
10442 E TARA BLVD  
BOYTON BEACH FL 33437-3515

**Neighborhood Workshop Notice**

07966-012-006 Fuel Station on 13th/6th  
DRC PROPERTIES LLC  
1325 NW 53RD AVE STE E  
GAINESVILLE FL 32653

**Neighborhood Workshop Notice**

07966-012-001 Fuel Station on 13th/6th  
DRC PROPERTIES LLC  
1325 NW 53RD AVE STE E  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

08097-000-000 Fuel Station on 13th/6th  
ECG GROUP LLC  
240 NW 76TH DR STE D  
GAINESVILLE FL 32607

**Neighborhood Workshop Notice**

07966-010-001 Fuel Station on 13th/6th  
GAINESVILLE NORTH COMMERCIAL  
1325 NW 53RD AVE STE E  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07906-000-000 Fuel Station on 13th/6th  
GATORLAND KUBOTA EQUIPMENT CO  
4502 NW 13TH ST  
GAINESVILLE FL 32609-1727

**Neighborhood Workshop Notice**

07966-001-009 Fuel Station on 13th/6th  
HAISLEY LYNCH POST NO 16 INC  
4701 NW 6TH ST  
GAINESVILLE FL 32653

**Neighborhood Workshop Notice**

08098-001-000 Fuel Station on 13th/6th  
HAWKER & KORNBERG  
2603 NW 13TH ST # 173  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-012-003 Fuel Station on 13th/6th  
HOUGH J F & MAUDE  
4605 NW 6TH ST STE 2C  
GAINESVILLE FL 32609-4197

**Neighborhood Workshop Notice**

08096-001-002 Fuel Station on 13th/6th  
JOHNSON SHAMERIAN NICOLE  
1113 NW 45TH LN  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-012-010 Fuel Station on 13th/6th  
KDC PROPERTIES & DEVELOPMENT  
1325 NW 53RD AVE STE E  
GAINESVILLE FL 32653-2239

**Neighborhood Workshop Notice**

07966-012-005 Fuel Station on 13th/6th  
LEVANGI DAVID G & LINDA D  
3701 NW 23RD PL  
GAINESVILLE FL 32605

**Neighborhood Workshop Notice**

08096-001-003 Fuel Station on 13th/6th  
LORENZI DONALD  
635 NW 98TH ST  
GAINESVILLE FL 32607-1375

**Neighborhood Workshop Notice**

07966-013-004 Fuel Station on 13th/6th  
LVS RENTAL SERVICES LLC  
PO BOX 12252  
GAINESVILLE FL 32604

**Neighborhood Workshop Notice**

08096-001-001 Fuel Station on 13th/6th  
MARTIGNETTI MEGAN  
1117 NW 45TH AVE  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07904-000-000 Fuel Station on 13th/6th  
MEADOWBROOK ESTATE LLC  
3225 MCLEOD DR STE 100  
LAS VEGAS NV 08912

**Neighborhood Workshop Notice**

08003-000-000 Fuel Station on 13th/6th  
NELSON'S LARK OUTDOOR STORE  
4505 NW 13TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07907-000-000 Fuel Station on 13th/6th  
NORTH FLORIDA GROUP LLC  
4434 NW 13TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

08005-002-000 Fuel Station on 13th/6th  
OAK RIDGE APARTMENT COMPLEX  
805 SOUTH MAGNOLIA AVE STE D  
OCALA FL 34474

**Neighborhood Workshop Notice**

07966-013-001 Fuel Station on 13th/6th  
PICKERING CHRIS  
4607 NW 6TH ST #A  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07895-000-000 Fuel Station on 13th/6th  
PLANNED ENVIRONMENTS LLC  
PO BOX 357703  
GAINESVILLE FL 32635

**Neighborhood Workshop Notice**

07896-000-000 Fuel Station on 13th/6th  
R & S GAINESVILLE LLC  
PO BOX 191  
MADISON FL 32341

**Neighborhood Workshop Notice**

07966-012-002 Fuel Station on 13th/6th  
REED & REED  
4605 NW 6TH ST STE B  
GAINESVILLE FL 32609-1772

**Neighborhood Workshop Notice**

07966-013-005 Fuel Station on 13th/6th  
ROTOLANTE MICHAEL W  
3355 NW 21ST AVE  
GAINESVILLE FL 32605

**Neighborhood Workshop Notice**

08096-000-000 Fuel Station on 13th/6th  
RSRO HOLDINGS LLC  
4488 NW 6TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07968-000-000 Fuel Station on 13th/6th  
SIXTH STREET GNCP ASSOCIATION  
1325 E NW 53RD AVE  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-004-000 Fuel Station on 13th/6th  
SOLAR PARK GAINESVILLE LLC  
PMB #222 120 CHIEFS WAY STE 1  
PENSACOLA FL 32507

**Neighborhood Workshop Notice**

07968-002-000 Fuel Station on 13th/6th  
SOUTHERN EQUITY INVESTENTS INC  
1325 NW 53RD AVE STE E  
GAINESVILLE FL 32653-2239

**Neighborhood Workshop Notice**

07895-001-000 Fuel Station on 13th/6th  
STREIT'S INC  
14823 SW 79TH ST  
ARCHER FL 32618

**Neighborhood Workshop Notice**

07969-000-000 Fuel Station on 13th/6th  
SULLIVAN & SULLIVAN  
4551 NW 6TH ST  
GAINESVILLE FL 32609

**Neighborhood Workshop Notice**

07966-007-000 Fuel Station on 13th/6th  
U-HAUL CO  
PO BOX 29046  
PHOENIX AZ 85038-9046

**Neighborhood Workshop Notice**

08002-000-000 Fuel Station on 13th/6th  
W R J SALES INC  
600 PACKARD CT  
SAFETY HARBOR FL 34695

**Neighborhood Workshop Notice**

07966-013-003 Fuel Station on 13th/6th  
4607 NW 6TH ST  
GAINESVILLE FL 32609

**Scanned Mailing Envelope**

**CHW**  
**11801 Research Drive**  
**Alachua, FL 32615**

*Neighborhood Workshop Notice*  
Hidden Lake  
GEORGE KASNIC  
2116 NW 74 PL  
GAINESVILLE, FL 32653



## **Newspaper Advertisement**



# **Workshop Presentation**



## Fueling Station on US 441 and 6<sup>th</sup> Street

### Development Plan and Special Use Permit (SUP) Application

Neighborhood Workshop  
July 17, 2019

## Workshop Overview



### The purpose of the neighborhood workshop:

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

# Public Notification



**NEIGHBORHOOD WORKSHOP NOTIFICATION**

**CHW**

To: Neighbors of 4545 NW 13<sup>th</sup> Street  
 From: Ryan Thompson, AICP, Planning Project Manager  
 Date: Tuesday, July 2, 2019  
 RE: Neighborhood Workshop, Public Notice

A Neighborhood Workshop will be held to discuss a Development Plan and Special Use Permit application for ±6.6 acres (Alachua County Tax Parcel 08002-000-000) for a fuel station (up to 12 positions) and a convenience store. The site is located at 4545 NW 13<sup>th</sup> Street, Gainesville, FL 32609.

**Date:** Wednesday, July 17, 2019  
**Time:** 6:30 p.m.  
**Place:** Alachua County Library – Millhopper Branch  
 Room A  
 3145 NW 43<sup>rd</sup> Street,  
 Gainesville, FL 32606  
**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.

[www.chw.com](http://www.chw.com)

**PUBLIC NOTICE**

A Neighborhood Workshop will be held to discuss a Development Plan and Special Use Permit application on ±6.6 acres (Alachua County Tax Parcel 08002-000-000) for a fuel station (up to 12 positions) and a convenience store. The site is located at 4545 NW 13<sup>th</sup> Street, Gainesville, FL 32609.

