

**MINUTES
CITY OF GAINESVILLE
PLANNING AND ZONING COMMISSION**

2:00 p.m.

Tuesday, September 2, 1994

Members Present: Marge Clement, Jan Russell, Roy Brewer, Joyce Rigler

Members Absent: Bill Williams, Robyn Byars, Debra Beavers.

Staff Present: Mike Land

Visitors Present: Shirley Lusk - League of Women Voters

The first item of business was calling the public hearing to order at 2:00 p.m.

The second item of business was consideration and action on the minutes of the meeting of August 6, 1994. Roy Brewer motioned to approve the minutes as presented with a second by Jan Russell. Motion carried by the following votes: Ayes: Clement, Russell, Rigler and Brewer. Nays: None. Absent: Bill Russell, Robyn Byars and Debra Beavers. Abstentions: None.

The third item of business was consideration and recommendation on a zoning request (P-94-25) from Glen Polk Ford, from Agriculture (A) to Commercial (C), located within the I-35 Corridor with the address being 4320 North I-35.

Mike Land expounded that the property is located directly across the street from the Mall at the intersection of 1202 and the I-35 frontage road on the east side of the Interstate. By the illustration, it is approximately 8 acres and was in the old R.V. park. When property is annexed into the city it is automatically zoned under Agriculture; this property was annexed three years ago. Since that time there has not been any requests for a zoning change and this particular request is within the intent of I-35 as far as the commercial zoning.

Ms. Clement asked if there was any further discussion. There was not so a motion was entertained to rezone this property from Agriculture to Commercial.

Roy Brewer made a motion with a second by Joyce Rigler. Ayes: Clement, Russell, Rigler and Brewer. Nays: None. Absent: Williams, Byars, and Beavers. Abstentions: None.

The fourth item of business was consideration and recommendation on a site plan review (P-94-26) from Glen Polk Ford, for an automobile dealership, located within the I-35 Corridor at 4320 North I-35.

Mike Land stated that he has talked to Mr. Polk about the points and expressed that Glen Polk's intent was to meet the requirements of the I-35 Corridor. There are two areas of difference between the I-35 Standards and the proposed plan. The first point is that they are successful in getting the 10' buffer strip along the frontage except in two triangulated areas. For them to meet it, it would be about a four foot (4') adjustment which is not a major adjustment. One thing to remember about the I-35 Standards is that, as far as a site plan review, the intent of the Ordinance is for the Planning and Zoning Commission to have the latitude to say that one has to have it or that they are close and meet the intent of the I-35 Standards.

The second item on this is the number of required trees. They have a total of 24 trees shown and they meet the fifty foot (50') spacing and so forth. They have shrubbery up and around the building. Since a portion of the site isn't on I-35 they don't necessarily require landscaping in the 1202 area which is going to be their main entrance and the throughways especially doing 55 or 70 mph coming off the roadway. This is going to be their main entrance and the throughway.

They are short two trees in the landscape buffer strip due to the total square footage of buffer, and two trees short in the parking area. Now, in the parking area, there is a grass island, they just don't have any trees there. If we were to say to them that they need two more trees, they have the area to put them in.

Marge asked if they were only short two trees.

Mike said that they are short two in the parking area and two along the frontage with a total shortage of four (4) trees in the whole plan. He further explained that, taking the other plan into account, they have enough trees but that it is not the I-35 frontage. The point was again made that the intent must be looked at in view of the difference between the plan and requirements.

Mr. Land expounded that the Mall also did not have trees planted in the buffer strip up and down I-35 but they have plenty of trees all around the project and the P&Z felt that the intent, as far as landscaping and so forth, was acceptable.

Joyce asked if, where there is a shortage of trees, if they are on a different side than the buffer strip.

Mike stated that she was correct. Along the buffer they would be required to have two (2) more trees.

Marge asked about the height of the trees.

Mike stated that when they plant the trees, they are required to be a minimum of seven (7') feet in height. He further expressed that in terms of the south property line where the parking area is, the building setback requirements have been met. The ordinance reads that they have to have some screen for a residential area if they are abutting it. He stated that they are not showing any kind of screening.

