# APPENDIX TO OBJECTION TO SITE PLAN APPLICATION #SPR 22-15

<b>EXHIBIT</b>	DESCRIPTION	BATES NUMBER
A.	Application for New Development and Site Review Committee Meeting (Site Plan Application)	001-013
	Transfer of the state of the st	
В.	Form for Special Exception Application	014-018
C.	LDR 2.1 Definitions, General (emphasis added.) A Copy of this Definition is Attached in Florida Gateway's Appendix to Objection to Site Plan Application	019-026
D.	TDC'S Letter to the City Manager	027
E.	FDOT Notice to City and Circle K	028
F.	Serna Planning Analysis Regarding Objection to Site Plan Application	029-032
G.	Buckholz Traffic Technical Evaluation of March 2022 Circle K Traffic Impact Analysis	033-038

# **EXHIBIT A**



# APPLICATION FOR NEW DEVELOPMENT AND SITE REVIEW COMMITTEE MEETING

FOR OFFICIAL USE ONLY	
MEETING DATE:	a
MEETING TIME:	

APPLICANT IN	NFORMATION		Date: 09/01/2021		
Name:	Jarod C. Stubbs, P.E.	Business	Kimley-Horn and Associates		
Address:	189 S Orange Ave., Ste 1000, Orlando, FL	Name:			
Phone:	(407) 409-7002	Business	189 South Orange Ave., Suite 1000		
Email:	il: jarod.stubbs@kimley-horn.com Address:		Orlando, FL 32801		
SUBJECT PRO	PERTY INFORMATION				
Address:	NE corner of US Hwy 90 and NW Centurion Ct (behind the Circle K)	Property	GWC Development Partners, LLC		
Parcel ID#:	35-3s-16-02524-102; and 35-3s-16-02524-111	Owner:			
Existing Use:	Vacant Commercial	Owner	2682 NW Noegel Rd		
Zoning District:	CHI Commercial Highway Intensive	Address:	Lake City, FL 32055		

**DESCRIPTION OF REQUEST** (may be attached, separately)

PLEASE PROVIDE AS MUCH DETAIL AS POSSIBLE SO THAT STAFF CAN BE PREPARED TO ADDRESS YOUR QUESTIONS. Please include information regarding:

- Proposed use
- Proposed improvements to building and/or site

The proposed project is to be a high speed diesel expansion to the existing Circle K with related parking, underground fuel storage tanks, and other necessary improvements. The project is anticipated to take up space on both parcels listed in this application. Expected new impervious area for the project is +/- 49,850 square feet. The existing Circle K will also have improvements including a building expansion for additional restrooms and an adjustment to the parking spaces to allow space for said expansion. See attached site plan for more detail.

# SUBMIT WITH THIS FORM

- · Copy of survey or sketch of location/building
- Sketch of any proposed improvements
- Any other information that will help in review of the proposal

### SUBMIT COMPLETED FORM AND DOCUMENTS TO:

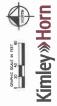
Mail: Lake City Growth Management Department, 205 N Marion Ave, Lake City, FL 32055

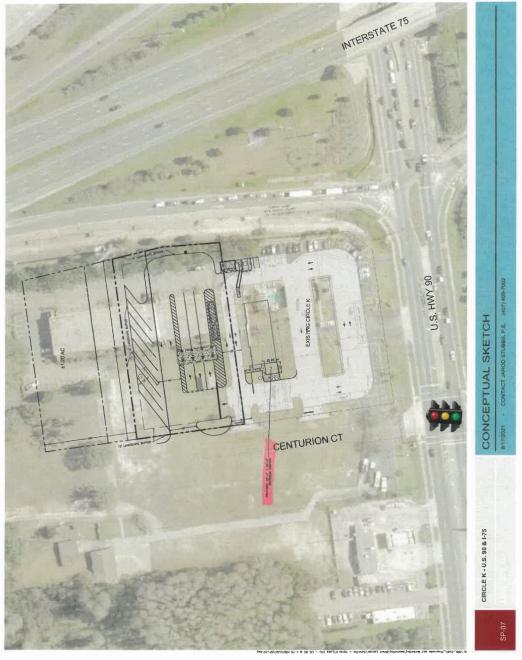
Email: growthmanagement@lcfla.com

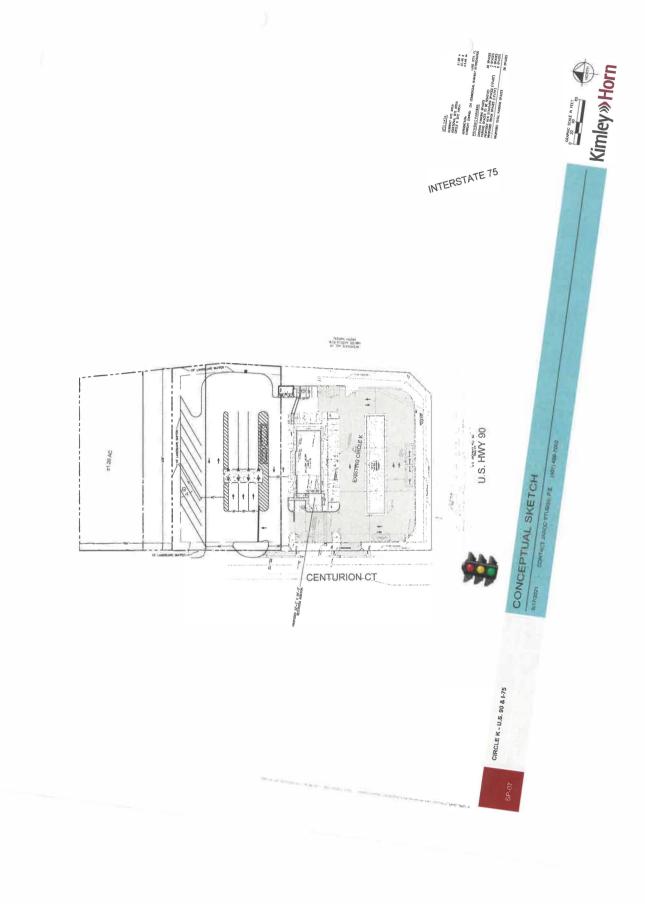
Fax: 386-758-5426

If you have any further questions, please contact Growth Management, 386-719-5750











**PROJECT INFORMATION** 

# **GROWTH MANAGEMENT**

205 North Marion Ave. Lake City, FL 32055 Telephone: (386)719-5750

E-Mail:

growthmanagement@lcfla.com

FOR PLANNING USE ONLY	
Application # _ <i>5PR22-15</i>	
Application Fee: \$200.00	
ReceiptNo	
Filing Date 4/1/22	
Completeness Date	

# **Site Plan Application**

	1.	Project Name: CIRCLE K – US 90 & I-75					
	2.	Address of Subject Property: 143 NW Centurion Ct., Lake City, FL 32055					
	3.	Parcel ID Number(s): 35-3S-16-02524-001, 35-3S-16-02524-102, 35-3S-16-02524-111					
	4.	Future Land Use Map Designation: Commercial					
	5.	Zoning Designation: CHI - Commercial Highway Interchange					
	6.	Acreage: ±3.46					
	7.	Existing Use of Property: Existing Circle K gas station and convenience store					
	8.	Proposed use of Property: Circle K gas station and high speed diesel station					
	9.	<u>Typ</u> e of Development (Check All That Apply):					
		Increase of floor area to an existing structure: Total increase of square footage $\pm 652$ SF					
		New construction: Total square footage <u>±54.470 SF</u>					
		Relocation of an existing structure: Total square footage					
В.	APP	LICANT INFORMATION					
	1.	Applicant Status   Owner (title holder)   X Agent					
	2.	Name of Applicant(s): Jarod Stubbs P.E. Title: Civil Engineer					
		Company name (if applicable): Kimley-Horn					
		Mailing Address: 189 S. Orange Ave. Suite 1000					
		City: Orlando State: FL Zip: 32801					
		Telephone: (407) 409-7002 Fax: Email: Jarod. stubbs@kimley-horn.com					
		PLEASE NOTE: Florida has a very broad public records law. Most written communications to					
		or from government officials regarding government business is subject to public records					
	2	requests. Your e-mail address and communications may be subject to public disclosure.  If the applicant is agent for the property owner*.					
	٥.						
		Property Owner Name (title holder): <u>Daniel Hotte of GWC Development Partners, LLC</u>					
		Mailing Address: 2682 W Noegel Rd  City: Lake City State: FL Zip:32055					
		Telephone: (407) 580-5173 Fax:() Email: dberry@shafferconst.com  PLEASE NOTE: Florida has a very broad public records law. Most written communications to					
		or from government officials regarding government business is subject to public records					
		requests. Your e-mail address and communications may be subject to public disclosure.					
		*Must provide an executed Property Owner Affidavit Form authorizing the agent to act on					
		behalf of the property owner.					