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:** 6:30pm on Wednesday, July 17, 2019  
**Location:** Alachua County Library – Millhopper Branch, Room A, 3145 NW 43<sup>rd</sup> Street, Gainesville, FL 32606  
**Contact:** Ryan Thompson, AICP  
**Phone Number:** (352) 331-1976

**CHW**  
 The Affordable Community

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professional consultants

# Application Review Process



	First-Step Meeting	April 3, 2019
➔	Neighborhood Workshop	July 17, 2019
	Submit Development Plan & Special Use Permit (SUP) Application	August 7, 2019
	City Plan Board Public Hearing (Adoption Hearing)	November 14, 2019 (tentative)

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# Intent of Application



## Request:

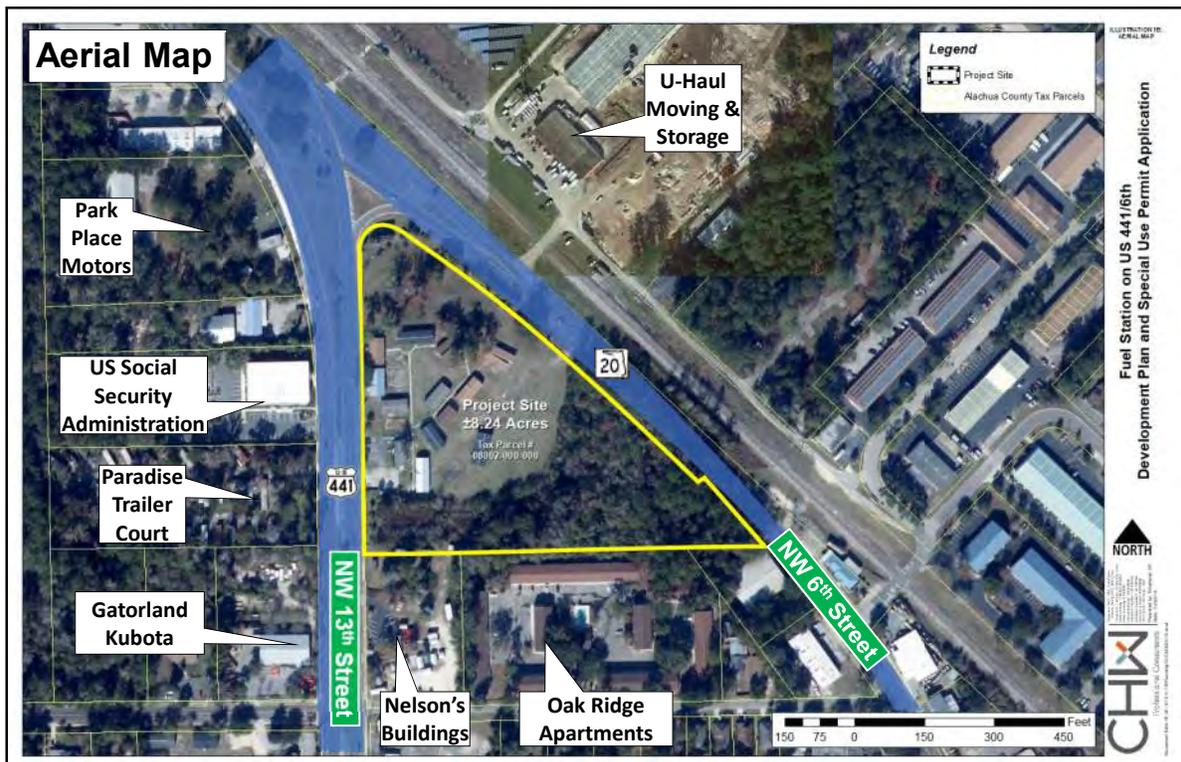
- **Development Plan and Special Use Permit application** consistent with the site's existing Commercial Future Land Use and Automotive-Oriented Business (BA) Zoning.

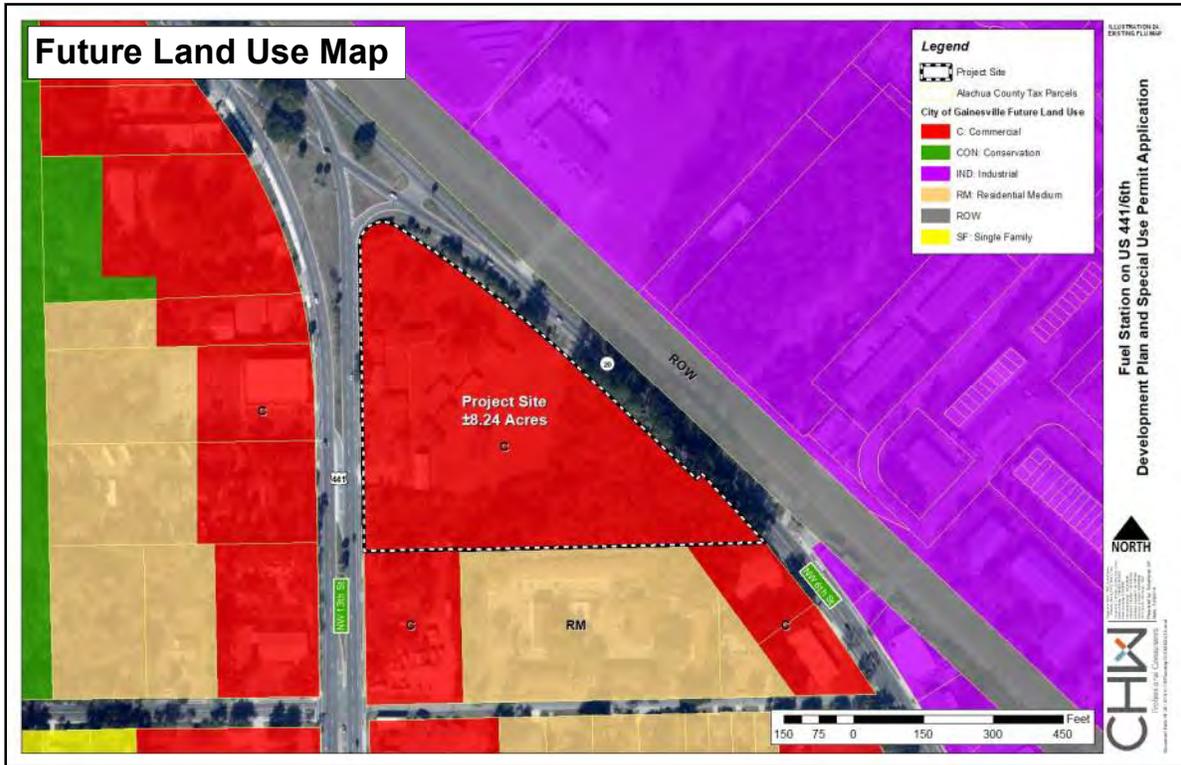
## Intent:

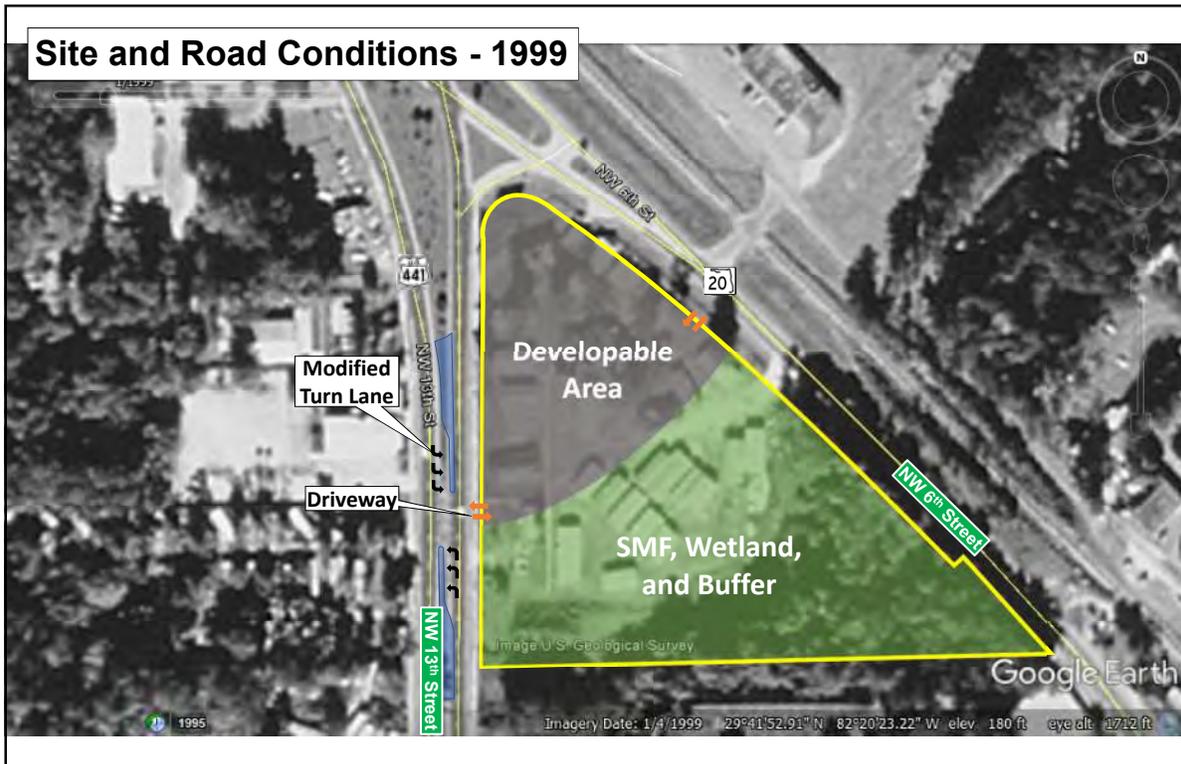
- **To allow a fueling station with up to 12 fueling positions and convenience store onsite**, including associated parking, circulation, and Stormwater Management Facilities (SMF).

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### Site and Road Conditions - 2012



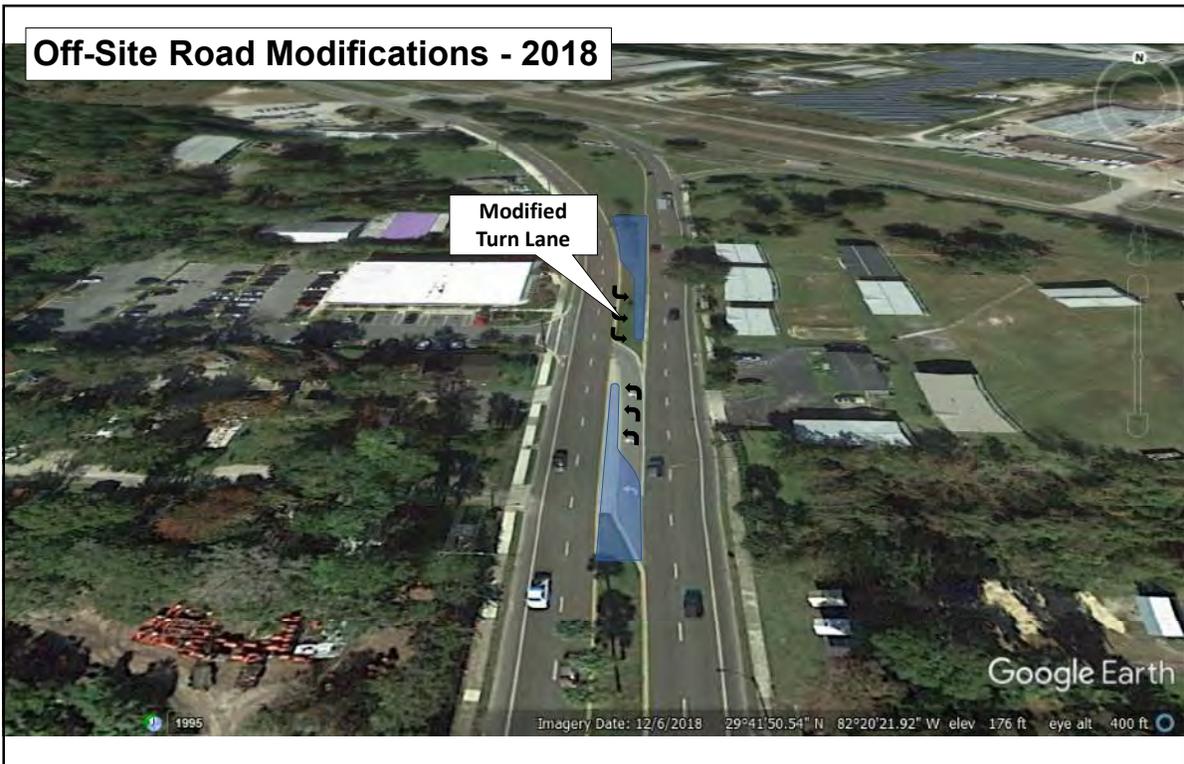
### Site and Road Conditions - Today



**Context Area - Today**



**Off-Site Road Modifications - 2018**



**Sign-in Sheet**

# SIGN-IN SHEET

Fuel Station on US 441/6<sup>th</sup>

18-0118



**Event:** Neighborhood Workshop

**Date/Time:** July 17, 2019 at 6:30 PM

**Place:** Alachua County Library – Millhopper Branch, Room A; 3145 NW 43<sup>rd</sup> Street, Gainesville, FL 32606

**Re:** Fuel Station on US 441/6<sup>th</sup> – Development Plan and Special Use Permit (SUP) Application

	<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			

*NO ATTENDEES*

## **Workshop Minutes**

# NEIGHBORHOOD WORKSHOP MEETING MINUTES



*Fuel Station on 13<sup>th</sup>/6<sup>th</sup> (18-0118)*

Development Plan and Special Use Permit (SUP) Application

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**Date:** July 17, 2019

**Location:** Alachua County Library – Millhopper Branch, Room A

**Notes by:** CHW Staff

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CHW Attendees – Ryan Thompson, AICP and Chris Thornton