Marge asked how far the house was from the property line.

Mr. Land stated that it was approximately a thousand feet and that the pond was there. Again, if you say that some kind of screening or planning material needs to be there then you have that prerogative if it is a critical issue.

Roy Brewer asked what the zoning was right next to the property.

Mr. Land stated it was agricultural. He went on to state that the lighting plan was directed downward per the ordinance. Mr. Polk had described what kind of lighting they were going to have which is kind of like a square can and would be directional. Mike stated that Mr. Polk knows the light standards and stated they would comply.

Mr. Land expounded that the utilities are really not an issue for this Board because there are existing overhead power lines servicing the area and, internally, they will be underground. Mike stated that there are a couple of septic systems on the property left over from the R.V. park use of the site and that they are big enough to accommodate the project. Mike continued saying that staff is working to develop a sewer interceptor which would serve this project, and would open up the whole east side of the interstate. There is an existing water line for service and public safety and staff has already received a cost estimate an engineer is working towards the end of drawing a system crossing under the highway looping the system.

Ms. Clement ask what Mr. Polk is going to do about the sign,

Mr. Land stated they are going to setback the sign 25' and they indicated that they would rather not go through a variance request and do the sign the way the ordinance says to do it. He stated that Mr. Polk and associates have been very easy to work with and are very professional.

Ms. Lusk asked what the sign ordinance says about promotional signs and banners and such.

Mr. Land asked if she meant a flag? After Ms. Lusk responded in the positive, Mike stated that if they put up an American flag that it was constitutionally justified but if they put up banners and those types of things are suppose to be discouraged. As far as special sales, promotions, etc., can be done on a temporary basis. Mike further stated that there are special provisions for limited signs but that Mr. Polk would be informed.

As far as the parking, Mr. Land explained that there is visitor parking, disabled parking, service parking, garage parking and that the plans are very specific with the service center on the north side. He stated that the building will have a stucco type of appearance with a vinyl-type siding. The initial investment for the building is approximately 1-1/2 million dollars.

Roy Brewer stated that the only thing he could see that might be conditional was the parking lot as far as the screening on the south side in that it is adjacent to a residential use.

Mike stated that the Board could place a condition that at a later date, if residential property was developed along the south property line that some form of screening could be put in, with a motion and recommendation.

Mr. Brewer explained that it might be wise to protect this area with screening for future projects.

Mike stated that one option is that there be some kind of fence.

Marge stated that they could put parking right up to the property line.

Jan asked if there was any existing contamination from previous land use at this site.

Mike stated that the way EPA clean up works is that the property owner has to clean all the contaminated soils. He further stated that he was not sure what the standards were but, they can ship the dirt off or they can wash the soil from one side to the other. If the site did have tanks at one time then it has already been identified by the state and has a potential for funding, but it is still up to the individual property owner or the potential buyer to clean up the problem.

Roy stated that for the potential protection of future residential development area south of the proposed site that a screening agreement should be made.

Mike stated that he could come up with the words and talk to the applicant to get an agreement.

Marge asked if this was satisfactory and Joyce stated that it was with the stipulation that they have a certain amount of screening. Roy asked if there has to be 9' in there and Mike stated that the ordinance states there has to be a minimum of 4'.

Marge stated that they wouldn't want to take away visibility from the highway and asked if there is restrictions on the screening.

Mike stated that it is 4' and it is referencing screening parking lots or something similar. He continued by saying that the reason there is screening is because a part of the property is residential.

Roy made a motion to approve the recommendation for the site plan review of Glen Polk automobile dealership on N. I-35 with the stipulation that, in the future, if the needs arises along the south side, that screening would be made mandatory. Marge Clement seconded the motion. Ayes: Clement, Russell, Brewer, Rigler. Nays: None. Absent: Williams, Byars, and Beavers. Abstentions: None.

Mr. Land asked if the Board was interested in copies of information that might be of interest to them from the booklet called the Planning Commissioner. They were all in favor of receiving copies of information from this booklet.

With no further items for discussion or questions meeting was adjourned.