		INFORMATION
1.		any additional contract for the sale of, or options to purchase, the subject property?
		the names of all parties involved:
2		
2.	_	evious application been made on all or part of the subject property?   No. 7 N
		and Use Map Amendment: □Yes □No and Use Map Amendment Application No
		ific Amendment to the Official Zoning Atlas (Rezoning): □Yes□No
	Site Speci	ific Amendment to the Official Zoning Atlas (Rezoning). DresDNOific Amendment to the Official Zoning Atlas (Rezoning) Application No
	_	: Tyes DNo Prication No
		Application No.
		xception:  \[ \subseteq Yes   \text{INO} \]
	-	xception Application No
	Special L	xception Application No
АТТ	CACHMEN	IT/SUBMITTAL REQUIREMENTS
****		
ø.	Vicinity M	Map – Indicating general location of the site, abutting streets, existing utilities,
		e legal description of the property in question, and adjacent land use.
		χ.
2.	Site Plan	- Including, but not limited to the following:
		e, location, owner, and designer of the proposed development.
		ent zoning for subject site.
	Locat	tion of the site in relation to surrounding properties, including the means of ingress
		gress to such properties and any screening or buffers on such properties.
	W. Date,	north arrow, and graphic scale not less than one inch equal to 50 feet.
	/	and dimensions of site (Survey).
	£ Locat	tion of all property lines, existing right-of-way approaches, sidewalks, curbs, and
	gutte	
		ss to utilities and points of utility hook-up.
	_	tion and dimensions of all existing and proposed parking areas and loading areas.
		tion, size, and design of proposed landscaped areas (including existing trees and
	-	red landscaped buffer areas).
	. ,	tion and size of any lakes, ponds, canals, or other waters and waterways.
		tures and major features fully dimensioned including setbacks, distances betwee tures, floor area, width of driveways, parking spaces, property or lot lines, an
		ent of property covered by structures.
		tion of trash receptacles.
	•	nultiple-family, hotel, motel, and mobile home park site plans:
	i.	Tabulation of gross acreage.
	ii.	Tabulation of density.
	iii.	Number of dwelling units proposed.
	iv.	Location and percent of total open space and recreation areas.
	v.	Percent of lot covered by buildings.
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C.

D.

City of Lake City – Growth Management Department 205 North Marion Ave, Lake City, FL 32055 ♦ (386) 719-5750

- vi. Floor area of dwelling units.
- vii. Number of proposed parking spaces.
- viii. Street layout.
- ix. Layout of mobile home stands (for mobile home parks only).
- Stormwater Management Plan—Including the following:
  - a. Existing contours at one foot intervals based on U.S. Coast and Geodetic Datum.
  - b. Proposed finished elevation of each building site and first floor level.
  - c. Existing and proposed stormwater management facilities with size and grades.
  - d. Proposed orderly disposal of surface water runoff.
  - e. Centerline elevations along adjacent streets.
  - f. Water management district surface water management permit.
- Fire Department Access and Water Supply Plan: The Fire Department Access and Water Supply Plan must demonstrate compliance with Chapter 18 of the Florida Fire Prevention Code, be located on a separate signed and sealed plan sheet, and must be prepared by a professional fire engineer licensed in the State of Florida. The Fire Department Access and Water Supply Plan must contain fire flow calculations in accordance with the Guide for Determination of Required Fire Flow, latest edition, as published by the Insurance Service Office ("ISO") and/or Chapter 18, Section 18.4 of the Florida Fire Prevention Code, whichever is greater.
- 2. Concurrency Impact Analysis: Concurrency Impact Analysis of impacts to public facilities. For commercial and industrial developments, an analysis of the impacts to Transportation, Potable Water, Sanitary Sewer, and Solid Waste impacts are required.
- 6. Comprehensive Plan Consistency Analysis: An analysis of the application's consistency with the Comprehensive Plan (analysis must identify specific Goals, Objectives, and Policies of the Comprehensive Plan and detail how the application complies with said Goals, Objectives, and Policies).
- 7. Legal Description with Tax Parcel Number (In Word Format).
- 8. Proof of Ownership (i.e. deed).
- . Agent Authorization Form (signed and notarized).
- 10. Proof of Payment of Taxes (can be obtained online via the Columbia County Tax Collector's Office).
- 1. Fee. The application fee for a Site and Development Plan Application is \$200.00. No application shall be accepted or processed until the required application fee has been paid.

### NOTICE TO APPLICANT

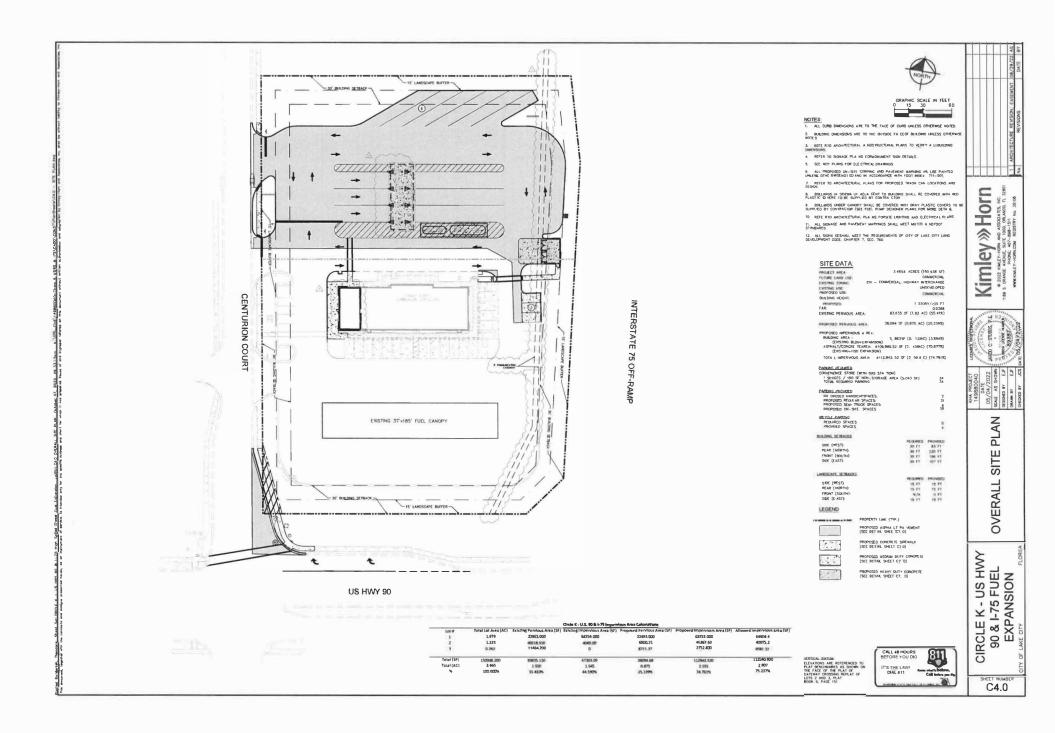
All eleven (11) attachments are required for a complete application. Once an application is submitted and paid for, a completeness review will be done to ensure all the requirements for a complete application have been met. If there are any deficiencies, the applicant will be notified in writing. If an application is deemed to be incomplete, it may cause a delay in the scheduling of the application before the Planning & Zoning Board.

A total of ten (10) copies of proposed site plan application and all support materials must be submitted along with a PDF copy on a CD. See City of Lake City submittal guidelines for additional submittal requirements.

