



## Legislation Details (With Text)

**File #:** 160134. **Version:** 1 **Name:**  
**Type:** Petition **Status:** Failed  
**File created:** 6/15/2016 **In control:** City Manager  
**On agenda:** 8/18/2016 **Final action:** 8/18/2016  
**Title:** Special Use Permit Review to Construct a Gas Station with 12 Fueling Positions and a Convenience Store (B)

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

\*Estimated presentation time 15 minutes\*

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 160134\_Staff report and Attachments A-C\_20160623, 2. 160134A\_Staff report and Attachments A-C\_20160818, 3. 160134B\_CPB minutes draft\_20160818, 4. 160134C\_Staff ppt\_20160818, 5. 160134\_QJ Form\_20160818.pdf, 6. 160134\_MOD\_petition form\_20160818.pdf, 7. 160134\_MOD Greater Duval Neighborhood Assoc\_20160818.pdf

Date	Ver.	Action By	Action	Result
8/18/2016	1	City Commission	Denied (Petition)	Pass
6/23/2016	1	City Plan Board		

### Special Use Permit Review to Construct a Gas Station with 12 Fueling Positions and a Convenience Store (B)

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

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This petition is a request to grant a special use permit at the above referenced site to allow construction of a gasoline station with 12 fueling positions and a retail/convenience store. Per the Comprehensive Plan, Policy 10.4.9 of the Transportation Mobility Element, gasoline service stations with more than six fueling positions must meet a specific set of conditions with final approval by the City Commission. The development must comply with Sections 30-233 of the Land Development Code and the Concurrency Management Element, Policy 10.4.9 of the Comprehensive Plan.

The project site is located at 1800 NE 12<sup>th</sup> Avenue and includes a portion of tax parcel 10859-010-003 which is currently in the subdivision review process to create a separate lot of approximately 2.188 acres (95,316 square feet). The site has a land use designation of Mixed use Medium (MUM) and a zoning of MU-2 (Mixed use medium intensity 12-30 units per acre). The development proposal includes a free-standing building of approximately 1,200 square feet, a gas canopy, twelve fueling positions, an off-street parking area, paved

access to the pumps, landscape areas, and a stormwater management system.

The petition was submitted to the City Plan Board for review on May 26, 2016 but was continued after neighbors stated that they did not receive notice of the petition or the neighborhood meeting. Staff reviewed the notice process and determined that proper notice procedures were followed; the item was presented to the City Plan Board for review on June 23<sup>rd</sup>, 2016. After considering testimony presented by staff, the applicant, neighborhood residents and the general public, the board voted unanimously to approve the development with the conditions included in the staff report plus two conditions listed below in the City Plan Board recommendation to the City Commission.

In considering the petition, the City Commission is required to review the City Plan Board's recommendation, evidence presented in the public hearing, City staff report, the findings of Sections 30-233, the review standards of Policy 10.4.9 of the Comprehensive Plan and the development plan review process found in Article VII.

Public notices were published in the Gainesville Sun on May 10<sup>th</sup> and June 7<sup>th</sup>, 2016. The Plan Board held a public hearing on May 26, 2016 and on June 23, 2016.

None.

**City Plan Board to City Commission-** Approve Petition PB-16-34 SUP with staff conditions, Technical Review Committee (TRC) comments, the associated development plan , and two additional conditions: 1) relocate the underground tanks from the south side to the west side of the development and; 2) add an oil/water separator to the stormwater management system of the site.

**Staff to City Commission** - Approve the City Plan Board's recommendation.

**Staff to City Plan Board** - Approve Petition PB-16-34 SUP with conditions, TRC comments and the associated development plan.