Client Attendees – 0

Public Attendees – 0

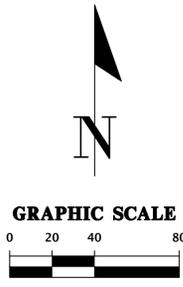
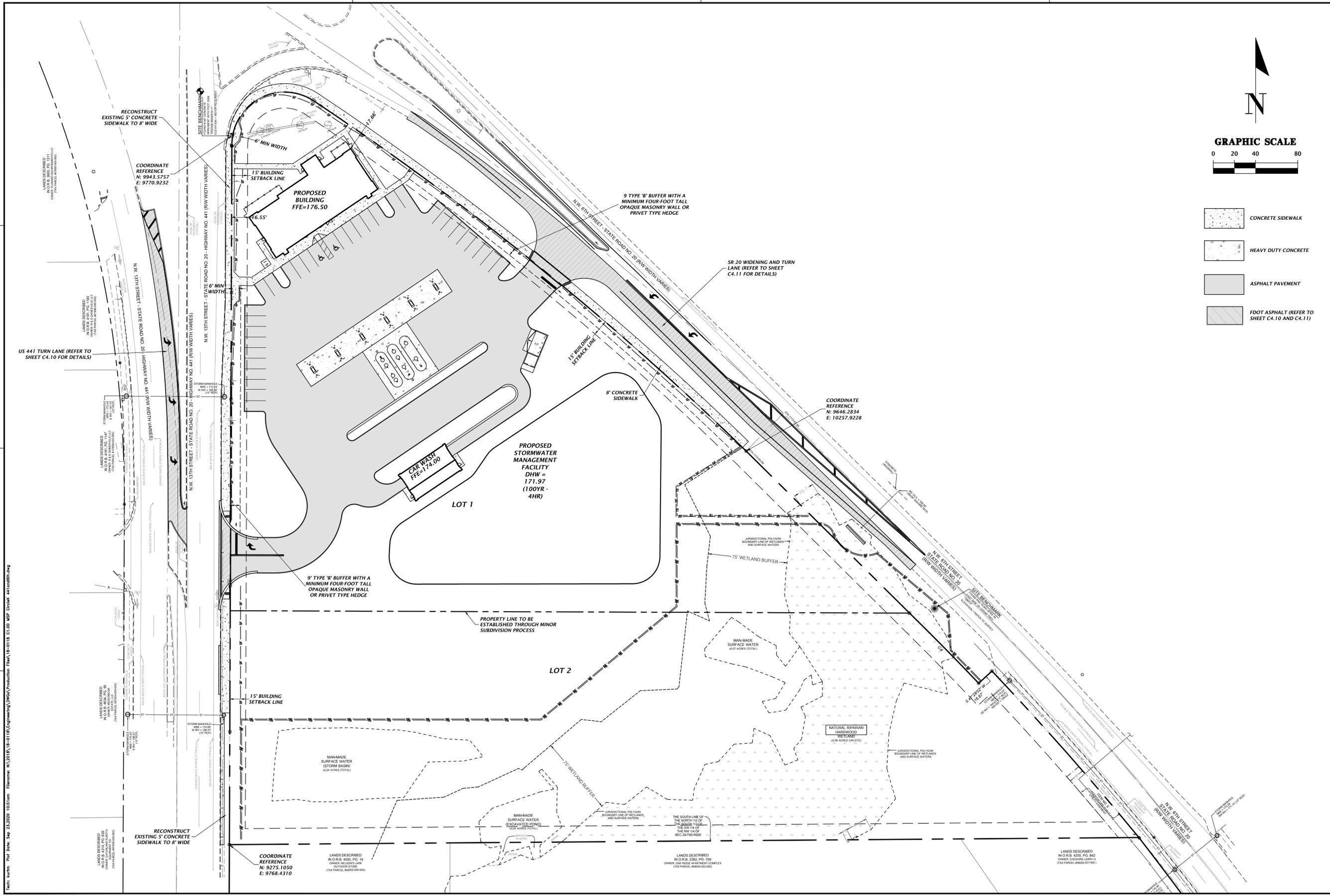
CHW Planning staff hosted the required Neighborhood Workshop and was prepared to present the workshop's purpose, the application review processes, the applications' request and intent, maps illustrating the site's regulatory and physical characteristics, and conceptual layout demonstrating City design and development standards. **There were no attendees.**

**Meeting Adjourned at 6:30 PM.**

N:\2018\18-0118\Planning\Workshop\Meeting Minutes\_190717.docx

## **Appendix F**

Development Plan Circle K



-  CONCRETE SIDEWALK
-  HEAVY DUTY CONCRETE
-  ASPHALT PAVEMENT
-  FOOT ASPHALT (REFER TO SHEET C4.10 AND C4.11)

Title: hstjy For Date: Sep 23, 2020 10:21am Theme: N:\2018\18-0118\Engineering\DWG\Production\18-0118\_C1.00\_MSP\_Creek\_41.dwg

		11801 Research Drive Alachua, Florida 32615 (352) 351-1976 <a href="http://www.ch2m-hill.com">www.ch2m-hill.com</a> est. 1988 FLORIDA CA-5075
SCALE 1"=40' VERTICAL SCALE ON ORIGINAL DRAWING HORIZONTAL SCALE ON THIS SHEET, ADJUST SCALES ACCORDINGLY		
CLIENT: CIRCLE K PROJECT: CIRCLE K - US 441 AND HW 6TH STREET SHEET TITLE: MASTER SITE PLAN		
PROJECT NUMBER: 18-0118		
TRAVIS J. HASTAY		
FL PE No. 84295		
<b>C1.00</b>		

## **Appendix G**

CHW Justification Report Circle K



# FUELING STATION ON US 441 & NW 6<sup>TH</sup> ST

Special Use Permit –  
Justification Report  
August 30, 2019

Prepared for:  
City of Gainesville Department of Doing

Prepared on behalf of:

Prepared by:  
CHW

PN# 18-0118  
N:\2018\18-0118\Planning\Reports\RPT\_190830\_Fuel441\_SUP\_Justification.docx

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(LDC §30-4.20)	

# 1. Executive Summary

---

**To:** Andrew Persons, AICP, City of Gainesville Department of Doing, Director (Interim)  
**From:** Ryan Thompson, AICP, Planning Project Manager #18-0118  
**Date:** August 30, 2019  
**Re:** Fueling Station on US 441 and NW 6<sup>th</sup> Street – Special Use Permit (SUP) Application

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<p><b>Jurisdiction:</b> City of Gainesville</p>	<p><b>Intent of Development:</b> Fueling Station with up to 12 Fueling Positions, Convenience Store, and Car Wash</p>
<p><b>Description of Location:</b> 4545 NW 13<sup>th</sup> Street, Gainesville, FL 32609; southeast corner of the NW 13<sup>th</sup> Street (US 441) / NW 6<sup>th</sup> Street intersection</p>	
<p><b>Parcel Numbers:</b> 08002-000-000</p>	<p><b>Acres:</b> ±8.24 acres (Source: CHW Survey)</p>
<p><b>Existing Future Land Use Classification:</b> <i>Commercial (C)</i> The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit.</p>	
<p><b>Existing Zoning District:</b> <i>BA: Automotive-Oriented Business</i> The purpose of this district is to allow a mixture of automotive-oriented nonresidential uses including business services, <b>car wash facilities</b>, drive-through facility, food truck, fuel dealers, <b>gasoline/alternative fuel stations</b>, hotels and motels, large-scale retail, liquor stores, truck or bus terminal/maintenance facilities, vehicle repair, and vehicle sales (with or without outdoor display).</p>	
<p><b>Proposed Special Use Permit</b> To allow an additional six (6) fueling positions (three (3) pumps) per the Land Development Code, Article V – Special Standards, Section 30-5.13.B.3. The total number of fueling positions for the site will be 12 (six (6) pumps). A fueling station is permitted in the BA Zoning district by right. This application is accompanied by a site layout plan that demonstrates the development intent and consistency with SUP criteria.</p>	

## 2. STATEMENT OF PROPOSED CHANGE

This Special Use Permit (SUP) application requests six (6) additional fueling positions for a proposed fueling station within the City of Gainesville municipal limits (Alachua County Tax Parcel 08002-000-000.) The project site is ±8.24 acres in size and is located on the southeast corner of the of NW 13<sup>th</sup> Street (US 441) / NW 6<sup>th</sup> Street intersection. An aerial is provided as Figure 1 to show the site's location and existing conditions.



**Figure 1: Aerial Map**

The site has Commercial (C) Future Land Use (FLU) and Automotive-Oriented Business (BA) Zoning District designations. Figures 2 and 3 illustrate the site's existing Future Land Use (FLU) and zoning district designations. A fueling station with convenience store is permitted within the BA Zoning District by right.