THE APPLICANT ACKNOWLEDGES THAT THE APPLICANT OR AGENT MUST BE PRESENT AT THE PUBLIC HEARING BEFORETHE PLANNING AND ZONING BOARD, AS ADOPTED IN THE BOARD RULES AND PROCEDURES, OTHERWISE THE REQUEST MAY BE CONTINUED TO A FUTURE HEARING DATE.

I hereby certify that all of the above statements and statements contained in any documents or plans submitted herewith are true and accurate to the best of my knowledge and belief.

Jura Stubbs	
Applicant/Agent Name (Type or Print)	
	6/8/2022
Applicant/Agent Signature	Date
Applicant/Agent Name (Type or Print)	
Applicant/Agent Signature	Date
STATE OF FLORIDA COUNTY OF Orange	
eth.	y of June 20 22, by (name of person acknowledging).
SUSAN M. GREMONPREZ Commission # GG 298833 Expires February 9, 2023 Bonded Thru Troy Fain Insurance 800-385-7019	Signature of Notary  Printed Name of Notary
Personally Known OR Produced Identification Type of Identification Produced	



STOP AND 24" STOP BAR IN ACCORDANCE WITH COUNTY AND FOOT STANDARDS (TYP.) WALEY CAPTED FOR DOT HORK & \$250-007

Officially washing for hork (fire)

Y CAPE

TRANSFIRM (fire) PROPOSED MONIMENT
SICH (SEE ARCH, PLANS
FOR MORE DETAIL)
TYPE "F" CURB PER FDOT
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AND 24" STOP BAP IN
ACCORDANCE WITH CITY AND STOP
TOOT STANDARDS (TYP.) THE "B" CURB PER MATCH EXISTING 3' QURB RANSITION (TYP.) SOCHALN (TYP.) EXISTING 37'x185' FUEL CANOPY PLANS FOR MORE DETAIL HUEL CANOPY PLANS FOR MORE DETAIL) 6 FDOT INDEX #522-002 (TYP.) NDE K #711-001 (TAP.) S' TRANSITION FROM 6" CURB TO FLUSH CURB (1) 20,000 GALLON AND (1)
8,000 GALLON UNDERGROUND
PURE STORAGE TARK (SEE FUEL
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PROTECTE MEDIUM DUTY CONCHETE
(SEE DEIMA SHEET COO)

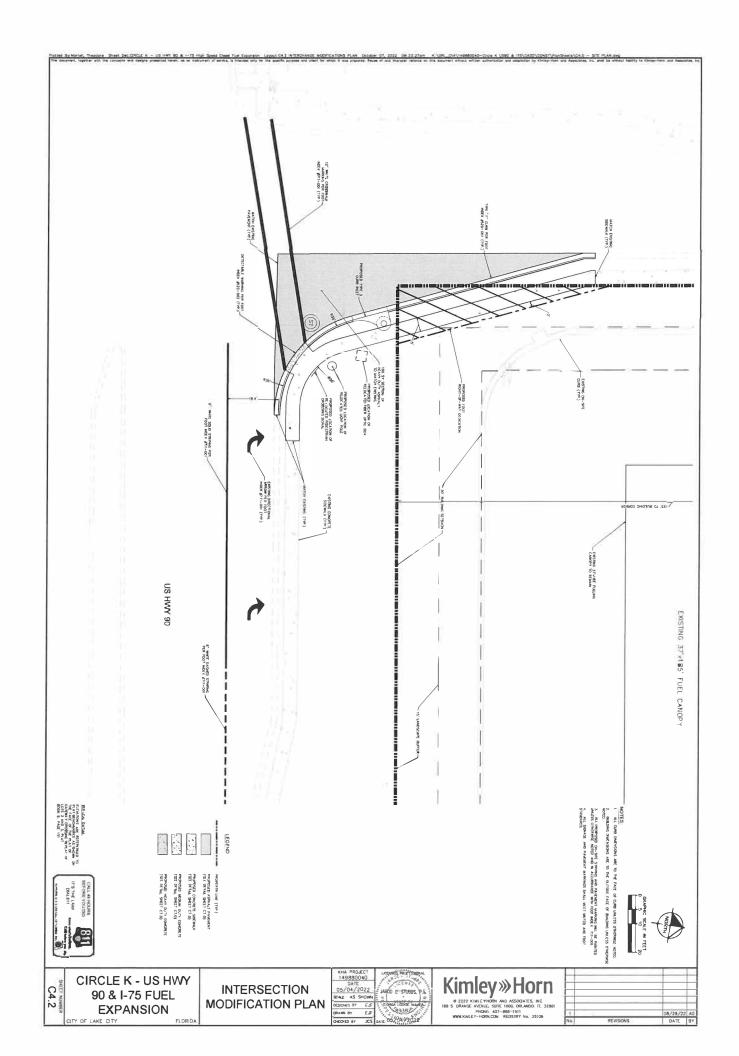
PROTECTE MEDIUM DUTY CONCHETE
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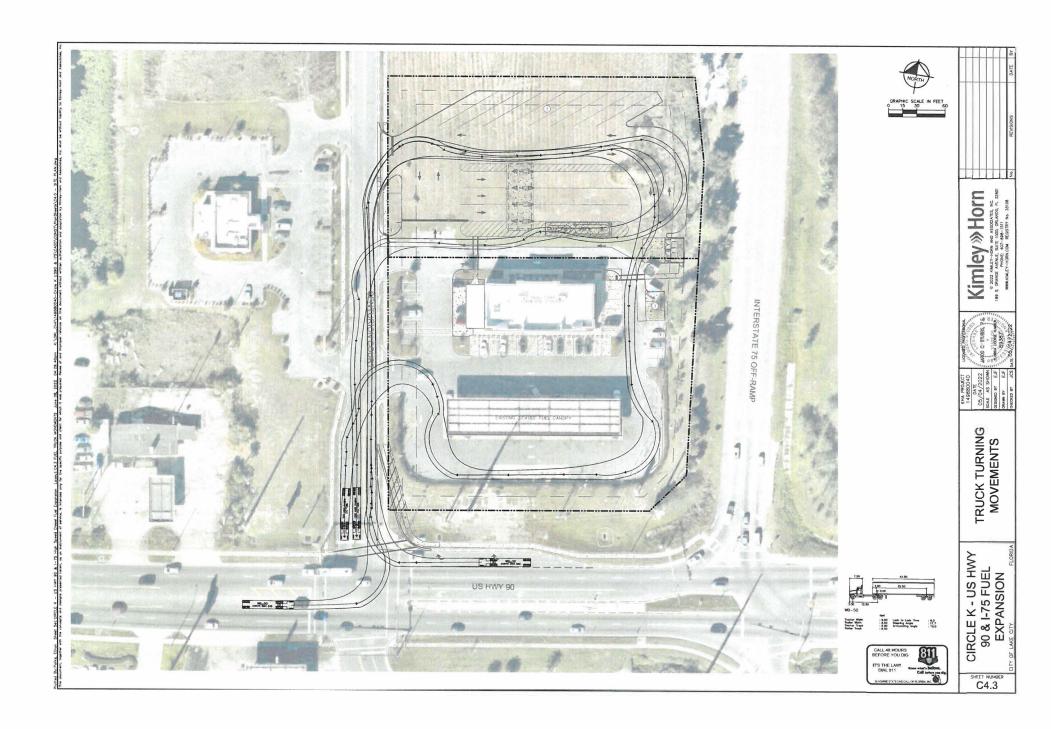
19 5. Grance Koville, Saire 1000, Grando F. 12301