The Land Development Code, Article V – Special Standards, Section 30-5.13.B.3. permits an additional six (6) fueling positions (three (3) pumps) by SUP, for a maximum 12 fueling positions (six (6) pumps). This application is accompanied with a site layout plan that demonstrates the development intent and consistency with SUP criteria.

A lot split is being processed with this SUP and the Development Plan application to create two lots. Lot 1 will be the subject of the fueling station with up to 12 fueling positions, a convenience store, and car wash. Lot 2 will comprise the site's residual located to the south.

This SUP application is consistent with the City Comprehensive Plan and Land Development Code (LDC), as identified and demonstrated throughout the following sections.

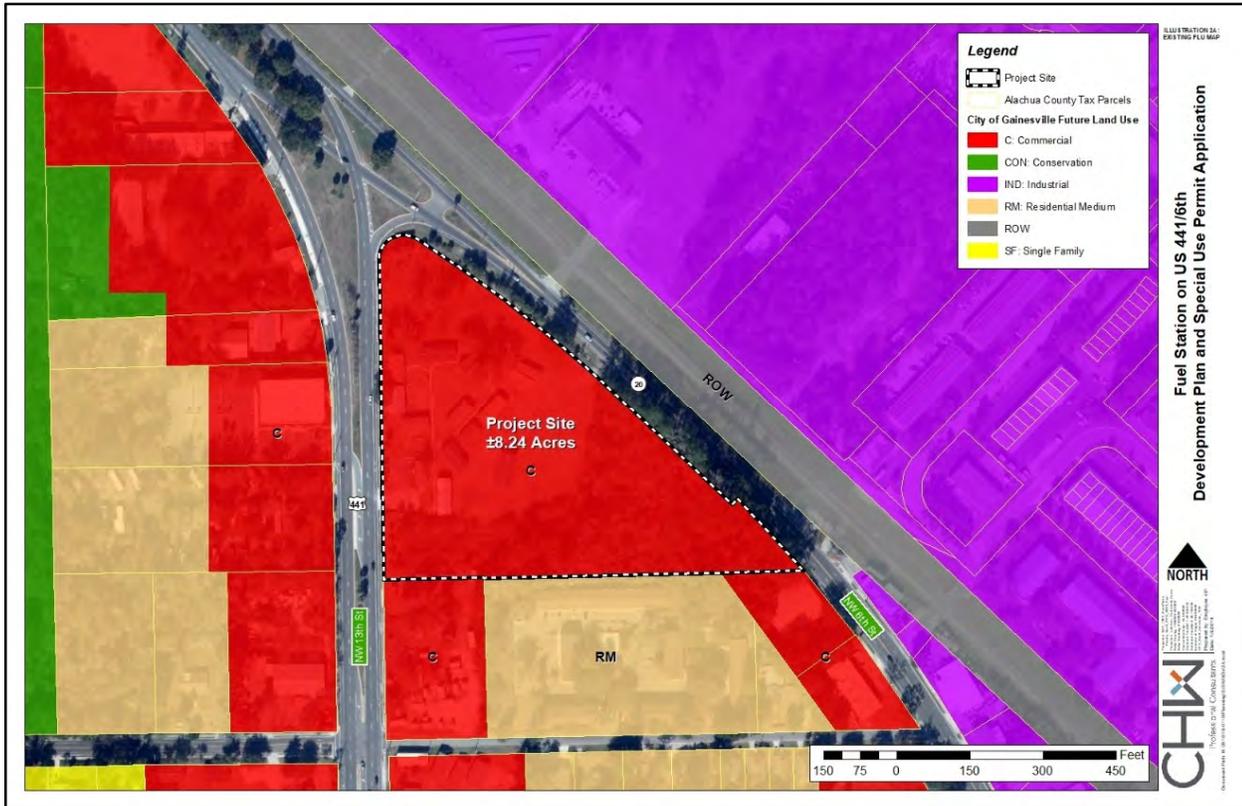


Figure 2: Existing Future Land Use Map



Figure 3: Existing Zoning Map

### 3. CONSISTENCY WITH CITY OF GAINESVILLE COMPREHENSIVE PLAN

This section identifies specific City of Gainesville Comprehensive Plan Goals, Objectives, and Policies and explains how this SUP application is consistent with each. The Goals, Objectives, and Policies are provided in normal font, and the consistency statements are provided in **bold** font.

#### Future Land Use Element

GOAL 1 Improve the quality of life and achieve a superior, sustainable development pattern in the city by creating and maintaining choices in housing, offices, retail, and workplaces, and ensuring that a percentage of land uses are mixed, and within walking distance of important destinations.

**The site is within walking distance to an apartment complex, mobile home park, and numerous businesses. These residents and workers currently do not have another option for food or other items typically sold in convenience stores without relying on a vehicle. The closest fueling station/convenience store is over half a mile south on NW 39<sup>th</sup> Avenue (SR 222) from the site. Fueling stations are appropriate for major arterial roadways, such as US 441.**

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

#### Commercial (C)

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit.

**This application proposes a fueling station with up to 12 fueling positions and convenience store consistent with the Commercial FLU and BA Zoning District. The use will serve the surrounding area as well as commuters along the US 441 corridor. Section 4 of this report demonstrates how this application adheres to the permitted uses, development standards, and design criteria addressed in the City of Gainesville LDC.**

#### Transportation Mobility Element

##### Policy 10.1.2

All land uses and development located in the TMPA shall meet the TMPA policies specified in this Element.

**The project site is located within the City of Gainesville TMPA Zone B and adheres to the design requirements Policy 10.1.6, as described in detail below.**

### Policy 10.1.5

For any development or redevelopment within Zones B, C, D, E, or M, the developer shall provide all of the items listed in Policy 10.1.4 and shall provide the transportation mobility requirements as specified in Policies 10.1.6, 10.1.7, 10.1.9, 10.1.11, 10.1.13, and 10.1.14, as applicable. The developer shall also provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.

**The project site is located within TMPA Zone B and will adhere to the requirements stated in Policy 10.1.6., as stated below.**

### Policy 10.1.6

For any development or redevelopment within Zone B, the developer shall, at the developer's expense, meet the following transportation mobility criteria based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The criteria chosen shall relate to the particular development site and the transportation mobility conditions and priorities in the zone, adjacent zones, and/or citywide for criteria that benefit the overall transportation system. Based on cost estimates provided by the developer and verified by the City, the City shall have the discretion to count individual criteria as equivalent to two or more criteria for purposes of satisfying transportation mobility requirements. Provision of the required transportation mobility criteria shall be subject to final approval by the City during the development review process and shall be memorialized in a TMPA agreement between the City and the developer.

**The proposed fueling station/convenience store with 12 fueling positions is anticipated to generate 982 net daily trips, based on the Traffic Impact Analysis attached with this application. Therefore, the development will adhere to at least 5 of the criteria stated in the Transportation Mobility Element Policy 10.1.6.**

### 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.

**This application adheres to the policies listed in LDC §30-3.24., §30-4.21., and §30-5.13., which address the listed provisions above and is detailed in Section 4 of this report.**

### Potable Water and Wastewater Element

Objective 1.1 Water and wastewater services shall be provided at adequate levels of service (LOS) to meet the needs of existing and future populations.

**The proposed use for the project site will connect to existing water and wastewater utilities and is anticipated to generate 2,275 gallons per day for water and wastewater, thus it will not cause the City's LOS to fall below standards.**

**The site will be served by an existing 8-inch CIP water main located on the east side of US 441. An onsite lift station will convey sewer to an existing main at manhole #8 within the NW 6<sup>th</sup> Street**

right-of-way. Connections will be made to the existing sewer main near the southeastern portion of the site. Electric will be provided by the Gainesville Regional Utilities (GRU), which already services the site.