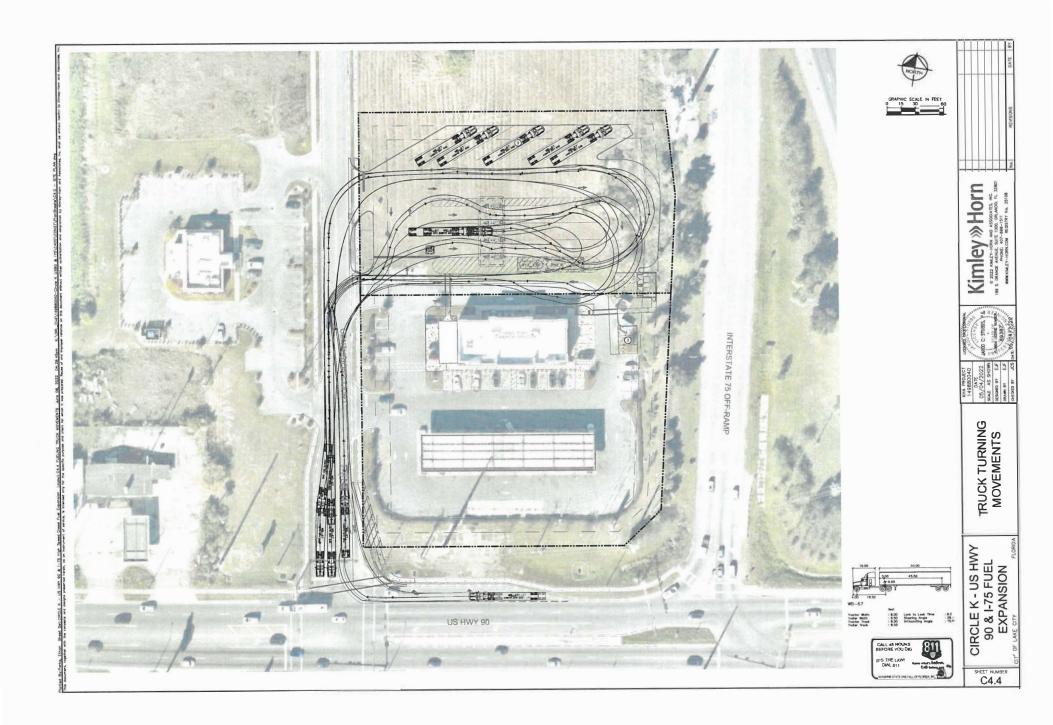
19 1. Grance Koville, Saire 1000, Grando F. 12301

WINDERFORM: 407-888-1311

WINDERFORM: CON FESSION NO. 35106 CIRCLE K - US HWY C4.1 90 & I-75 FUEL SITE PLAN **EXPANSION** 







LOT 1 GATEWAY CROSSING S/D. ASPRI INVESTMENTS LLC 35-3S-16-02524-001 PROPERTY TAX DC17, P O BOX 52085 PHOENIX, AZ 85072-2085 WD 1339-654 BUILDING CHARACTERISTIC MARKET ADJUSTMENTS COLUMBIA COUNTY CONSTRUCTION TYPE MOL EFF. AREA TOT ADJ PTS EFF. BASE RATE REPL. COST NEW AYB VALUATION SUMMARY ELEMENT CD EYB ECON FNCT NORM | % COND 4300 04 7,473 161.1610 728,618 2017 2017 0 Exterior Wall 17 MSNRY STUC 90 97.50 0 0 3.00 97.00 VALUATION BY STANDARD Exterior Wall 21 STONE 10 Tax Group: 1 Tax Dist: 1 NBHD CONVE - 0% - 0 HX Base Yr **BUILDING MARKET VALUE** 706,759 Roof Structur 09 RIDGE FRME 100 103,200 TOTAL MARKET OB/XF VALUE Roof Cover 04 BUILT-UP 100 1,239,211 **TOTAL LAND VALUE - MARKET** Interior Wall 08 DECORATIVE 100 TOTAL MARKET VALUE 2,049,170 Interior Floo 15 HARDTILE 100 SOH/AGL Deduction 2,049,170 Ceiling 01 FIN.SUSPD 100 **ASSESSED VALUE** TOTAL EXEMPTION VALUE Air Condition 06 ENG CENTRL 100 BAS BASE TAXABLE VALUE 2,049,170 Heating Type 09 ENG F AIR 100 **TOTAL JUST VALUE** 2,049,170 Fixtures 12 100 INCOME VALUE Frame 03 MASONRY 100 2,056,457 PREVIOUS YEAR MKT VALUE Story Height 12 100 RMS 0 100 1. 1. 100 Stories Units 0 100 Condition Adj 04 04 100 DESCRIPTION **PERMIT NUM** AMT ISSUED Quality 08 08 DOR CODE 1126 CONV STORE/GAS MAPNUM MKT AREA 06 RHOOD 35316.040 1.00 TOTAL PCT SUBAREA TOT ADJ MARKET TYPE GROSS OF AREA 184 AREA BASE VALUE BAS 5,265 100 5,265 497,938 CAN 7,360 30 2,208 208,822 SALES DATA TYPE Q V SALE OFF RECORD CAN CD PRICE DATE Number WD Q I 01 2,487,200 1339/0654 6/20/2017 GRANTOR: GWC DEVELOPMENT PARTN GRANTEE: ASPRI INVESTMENTS L BLD DATE LGL DATE BUILDING NOTES 12,625 7,473 TOTAL S 706,759 XF DATE LAND DATE 143 NW CENTURION Ct, LAKE CITY **EXTRA FEATURES** INC DATE AG DATE L OBIXE OBOXF NIKT TINITUTA ORIG VEND NOTES N CODE DESCRIPTION BLD CAP W UNITS UT AdJ R PRICE COND ON ACTUAL COND VALUE 1 0260 PAVEMENT-A 0 0 0 0 36,400.00 UT 1.60 1.60 100 2017 2017 3 100 58,240 **BUILDING DIMENSIONS** 2 0166 CONC, PAVMT 0 0 0 0 11.300.00 UT 2.25 2.25 100 2017 2017 3 100 25,425 BAS= W36 N3 W45 S3 W33 S45 E114 PTR=S50 E35 CAN= W184 S40 E184 N40\$ W35 N50\$ N45\$. 3 0253 LIGHTING 0 0 0 0 10.00 UT 1,500.00 1,500.00 2017 2017 3 100 15,000 100 4 0164 CONC BIN 0 0 0 0 308.00 UT 11.00 11.00 100 2017 2017 3 100 3,388 59 FENCE/WOOD 0 0 0 74.00 UT 15.50 15.50 100 2017 2017 3 100 1.147 LAND DESCRIPTION TOTAL OB/XF 103,200 USE LAND USE TOT UNIT D DPTH **ADJ UNIT** LAND OTHER ADJUSTMENTS LOC TOT ZONE COND VALUE YEAR DENSITY DECL FRZ YR CONSRV CODE DESCRIPTION CAP D FRONT **DEPTH** LND UTS FACT ADJ PRICE PRICE **AND NOTES** 1 1410 CONV STORE 0 11.50 1,239,211 0.00 0.00 86,206.00 SF 1.00 1.00 1.25 14.38 Common: 1, 256H OBJECTION TEB302/10/2022 **REVIEW DATE** 11/01/2018 BY MEBC Total Acres: 1.98 Total Land Value: 1,239,211 Market: 0 Agricultural: 0

# **EXHIBIT B**



# **GROWTH MANAGEMENT**

205 North Marion Ave Lake City, FL 32055

Telephone: (386) 719-5750 E-mail: growthmanagement@lcfla.com

FOR PLANNING USE ONLY	
Application #	
Application Fee \$200.00	
Receipt No	
Filing Date	
Completeness Date	
-	

# SPECIAL EXCEPTION

1.	DJECT INFORMATION			
	Project Name:			
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9.			Rs") for which a Special Exception is	
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1.			□ Agent	
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۷.			Title.	
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	m.l. l. (	Eart )	Email:	
	Telephone ( )	raxi i		
	PLEASE NOTE: Florida	a has a very broad public r	ecords law. Most written communicati	ions
	PLEASE NOTE: Floridation or from government	a has a very broad public r officials regarding goverr		ions eco
3.	PLEASE NOTE: Floridation or from government	a has a very broad public r officials regarding goverr address and communicati	ecords law. Most written communicati nment business is subject to public r	ions eco
3.	PLEASE NOTE: Florida or from government requests. Your e-mail If the applicant is agent for	a has a very broad public rofficials regarding governaddress and communication the property owner*.	ecords law. Most written communicati nment business is subject to public r	ions eco e.
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# C. ADDITIONAL INFORMATION

Is there any additional contract for the sale of, or options to purchase, the subject property?
If yes, list the names of all parties involved:
If yes, is the contract/option contingent or absolute: $\Box$ Contingent $\Box$ Absolute
Has a previous application been made on all or part of the subject property? □Yes ②No _
Future Land Use Map Amendment:
Future Land Use Map Amendment Application No.
Rezoning Amendment:
Rezoning Amendment Application No.
Site Specific Amendment to the Official Zoning Atlas (Rezoning): □Yes□No
Site Specific Amendment to the Official Zoning Atlas (Rezoning) Application No
Variance: PesNo
Variance Application No
Special Exception:   No
Special Exception Application No.

# D. ATTACHMENT/SUBMITTAL REQUIREMENTS

- 1. Analysis of Section 11.3 of the Land Development Regulations ("LDRs"):
  - a. Whether the proposed use would be in conformance with the city's comprehensive plan and would have an adverse effect on the comprehensive plan.
  - b. Whether the proposed use is compatible with the established land use pattern.
  - c. Whether the proposed use would materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets.
  - d. Whether changed or changing conditions find the proposed use to be advantageous to the community and the neighborhood.
  - e. Whether the proposed use will adversely influence living conditions in the neighborhood.
  - f. Whether the proposed use will create or excessively increase traffic congestion or otherwise affect public safety.
  - g. Whether the proposed use will create a drainage problem.
  - h. Whether the proposed use will seriously reduce light and air to adjacent areas.
  - i. Whether the proposed use will adversely affect property values in the adjacent area.
  - j. Whether the proposed use will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
  - k. Whether the proposed use is out of scale with the needs of the neighborhood or the community

- 2. Vicinity Map Indicating general location of the site, abutting streets, existing utilities, complete legal description of the property in question, and adjacent land use.
- 3. Site Plan Including, but not limited to the following:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Present zoning for subject site.
  - c. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties and any screening or buffers on such properties.
  - d. Date, north arrow, and graphic scale not less than one inch equal to 50 feet.
  - e. Area and dimensions of site (Survey).
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- 4. Stormwater Management Plan—Including the following:
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### NOTICE TO APPLICANT

All twelve (12) attachments are required for a complete application. Once an application is submitted and paid for, a completeness review will be done to ensure all the requirements for a complete application have been met. If there are any deficiencies, the applicant will be notified in writing. If an application is deemed to be incomplete, it may cause a delay in the scheduling of the application before the Board of Adjustment.

A total of ten (10) copies of proposed Special Exception Application and support material, and a PDF copy on a CD, are required at the time of submittal. See Columbia County submittal requirements for more detail.

Before any Special Exception shall be granted, the Board of Adjustment shall make a specific finding that it is empowered under Article 3 of the Land Development Regulations to grant the Special Exception described in the petition, and that the granting of the Special Exception will not adversely affect the public interest. Before any Special Exception shall be granted, the Board of Adjustment shall further make a determination that the specific rules governing the individual Special Exception, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made.

In granting any Special Exception to the provisions of Article 4 of the Land Development Regulations, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with such regulations, including but not limited to, reasonable time limits within which the action for which the Special Exception requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the Special Exception is granted, shall be deemed a violation of the Land Development Regulations.

The Board of Adjustment requires that the applicant or representative be present at the public hearing to address and answer any questions the Board may have during the public hearing. The application may be continued to future dates if the applicant or representative is not present at the hearing.

The City of Lake City Land Development Regulations require that a sign must be posted on the property ten (10) days prior to the Board to Adjustment hearing date. Once a sign has been posted, it is the property owner's responsibility to notify the Planning and Zoning Department if the sign has been moved, removed from the property, torn down, defaced or otherwise disturbed so the property can be reposted. If the property is not properly posted until all public hearings before the Board of Adjustment are completed, the Board reserves the right to continue such public hearing until such time as the property can be property posted for the required period of time.

There is a thirty (30) day appeal period after the date of the decision. No additional permitting will be issued until that thirty (30) day period has expired.

I (we) hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and correct to the best of my (our) knowledge and belief.

APPLICANT ACKNOWELDGES THAT THE APPLICANT OR REPRESENTATIVE MUST BE PESENT AT THE PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT, OTHERWISE THE REQUEST MAYBE CONTINUED TO A FUTURE HEARING DATE.

Applicant/Agent Signature  Date  STATE OF FLORIDA  COUNTY OF	
COUNTY OF	
The foregoing instrument was acknowledged before me thisday of, 20, by (name of pers	on acknowledging).
(NOTARY SEAL or STAMP)  Signature of Notary  Printed Name of Notary	

Adult Care Center. An adult care center is a private home, institution, building, residence, or other place, whether operated for profit or not, including those places operated by units of government, which undertakes through its ownership or management to provide day personal care for three (3) or more adult persons not related by lineal consanguinity or marriage to the operator, who by reason of illness, physical infirmity, or advanced age are unable to care for themselves during the daylight hours. Nursing homes or residential homes for the aged are not adult care centers.

Adult Care Center, Overnight. An overnight adult care center is an establishment as defined above as an adult care center where adults are cared for not only during the day but overnight and such stay does not exceed twenty-four (24) hours at any one time. An overnight adult care center provides full overnight sleeping facilities for such adults. Nursing homes or residential homes for the aged are not overnight adult care centers.

Adverse Effect. Adverse effect means increases in flood elevations on adjacent properties attributed to physical changes in the characteristics of the Official 100-Year Flood Area due to development.

Alley or Service Drive. An alley or service drive is a public or private right-of-way which affords only a secondary means of access to property abutting thereon.

Alter or Alteration of a Stormwater Management System. Alter or alteration of a stormwater management system is work done other than that necessary to maintain the system's original design and function.

*Alteration*. Alter or alteration shall mean any change in size, shape, occupancy, character, or use of a building or structure.

Aquifer or Aquifer System. Means a geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs.

Area of Shallow Flooding. Area of shallow flooding means a designated AO or VO Zone on the incorporated City's Flood Insurance Rate Map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

*Area of Special Flood Hazard*. Area of special flood hazard is the land so designated on the City's Flood Hazard Boundary Map or the Flood Rate Insurance Map.

*Arterial Streets*. Arterial streets are streets (roads) which conduct large volumes of traffic over long distances and are functionally classified as such on the Future Traffic Circulation Map of the City's Comprehensive Plan.

Automobile Wrecking or Automobile Wrecking Yard. The term automobile wrecking or automobile wrecking yard refers to the dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

Automotive Service Station. An automotive service station is an establishment whose principal business is the dispensing at retail of motor fuel and oil primarily for automobiles; and where grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail. In addition, an automotive service station may provide accessory facilities for car washing and polishing (but not commercial car wash facilities) and may render minor repair services. However, major mechanical and body work, straightening of frames or body parts, steam cleaning, painting, tire recapping or regrooving, storage of automobiles not in operating condition, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in such stations are prohibited. An automotive service station is not a repair garage, a body shop, truck stop, or a car wash or a combination thereof.

For the purposes of these land development regulations, where motor fuel pumps are erected for the purpose of dispensing motor fuel at retail primarily for automobiles, such motor fuel pumps shall be considered to constitute an automotive service station, even where additional services which are customarily associated with an automotive service station are not provided. Where such motor fuel pumps are erected in conjunction with a use which is not an automotive service station, each use shall be considered as a separate principal use and as such, each must meet all applicable requirements of these land development regulations (see Article 4 for special design standards for automotive service stations).

*Bar, Cocktail Lounge, or Tavern*. A bar, cocktail lounge, or tavern is any establishment which is devoted primarily to the retailing and on premises drinking of malt, vinous, or other alcoholic beverages, and which is licensed by the State of Florida to dispense or sell alcoholic beverages.

Base Flood. Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

*Basement.* A basement means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from the grade to the floor below is less than the vertical distance from the grade to the ceiling provided, however, that the distance from the grade to the ceiling shall be at least four (4) feet six (6) inches. (see Cellar).

Bed and Breakfast Inn. Bed and breakfast inn means an owner occupied structure converted to function as a conventional single family residence providing a limited number of guest rooms available on a daily rental basis. Kitchen facilities are not available in individual rooms.

Bicycle and Pedestrian Ways. Bicycle and pedestrian ways means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

*Block.* The term block includes tier or group and means a group of lots existing with well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

*Board of Adjustment*. The term Board of Adjustment shall mean the Board of Adjustment of the City, as herein provided for within these land development regulations.

*Breakaway Wall.* A breakaway wall is a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

*Buildable Area.* The buildable area is that portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on the percent of lot which may be covered by buildings may require open space within the buildable area.