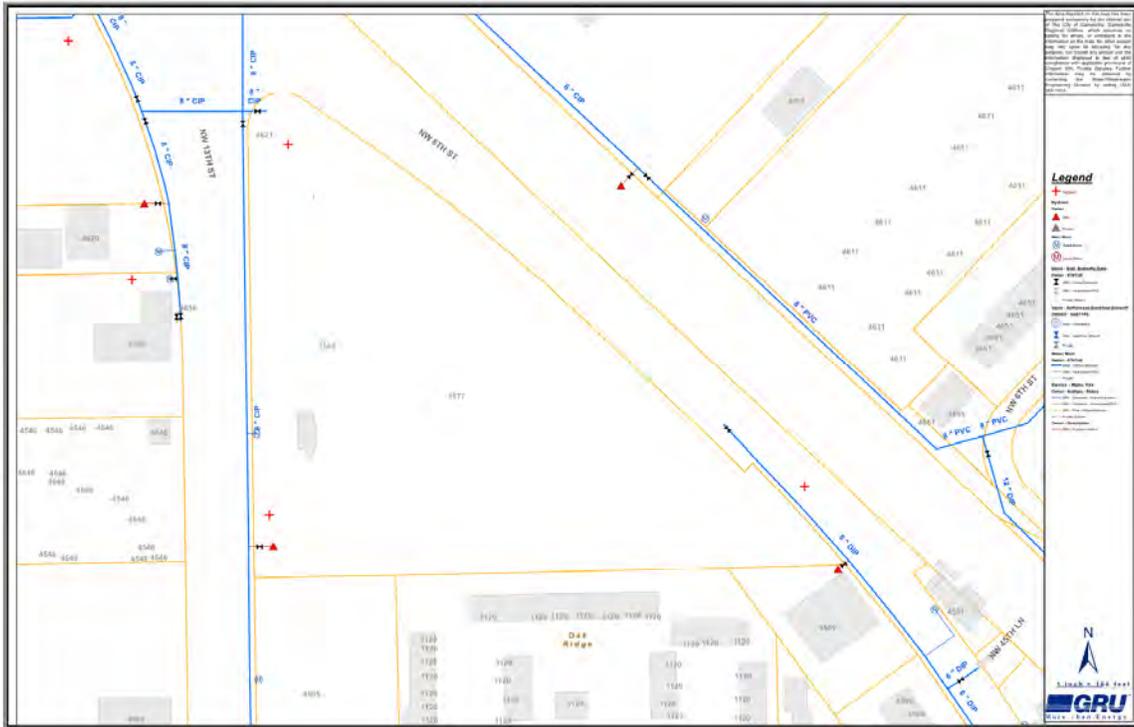


Figure 4: GRU Water System Map

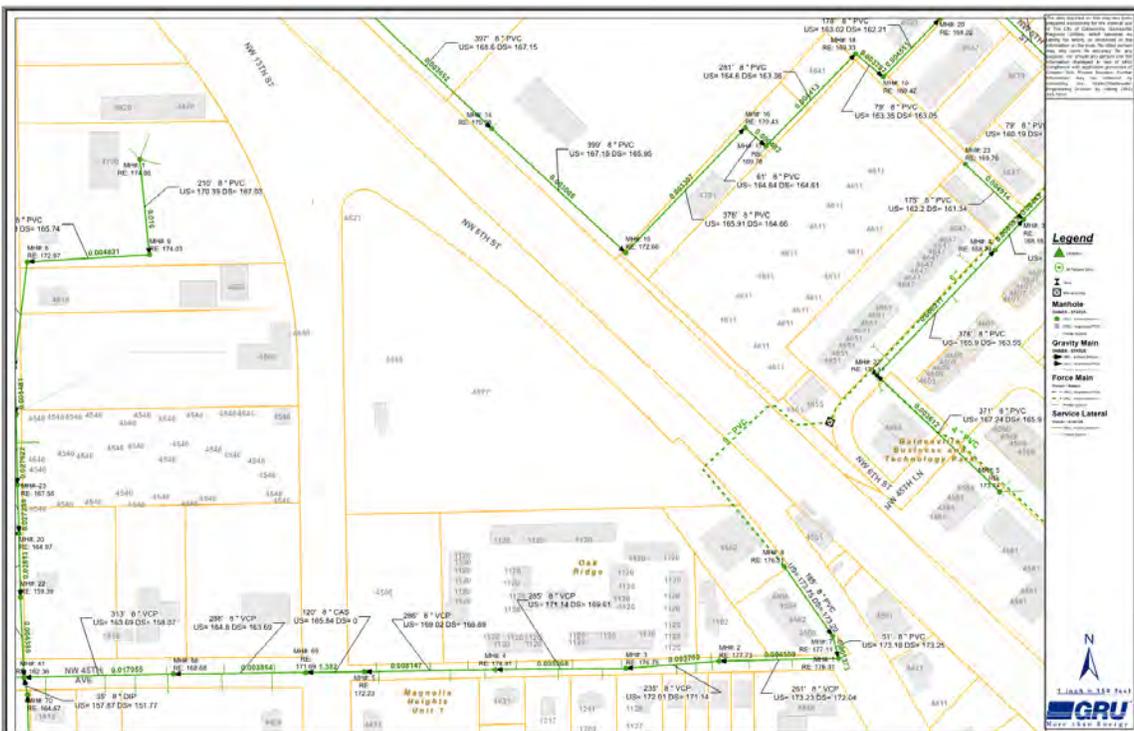


Figure 5: GRU Wastewater System Map

### Solid Waste Element

GOAL 1 Provide for the management of solid and hazardous wastes in a manner which assures public health and safety, protects environmental resources, and conserves energy.

**The proposed use for the site utilizes solid waste facilities and is anticipated to produce 13 pounds of solid waste per capita per day, thus it will not cause the City's LOS to fall below standards.**

### Stormwater Management Element

GOAL 1 Design, construct and maintain a stormwater management system that reduces the incidence of flooding, and protects, preserves and enhances desirable water quality conditions, and to the maximum extent feasible, preserves and utilizes the existing natural systems.

**A portion of the project site has historically been utilized to showcase mobile homes, an office and a paved parking lot with approximately eight (8) parking spaces. A small Stormwater Management Facility (SMF) along US 441 addresses the existing impervious surface area. The proposed site layout plan includes a SMF along the wooded area that consists of Hogtown Creek, wetland, and an associated buffer. The proposed SMF will address water quality conditions, consistent with City of Gainesville and Water Management District requirements.**

#### **4. CONSISTENCY WITH CITY OF GAINESVILLE LAND DEVELOPMENT CODE**

The following identifies how this application is consistent with the City of Gainesville's Land Development Code (LDC). LDC language is provided in normal font, and consistency statements are provided in **bold** font.