*Building*. A building is any structure, either temporary or permanent, having a roof impervious to weather, and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind. This definition shall include tents, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, storerooms, or vehicles serving in any way the function of a building as described herein. This definition of a building does not include screened enclosures not having a roof impervious to weather.

Building Front Yard Setback Line. The building front yard setback line is the rear edge of any required front yard as specified within these land development regulations. (See Article 4)

Building, Height of. Height of building is the vertical distance measured from the established grade at the corner of a front of a building to the highest point of the roof surface of a flat roof, to the deck line of a mansard or Bermuda roof, to the mean height level between eaves and ridge of gable, hip, cone, gambrel and shed roofs, and to a height three-fourths (3/4) the distance from the ground to the apex of A-frame and dome roofs, as depicted in the diagram below. (See Article 4, Exclusions from Height Limitations).

*Surety Device.* A surety device is an agreement by a subdivider with the City Council for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

*Surface Water*. Surface water means water above the surface of the ground whether or not flowing through definite channels, including the following:

- 1. Any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernible shoreline; or
- 2. Any natural or artificial stream, river, creek, channel, ditch, canal, conduit culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed or banks; or
- 3. Any wetland.

Surficial Aquifer System. Surficial aquifer system means the permeable hydrogeologic unit contiguous with land surface that is comprised principally of unconsolidated to poorly indurated clastic deposits. It also includes well-indurated carbonate rocks, other than those of the Floridan Aquifer System where the Floridan is at or near land surface. Rocks making up the surficial aquifer system belong to all or part of the upper Miocene to Holocene Series. It contains the water table and water within it is under mainly unconfined; but, beds of low permeability may cause semi-confined or locally confined conditions to prevail in its deeper parts. The lower limit of the surficial aquifer system coincides with the top of laterally extensive and vertically persistent beds of much lower permeability. Within the surficial aquifer system, one (1) or more aquifers may be designated based on lateral or vertical variations on water bearing properties.

*Surveyor, Land.* The term land surveyor shall mean a land surveyor registered under Chapter 472, Florida Statutes, as amended, who is in good standing with the Florida State Board of Engineer Examiners and Land Surveyors.

*To Plat.* The phrase to plat means to divide or subdivide land into lots, blocks, parcels, tracts, sites, or other divisions, however the same may be designated, and the recording of the plat in the office of the County Clerk in the manner provided for in these land development regulations.

*Travel Trailer*. A travel trailer is a vehicular, portable structure built on a chassis, designed to be a temporary dwelling for travel, recreational, and vacation purposes, which is:

- 1. Identified on the unit by the manufacturer as a travel trailer;
- 2. Not more than eight (8) feet in body width; and
- 3. Of any weight provided its body length does not exceed thirty-five (35) feet.

*Truck Stop.* A truck stop is an establishment where the principal use is primarily the refueling and servicing of trucks and tractor trailer rigs. Such establishments may have restaurants or snack bars and sleeping accommodations for the drivers of such over-the-road equipment and may provide facilities for the repair and maintenance of such equipment.

*Unsafe Building*. An unsafe building is a building or structure that has any of the following conditions, such that the life, health, property, or safety of the general public is endangered:

- 1. Whenever the stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the working stresses allowed in the City Building Code for new buildings.
- 2. Whenever a building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the buildings or structures is less than it was prior to the damage and is less than the minimum requirement established by the City Building Code for new buildings.

# SECTION 4.15 "CHI" COMMERCIAL, HIGHWAY INTERCHANGE

# 4.15.1 DISTRICTS AND INTENT

The "CHI" Commercial, Highway Interchange category includes one zone district: CHI. This specialized district is intended for areas where adequate lot depth is available to provide development for vehicular related uses primarily serving the traveling public. Uses in such district are subject to criteria and standards intended to preserve the character of the district and to minimize adverse impacts with abutting and nearby uses. This district shall only be applied to interstate highway interchange areas.

# 4.15.2 PERMITTED PRINCIPAL USES AND STRUCTURES

- 1. Automotive service and self-service stations (see Section 4.2 for special design standards for automotive service and self-service stations).
- 2. Rental of automotive vehicles, trailers and trucks.
- 3. Restaurants.
- 4. Hotels and Motels.
- 5. Retail commercial outlets for sale of fruit, gifts, novelties and similar uses catering to tourists.
- 6. Light manufacturing, assembling, processing, packaging or fabricating in a completely enclosed building.
- 7. Facilities for storage and distribution of products including wholesale activity.
- 8. Retail factory outlets for sale of goods.

Unless otherwise specified, the above uses are subject to the following limitations: (1) products to be sold only at retail; and (2) for all developments, site and development plan approval is required (see Article 13).

# 4.15.3 PERMITTED ACCESSORY USES AND STRUCTURES

- 1. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees of the principal use.
- 2. Uses and structures which:
  - a. Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - b. Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership.
  - c. Do not involve operations or structures not in keeping with the character of the district.
- 3. On-site signs (see Section 4.2).

# 4.15.4 PROHIBITED USES AND STRUCTURES

1. Dwelling units, except as provided under accessory uses.

2. Any other uses or structures not specifically, provisionally or by reasonable implication permitted herein. Any use which is potentially dangerous, noxious or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation or likely for other reasons to be incompatible with the character of the district.

# 4.15.5 SPECIAL EXCEPTIONS

(See also Articles 12 and 13)

- 1. Truck stops.
- 2. Travel trailer parks or campgrounds (see Section 20.24).
- 3. Commercial tourist attractions.
- 4. Package store for sale of alcoholic beverages; bar tavern, or cocktail lounge.
- 5. Retail commercial outlets for sale of new and used automobiles, motorcycles, trucks and tractors, manufactured homes, boats, heavy machinery and equipment, lumber and building supplies, and monuments.
- 6. Public buildings and facilities.
- 7. Bed and breakfast Inns (see Section 4.2).
- 8. Off-site signs (see Section 4.2).

# 4.15.6 MINIMUM LOT REQUIREMENTS (area, width)

1. All permitted uses (unless otherwise specified):

Minimum site area 1 acre
Minimum lot width 200 feet

# 4.15.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards)

1. All permitted uses (unless otherwise specified):

Front 30 feet Side 30 feet Rear 30 feet

# **Special Provisions:**

No less than 15 feet of the depth of the required front yard shall be maintained as a landscaped area. The depth of this landscaped area shall be measured at right angles to property lines and shall be established along the entire length and contiguous to the designated property line or lines. This landscaped area may be penetrated at right angles by driveways. The remainder of the required yard may be used for offstreet parking, but not for buildings.

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of thirty-five (35) feet from wetlands.

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of thirty-five (35) feet from perennial streams and creeks.

# 4.15.8 MAXIMUM HEIGHT OF STRUCTURES

- 1. Structure height for buildings shall be regulated in accordance with Chapter 5 of the Florida Building Code and minimum yard requirements established in these land development regulations;
- 2. Height requirements for signs shall be as established in Section 4.2.20.4(8); and
- 3. Heights for structures other than buildings and signs shall be regulated in accordance with standards established by the Federal Aviation Administration codes and any regulations and guidelines as may be established by the City and/or Airport Committee or Authority.

### 4.15.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

35%

Note: In addition to meeting the required lot, yard, building height, lot coverage, landscaped buffering, and offstreet parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

# 4.15.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS (See also Section 4.18)

1. All permitted uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting either (a) residential district or (b) property used for residential purposes in a residential/office district, then the proposed use shall provide a landscaped buffer which shall be not less than twenty (20) feet in width along the affected rear and/or side yards as the case may be.

# 4.15.13 MINIMUM OFFSTREET PARKING REQUIREMENTS (See also Section 4.2)

- 1. Commercial (and service establishments (unless otherwise specified): one (1) space for each one hundred fifty (150) square feet of non-storage floor area, plus, where applicable, one (1) space for each one thousand (1,000) square feet of lot or ground area outside buildings used for any type of sales, display, or activity.
- 2. Restaurants, cocktail lounges, bars, and taverns: one (1) space for each three (3) seats in public rooms.
- 3. Hotels and motels: one (1) space for each sleeping room, plus two (2) spaces for the owner or manager, plus required number of spaces for each accessory use such or restaurant, bar, etc. as specified.
- 4. Warehousing and storage only: one (1) space for each one thousand five hundred (1,500) square feet of floor area.
- 5. Public buildings and facilities.
- 6. Bed and breakfast inn; in addition to parking required for the residence, one (1) parking space shall be provided for each guest room. The Board of Adjustment may vary the parking requirement for those properties listed on the City's historic landmark or site list based upon site constraints including, but not limited to, small yards, inadequate space for parking, and the availability of on-street parking.
- 7. For other special exceptions as specified herein: to be determined by findings in the particular case.