##### 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.

**Sections 3 and 4 of this justification report demonstrate how the proposed project is consistent with the City of Gainesville Comprehensive Plan and LDC, respectively.**

- 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 project site's existing Future Land Use (FLU) designation is Commercial. The Commercial FLU is implemented by the BA Zoning District, which addresses scale, height, mass and bulk, design, intensity, and character of activity. The BA Zoning District allows gasoline/alternative fuel stations by right and an additional six (6) fueling positions with a Special Use Permit.**

**A lot split is being processed with this SUP and the Development Plan application to create two lots. Lot 1 will be the subject of the fueling station with up to 12 fueling positions, a convenience store, and car wash. Lot 2 will comprise the site's residual located to the south.**

**Lot 1 is surrounded by commercial and industrial uses to the north and east, Lot 2 to the south, and commercial and residential uses to the west. The adjacent residential consists of the Paradise Trailer Court, which is designated BA Zoning District. Multi-family residential uses abutting to the south are well buffered by the existing wetlands and buffers on Lot 2. Wetland and buffers along the southern boundary range in size from 75 feet to 400 feet. The scale and character of the proposed use is compatible with surrounding properties.**

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

**The project site is located at the intersection of US 441/NW 13<sup>th</sup> Street and NW 6<sup>th</sup> Street, two arterial corridors with commercial development. The proposed fueling station will support the area residences and motorists by providing fuel while the convenience store will support the area residences with goods within walking distance. The proposed site layout plan includes appropriate landscaping to screen onsite uses. Interconnected sidewalks provide access to all public entrances of the proposed convenience store.**

**Hogtown Creek, a natural 75 ft-wide buffer, and a stormwater management facility comprise the southern ±300'-550' of the project site. This is more than sufficient buffer to ensure compatibility with properties to the south.**

- 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.

**The current conditions of the site include one (1) right-in/right-out curb cut on US 441 and a gated, unimproved curb cut on NW 6<sup>th</sup> Street. The site layout plan proposes to relocate both curb cuts to the north to align with existing curb cuts on the opposite sides of their respective roads. Right-of-way modifications are anticipated to include left turn lanes for both US 441 (south-bound) and NW 6<sup>th</sup> Street (north-bound) to create safer access points and reduce delays to passing-by traffic.**

**Onsite sidewalks will connect pedestrians from the rights-of-way to the building. Pedestrians and bicyclists can walk along sidewalks within the rights-of-way and access the building without crossing onsite vehicular circulation.**

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

**Due to the pending Lot Split, there are no adjacent or abutting single-family residential uses. The nearest single-family residential development is separated by developed properties, as well as the NW 45<sup>th</sup> Avenue right-of-way. Off-street parking, service, and loading areas are located to the rear (south) of the building.**

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

**The City LDC has specific criteria for insuring surrounding properties are not negatively impacted by onsite noise, odor, and light. The proposed development is located in a urbanized area, surrounded by commercial, industrial and multi-family residential properties, and located on two major arterials roadways. The site has a regulated environmental feature, Hogtown Creek, that runs along the southern property boundary, which in conjunction with the associated natural buffer and proposed stormwater management facility provide ample separation and a visual barrier from adjacent uses to the south. Additionally, per LDC §30-5.13.C.10., a Type B buffer with a four-foot (4') privet-type hedge will be provided along the side boundaries to further reduce light and noise from vehicles.**

**The dumpster, located along the western site boundary, will be enclosed in a masonry wall to further minimize odors. According to LDC §30-6.12.D.1.b., lighting of horizontal surfaces shall be fully shielded full-cutoff fixtures and shall be aimed downwards to further prevent light trespass, light glare, and light pollution. A photometric plan was submitted with this SUP application and demonstrates consistency with LDC requirements.**

- 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 refuse and service/loading areas are screened and do not inhibit pedestrian/bicycle mobility access. Outdoor storage is not anticipated, however, if desired, it will occur compliant with the LDC standards.**

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

**This project site has all necessary public utilities to adequately serve the proposed use. The site will be served by an existing 8-inch CIP water main located on the east side of US 441. An onsite lift station will convey sewer to an existing main at manhole #8 within the NW 6<sup>th</sup> Street right-of-way. Connections will be made to the existing sewer main near the southeastern portion of the site. Electric will be provided by the Gainesville Regional Utilities (GRU), which already services the site. GRU water and wastewater maps are included as Figures 4 and 5, respectively.**

- 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.

**Consistent with LDC §30-5.13.C.10., the proposed fueling station will have a Type B perimeter buffer with a four-foot (4') privet type hedge along the side property boundaries to minimize the view of fueling pumps. The wetland and associated buffer to the south provide ample buffer/screening to the site’s rear. Wetland and buffer along southern boundary ranges from 75 feet to 400 feet.**

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

**There are no adjacent or abutting single-family residential uses.**

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

**LDC §30-5.13. lists standards specific to Gasoline and Alternative Fuel Stations, which are addressed in this section of this report.**

Section 30-4.20. Dimensional Standards

The following table contain the dimensional standards for the various uses allowed in each district.

Table V - 8: Mixed-Use and Nonresidential Districts Dimensional Standards.

	BA Standard	Consistency Statement
<b>A. DENSITY/INTENSITY</b>		
Residential density (units/acre)		
Min <sup>1</sup>	None	None
Max	None	None
Nonresidential Building Coverage	None	±1.5%
Nonresidential GLA (max)	None	±5,500 sf
<b>B. LOT STANDARDS</b>		
Min lot area (sf)	None	358,934 sf
Min lot width (ft)	None	±560'
Min lot depth (ft)	None	±700'
<b>C. SETBACKS</b>		

Front (min ft)	15'	±85' (North)
Side-street (min ft)	15'	±17' – 50' (East); ±17' – 35' (West)
Side-interior (min ft)	10'	N/A
Rear (min ft)	15'	±275' – 400' (South)
D. MAXIMUM BUILDING HEIGHT		
By right (stories)	5	1
With building height bonus (stories)	-	-

<sup>1</sup> Lots that existed on November 13, 1991, as recorded in the city and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.

## Section 30-4.21. Design Standards

### A. *Parking.*

1. Motor vehicle parking is required in accordance with Article VII. All motor vehicle parking except a double-loaded row of parking shall be located in the rear and/or interior side of the building, unless such a location is prevented by topography, stormwater retention or significant trees, as determined by the appropriate reviewing board, City Manager or designee. In no case shall more than 50% of the parking be located between the front facade and the primary abutting street, unless modified by the appropriate reviewing board, City Manager or designee. However, driveway entrances and exits to parking areas shall be allowed on the front side of the building. There shall be no limit on the number of parking spaces in parking structures.

### **Parking is located to the rear (south) of the building.**

2. Bicycle parking spaces shall be installed as required by Article VII. Such parking may encroach into the public right-of-way and may be located within the building frontage and/or landscape zones. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use.

### **Bicycle parking is proposed between the building and US 441 right-of-way.**

### B. *Sidewalks.*

1. All developments, unless provided otherwise in this chapter, shall provide sidewalks along all street frontage. All developments shall provide pedestrian connections from the public sidewalk to the principal building. Entrance sidewalks shall be a minimum of 5 feet of clear width.
2. Minimum sidewalk widths.

Multi-Family Residential/Industrial	Commercial/Institutional/Office/Mixed-Use
7 feet	8 feet

**The existing sidewalk on US 441 will be widened to 8 ft and a new 8 ft-wide sidewalk is proposed along NW 6<sup>th</sup> Street.**

- C. *Building orientation.* The main entrance of buildings or units shall be located on the first floor on the more primary street.

**The building's front façade is oriented towards the intersection of US 441 and NW 6<sup>th</sup> Street. Entrances are located facing the intersection, as well as US 441 and internal to the site.**

- D. *Glazing.* Building walls facing the more primary street shall have non-reflective, transparent windows or glazed area covering at least 25% of their surface at pedestrian level (between 3 feet and 8 feet above grade) on the first floor. Operable transparent entrance doors may be included in the calculation of total façade surface area.

**The building's front façade is oriented towards the intersection of US 441 and NW 6<sup>th</sup> Street. Glazing calculations for the front façade are ±25.8%. Building glazing facing US 441 and NW 6<sup>th</sup> Street is ±26.9%, respectively.**

- E. *Mechanical equipment.* All mechanical equipment shall be placed on the roof, in the rear or side of the building, and shall be screened with parapets or other types of visual screening.