Note: Offstreet loading required (see Section 4.2)

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# 4.2.6 AUTOMOTIVE SERVICE AND SELF-SERVICE STATIONS

The following regulations shall apply to the location, design, construction, operation, and maintenance of automotive service and self-service stations (with the exception that for automobile self-service stations where self-service gasoline pumps in conjunction with retail and commercial outlets for sale of food, hardware and drugs, there shall be no outside sales of oil, grease, parts or accessories for automobiles and no service except for self-service water, air or carwash).

- 4.2.6.1 Lot dimensions and area. An automotive service station lot shall be of adequate width and depth to meet all setback requirements, but in no case shall a corner lot have less than one hundred fifty (150) feet of frontage on each street side, and an interior lot shall have a minimum width of at least one hundred fifty (150) feet. A corner lot shall have a minimum area of not less than twenty thousand (20,000) square feet and an interior lot a minimum area of not less than fifteen thousand (15,000) square feet.
- 4.2.6.2 Lighting. All lights and lighting for an automotive service station shall be so designed and arranged that no source of light shall be visible from any residential district.
- 4.2.6.3 Location of pumps and structures. No main or accessory building, no sign of any type, and no gasoline pump shall be located within twenty-five (25) feet of the lot line of any property that is zoned for residential purposes. No gasoline pump shall be located within fifteen (15) feet of any street right-of-way line; where a greater street setback line has been established, no gasoline pump shall be located within fifteen (15) feet of such setback line.
- 4.2.6.4 Curb breaks. A curb break is a driveway or any other point of access or opening for vehicles onto a public street. The number of curb breaks for each automotive service station shall not exceed two (2) for each one hundred fifty (150) feet of street frontage, each break having a width of no more than thirty (30) feet exclusive of transitions and located not closer than fifteen (15) feet of right-of-way lines of any intersection. Curb breaks shall not be closer than fifteen (15) feet to any other property line. There shall be a minimum distance of twenty (20) feet between curb breaks.
- 4.2.6.5 Trash storage. Adequate, enclosed trash storage facilities shall be provided on the site.

# 4.2.7 ERECTION OF MORE THAN ONE PRINCIPAL STRUCTURE ON A PLATTED LOT

Whenever any land is subdivided, a building permit for the construction of a building or other principal structure (excluding commercial buildings under common ownership or unified control) shall not be issued for any such structure on less than a lot as platted within such subdivided land.

# 4.2.8 EXCLUSIONS FROM HEIGHT LIMITATIONS

The height limitations contained in the Schedule of District Regulations do not apply to spires, belfries, cupolas, antennae, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, observation towers, or other appurtenances usually required to be placed above the roof level and, excepting airport control towers and observation towers, not intended for human occupancy; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Agency or airport zoning regulations within the flight-approach zone of airports.



November 8, 2022

Paul Dyal City Hall 205 N. Marion Ave. Lake City, FL 32055

Dear Mr. Dyal,

It has recently come to the Tourist Development Council's attention that the Circle K located at the I-75 and Hwy 90 West interchange plans to expand their fueling station to service 18-wheeler cargo trucks. This is incredibly concerning to the Tourist Development Council, and we respectfully request a meeting to discuss these concerns.

A part of Tourist Development's mission is to strengthen the economy and quality-of-life for residents through visitor spending in our community. We are concerned how this new semi-trailer truck fueling station will negatively impact the quality of life for residents and visitors alike. The traffic at this intersection is already problematic and this project will only exacerbate the issue and alter the landscape of this exit for years to come.

The Tourist Development Council hopes we can meet to discuss these quality-of-life concerns to gain a better understanding of the project and if necessary, to find a solution for our community.

We look forward to hearing from you and thank you for your time.

Sincerely,
Roch D

Rocky Ford, Chairman, Columbia County Tourist Development Council

Cc: City of Lake City Council

Columbia County Tourist Development Council Columbia County Board of County Commissioners

David Kraus, County Manager

Kevin Kirby, Assistant County Manager.

### EXHIBIT E

# **Humphries, Marty**

From:

Register, Troy

Sent:

Monday, October 30, 2023 5:10 PM

To:

rebecca.thigpen@circlek.com; witts@lcfla.com; tjk@rkkattorneys.com

Cc:

Dycus, Douglas; Humphries, Marty; Nieto, Carlos A

**Subject:** 

Commercial Access and Signal Connection at NW Centurion Court

Steven Witt, Mayor City of Lake City

Todd Kennon, City Attorney City of Lake City

Rebecca Thigpen Central Construction Manager Circle K Stores

To All,

In accordance with section 14-96, Florida Administrative Code (FAC), you are notified the Department intends to revoke Commercial Access and Signal Connection Permit No. 2015-A-292-0026 (NW Centurion Court) issued on April 18, 2016 to Gateway Crossing development and under subsequent jurisdiction of the City of Lake City; not renew Safety Upgrade Permit No. 2022-A-292-00008 (NW Centurion Court) issued on May 18, 2022 to Circle K that expires on November 20, 2023; and close the connection to the Gateway Crossing property per section 14-96.011(2), FAC.

The City did not contact the Department to determine if a new permit application and modification of existing connection is required. The City also failed to contact the Department to determine the need for connection modifications or to submit a new application for such modifications prior to initiation of property improvements, land use changes, or traffic flow alteration actions which constitute significant change. The planned construction at the site is significantly different from what was represented during the Department permitting process and there are significant safety concerns given the close proximity of the location to I-75 right of way.

If you have any questions or concerns, please contact me.

Sincerely,

Troy Register Permits Manager Lake City Operations (386) 961-7153



# Calvin, Giordano & Associates, Inc.

# **MEMORANDUM**

TO: Terrell K. Arline, Esquire

**Ansbacher Law** 

FROM: Luis N. Serna, AICP

Calvin, Giordano & Associates, Inc.

SUBJECT: Planning Analysis Regarding Objection to Site Plan Application

for GWC Development Partners, LLC, SR22-15.

DATE: December 18, 2023

I have reviewed the Objection to Site Plan Application regarding the above referenced permit for the construction of a tractor trailer fueling facility as an expansion of an existing Circle K gas station and convenience store. I also understand that a site plan for this project will be considered on January 10, and January 17, 2024 by the Planning and Zoning Board. Based on my review of the City's Land Development Regulations and other planning documents, it is my opinion that the permit for the facility does not accurately reflect the proposed use of the subject property, and therefore, the correct review and approval process was not followed for this permit.

The applicants are proposing in the permit and site plan the addition of three high flow diesel pump service bays and parking for up to six commercial tractor trailer rigs on a parcel that is adjacent to the existing Circle K. In my opinion, facilities for truck and tractor trailer fueling are clearly defined in the City's Land Development Regulations (LDRs) as a "truck stop" and are therefore, in accordance with Section 4.13.5, subject to the Special Exception review requirements of Article 12 of the LDRs. The fact that the tractor trailer fueling is located on a separate parcel than the existing Circle K further supports the conclusion that the proposed high speed diesel fueling facilities constitute a truck stop because, as a standalone parcel, the facility is only designed to accommodate tractor trailers as the primary use, rather than automobiles.

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& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering &
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Construction Services
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Electrical Engineering
Engineering
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Facilities Management

Geographic Information Systems (GIS)

Governmental Services
Indoor Air Quality

Landscape Architecture Planning

Project Management Redevelopment

& Urban Design
Surveying & Mapping

Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

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www.cgasolutions.com



"Truck Stop" is defined in Section 2.1 of the LDRs as follows:

A truck stop is an establishment where the principal use is primarily the refueling and servicing of trucks and tractor trailer rigs. Such establishments may have restaurants or snack bars and sleeping accommodations for the drivers of such over-the-road equipment and may provide facilities for the repair and maintenance of such equipment.