**Mechanical equipment is proposed on the side between of the building and NW 6<sup>th</sup> Street and will be screened from public view.**

Section 30-5.13.

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.

**The proposed business does not rent vehicles.**

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 differential. No lift 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.

**The proposed business does not have a vehicle service center.**

3. The retail sale of minor automobile parts and accessories, gasoline, diesel fuel, alternative fuels, kerosene, lubricating oils and greases.

**Minor automobile parts and accessories may be available in the onsite convenience store.**

4. Vending machines, provided such machines are located under the roof of the principal structure.

**Vending machines, if present, will be located under the principal structure's roof.**

- B. *Number of fueling positions.*
1. Within the transect zones, where allowed, up to six (6) 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.
4. Six (6) fueling positions are allowed by right in the BA Zoning District

**This SUP application requests up to 12 fueling positions. Six (6) fueling positions are allowed by-right in the BA Zoning District.**

*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.

**The proposed fueling pumps are located equidistant ( $\pm 63$  ft) from both the US 441 and NW 6<sup>th</sup> Street rights-of-way, the closest right-of-way or property line. Additional details can be found on the site layout plan submitted with this SUP application.**

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 predominantly 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.

**The fuel pumps and all accessory automotive uses are located to the building's rear (south). The closest residential property is a mobile home park, Paradise Trailer Court, which is  $\pm 200$  ft from the proposed onsite dumpster location,  $\pm 265$  ft from the fuel canopy, and  $\pm 275$  ft from the car wash. Oak Ridge Apartments is over  $\pm 385$  ft away from the from the closest accessory automotive uses, the car wash. Therefore, this proposed plan is consistent with the City of Gainesville LDC.**

3. The number and width of driveways shall be minimized.

**A single driveway will be located on US 441 as well as NW 6<sup>th</sup> Street. The driveways will be aligned with existing driveways across their respective streets.**

4. Cross-access or joint use driveways shall be provided to adjacent non-residential developments.

**The subject property is located at the convergence of US 441 and NW 6<sup>th</sup> Street. Due to proposed lot split, the two lots shall utilize a mutual driveway along US 441.**

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.

**The building's front façade is oriented towards the intersection of US 441 and NW 6<sup>th</sup> Street. Glazing calculations for the front façade are  $\pm 25.8\%$ . Building glazing facing US 441 and NW 6<sup>th</sup> Street is  $\pm 26.9\%$ , respectively.**

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).

**The proposed building has public entrances oriented towards the intersection of US 441 and NW 6<sup>th</sup> Street, US 441, and internal to the site.**

7. Pedestrian and bicycle access shall be provided from the public sidewalk to any retail or restaurant facilities on site.

**Internal sidewalks connect the proposed building to sidewalks within the US 441 and NW 6<sup>th</sup> Street rights-of-way. Bicycle racks are located adjacent to the building.**

8. Off-street parking shall be located to the side or rear of the building.

**The front of the building faces the US 441/NW 6<sup>th</sup> Street intersection. Parking is located to the rear of the building.**

9. Canopy height: the bottom surface of a canopy shall not exceed 15 ft. in height.

**According to Florida Statute 553.79(22)(a),**

**“A political subdivision of this state may not adopt or enforce any ordinance or impose any building permit or other development order requirement that: 1. Contains any building , construction, or aesthetic requirement or condition that conflicts with or impairs corporate trademarks, service marks, trade dress, logos, color patterns, design scheme insignia, image standards, or other features of corporate branding identity on real property or improvements thereon used in activities conducted under chapter 526 or in carrying out business activities defined as a franchise by Federal Trade Commission regulations in 16 C.F.R. ss. 436.1, et. seq.; or”**

**Therefore, the canopy height may not be regulated by “a political subdivision of this state,” such as the City of Gainesville.**

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.

**View of the fueling pumps will be shielded from the side (eastern and western boundaries) with a Type B buffer, which includes a four-foot (4') privet type hedge. The rear (southern boundary) is buffered by the wetland and buffer ranges from 75 feet to 400 feet.**

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.

**The dumpsters are enclosed by a masonry wall and located ±190 ft from the nearest residential zoned property line, across US 441.**

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.

**The proposed car wash facility and vacuum are not located adjacent to a residential zoning district or a planned development district with predominantly residential uses. The closest**

residential development, Paradise Trailer Court, a mobile home park is separated from the site by more than 285 ft. The pending Lot Split creates a lot between the currently abutting Oak Ridge Apartments, which is over 385 ft away from the proposed car wash. The car wash is also separated by a wetland, associated natural buffer, and a stormwater management facility.

13. A convenience store or restaurant or combination thereof shall be present when fueling positions exceed six.

**A convenience store is proposed with this application.**

## **Appendix H**

# Tertiary Wellfield Text Amendment Ordinance

Legislative #

200067



1 to Section 163.3174, Florida Statutes, held a public hearing on June 25, 2020, and voted to  
2 recommend the City Commission approve this text change to the Land Development Code; and

3 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of  
4 general circulation notifying the public of this proposed ordinance and of public hearings before  
5 the City Commission of the City of Gainesville; and

6 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings  
7 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

8 **WHEREAS**, the City Commission finds that the Land Development Code text amendment  
9 described herein is consistent with the City of Gainesville Comprehensive Plan.

10 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

11 **FLORIDA:**

12 **SECTION 1.** Section 30-3.30 of the Land Development Code is amended as follows.

13 **Section 30-3.30. – Review Criteria.**

14 A. *Primary zone.* No use involving hazardous materials ~~shall be~~ is allowed in this zone, except  
15 for uses or development associated with the Murphree Water Treatment Plant, ~~or~~ electric  
16 transmission and distribution systems, or generally the provision of utility service by a  
17 government-owned utility. All other uses ~~shall~~ must obtain a WPSUP.

18 B. *Secondary and tertiary zone.* The development or use ~~shall~~ will be reviewed using the  
19 following mandatory criteria:

- 20 1. The criteria for special use permits provided in section 30-3.24 have been met.
- 21 2. The proposed use or development will not endanger the city's potable water supply.
- 22 3. The necessary public utilities are available to the proposed site and have adequate  
23 capacity to service the proposed use and development. The development must be  
24 connected to the potable water and wastewater system.
- 25 4. There has been proper abandonment, as regulated by the applicable water  
26 management district or state agency, of any unused wells or existing septic tanks at

1 the site. An existing septic tank may remain if it is used solely for domestic waste and if  
2 it meets all applicable state and local regulations.

3 5. There is no current or proposed underground storage of petroleum products or  
4 hazardous materials at the development site- in the secondary zone. There is no  
5 current or proposed underground storage of hazardous materials at the development  
6 site in the tertiary zone. There is no current or proposed underground storage of  
7 petroleum products at the development site in the tertiary zone unless approved by  
8 the GRU General Manager or designee.

9 6. The applicant is in compliance with the requirements of the Alachua County Hazardous  
10 Materials Management Code, and all applicable state and federal regulations.

11 7. The development property addresses environmental features such as wetlands,  
12 creeks, lakes, sinkholes, and soils to ensure that hazardous materials will not endanger  
13 the potable water supply and the environmental features.

14  
15 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this  
16 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,  
17 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or  
18 relettered in order to accomplish such intent.

19 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
20 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
21 finding will not affect the other provisions or applications of this ordinance that can be given  
22 effect without the invalid or unconstitutional provision or application, and to this end the  
23 provisions of this ordinance are declared severable.

24 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
25 conflict hereby repealed.

26 **SECTION 5.** This ordinance will become effective immediately upon adoption.

27

1 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

8 Attest:

Approved as to form and legality:

9

10

11

\_\_\_\_\_  
OMICHELE D. GAINNEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

13

14

15 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

16

17 This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.