In contrast, Section 2.1 of the LDRs define an "Automotive Service Station" as follows:

An automotive service station is an establishment whose principal business is the dispensing at retail of motor fuel and oil primarily for automobiles; and where grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail. In addition, an automotive service station may provide accessory facilities for car washing and polishing (but not commercial car wash facilities) and may render minor repair services. However, major mechanical and body work, straightening of frames or body parts, steam cleaning, painting, tire recapping or regrooving, storage of automobiles not in operating condition, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in such stations are prohibited. An automotive service station is not a repair garage, a body shop, truck stop, or a car wash or a combination thereof. For the purposes of these land development regulations, where motor fuel pumps are erected for the purpose of dispensing motor fuel at retail primarily for automobiles, such motor fuel pumps shall be considered to constitute an automotive service station, even where additional services which are customarily associated with an automotive service station are not provided. Where such motor fuel pumps are erected in conjunction with a use which is not an automotive service station, each use shall be considered as a separate principal use and as such, each must meet all applicable requirements of these land development regulations (see Article 4 for special design standards for automotive service stations).

Note that while this definition includes several uses that are considered accessory to automotive service stations, tractor trailer fueling is not included as an accessory use. In fact, truck stop is specifically excluded from the definition of an automotive service station. By including a separate definition of a truck stop, it is clear that the intent of the LDRs is that tractor trailer fueling is a separate use from an automotive service station.



Additionally, based on my experience, tractor trailer fueling as a retail use is never considered as an accessory use to an automobile service station and is typically classified as a primary use of a truck stop.

Columbia County, in which Lake City is located, includes a definition of automotive service station that is very similar to Lake City's and which also specifically states that truck stops are not included within this definition. Like Lake City, Columbia County includes a separate definition of truck stop that is identical to the City's.

In addition to Columbia County, I also consulted *A Planners Dictionary,* published by the American Planning Association (Planners Advisory Service Report Number 5xx/5xx, 2004) which provides examples of zoning definitions from throughout the United States. This publication provides five definitions of *Automobile Service Station*. In none of these examples are high speed diesel pumps that are designed solely for tractor trailer fueling specifically identified as a permitted or accessory use.

# Conclusion

Based on my review of this Application, my opinion is that the proposed expansion of the Circle K by the addition of tractor trailer fueling on the adjacent parcel was not properly defined as a truck stop. Therefore, the City failed to properly process the Application as a Special Exception as required by the LDRs.

According to Section 2.1 of the LDRs, a "Special Exception" is defined as follows:

A special exception is a use that would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such uses may be permissible in a zoning district as a special exception if specific provision for such a special exception is made in these land development regulations. (For the procedure in securing special exceptions, see Article 12).

Without processing this as a Special Exception, the review staff did not provide an opportunity for the Planning and Zoning Board, the Board of Adjustment, and the public to review the potential impacts of this use and to address potential controls of the use on the number, area, location, or relation to the neighborhood.

Given the types of uses in the Gateway Crossings Subdivision, which include restaurants and a hotel, and the high level of automobile traffic within Gateway Crossings from these uses, there are concerns that an increase in the amount of tractor trailer traffic near the entrance of this subdivision will cause significant



adverse impacts to surrounding uses particularly from noise and traffic. Impacts to public roadways will extend beyond Gateway Crossings to also affect U.S. 90 and the offramp for Interstate 75. Without processing this application as a Special Exception, the City did not permit affected property owners and the public to adequately assess the full impacts of the proposed use and to address any potential mitigating conditions to address these impacts.



# EXHIBIT G BUCKHOLZ TRAFFIC 3585 KORI ROAD JACKSONVILLE, FLORIDA 32257

(904) 886-2171 jwbuckholz@aol.com

February 28, 2023

Mr. Nick Patel, Chief Operating Officer Lake City Hotels, Inc. 3696 West US Highway 90 Lake City, Florida 32024

Re: Technical Evaluation of March 2022 Circle K Traffic Impact Analysis; Lake City, Florida

Dear Mr. Patel:

Per your request I have reviewed the subject traffic study completed by Kimley-Horn and Associates, Inc. for the expansion of the Circle K gas station with convenience store located in the northeast quadrant of the US 90/Centurion Court intersection. I offer the following comments which are generally in priority order of importance.

- 1. In Section 4.1 of the report background traffic (future non-site traffic from other developments and general area growth) was calculated using a 2.1% annual growth rate which was calculated using historical daily counts taken on US 90. This approach ignores the development that is currently underway along Centurion Court right behind the Circle K (see Attachment A) where a 1227 sf Sonic Restaurant with dual drive thru windows and a 3428 sf Rib Crib Restaurant with drive-thru window have been approved. Vacant land also exists along Centurion Court behind Circle K which will eventually be used for a 110 room hotel and a 50,000 sf cold storage warehouse. Tables 1 and 2 show that the two restaurants will almost immediately add 103 trips to Centurion Court during the critical weekday PM peak hour while the hotel and cold storage will eventually add another 46 PM peak hour trips (see Tables 3 and 4) for a total of 149 missing peak hour trips. All of the intersection analyses fail to account for these expected trips.
- 2. In the Kimley-Horn report the calculated trip generation for the expanded site is reduced by 69% for the weekday AM peak hour and by 60% for the weekday PM peak hour. The apparent conjecture is that this is a relatively unpopular gas station based on existing traffic counts. One might derive such reduction factors by comparing the expected peak hour trip generation of the existing site based on ITE formulas to the actual driveway counts. However, this was not done. The trip generation was instead mistakenly compared to all of the trips using Centurion Court which includes trips associated with the existing Tru By Hilton hotel and Dennyøs restaurant that are located on this road ó resulting in an over count. However, it also fails to take into account the trips between the site and the existing hotel and restaurant ó resulting in an under count. The net result is unclear. In any event, if the popularity of this Circle K increases to just an average level the volume of traffic that it generates during the peak hours can be expected to more than double which will adversely affect all of the intersection evaluations that were conducted.
- 3. The Kimley-Horn report applies their reduction for pass-by traffic to vehicles using US 90; they do not make the reasonable assumption that a large portion of the pass-by traffic will be drawn from I-75. This results in projected site traffic volumes at the US 90/Centurion Court intersection that are too low. Correcting this mistake will also adversely affect the intersection analyses.

- 4. The Kimley-Horn Synchro analysis contains some input errors. A.) The 110 foot storage length for the southbound approach is incorrectly assigned to the right turn movement instead of the left turn movement. This error masks the deleterious queue effect on this approach. B.) Incorrect truck percentages are used. For example, the percentage of trucks for the northbound left turn movement during the weekday PM peak hour is 5.3% (see page 11 of Appendix B of the KH report) whereas in Synchro it is coded as only 3% (see page 3 of Appendix D of the KH report).
- 5. New diesel pumps are being installed at Circle K and the radius on the northeast corner of the US 90/Centurion Court intersection is being increased to service large trucks. However, the percentage of trucks reflected in Kimley-Hornøs 2023 Build analysis is no different than the percentage in their 2021 existing analysis. One would expect it to increase for both the southbound left turn movement and the westbound right turn movement.
- 6. Table 5 in the Kimley-Horn report lists an expected 95<sup>th</sup> percentile queue length under expected 2023 Build conditions in the left turn lane on the Centurion Court approach to US 90 to be 6.8 vehicles (round to 7). At 25 feet of required storage per vehicle queued this produces a queue of 175 feet -which extends to the Dennyøs driveway and blocks access to the 110 foot long thru/right turn lane on Centurion Court. If we make the traffic volume corrections discussed in this letter we can expect this queue to be considerably longer.
- 7. Synchro is privately developed õblack boxö software which does not always faithfully reproduced the results obtained with the more generally accepted and publicly developed Highway Capacity Software (HCS). Running the PM peak hour intersection analysis using the latest HCS software (but still using the artificially low BUILD traffic volumes contained in the Kimley-Horn report) can produce dramatically different queue, delay, and level of service. For example, the HCS identifies level of service F conditions for the northbound left turn lane (not level of service E) with much higher delay and with a 95<sup>th</sup> percentile queue of 5.7 vehicles (not 3.1 vehicles). This queue exceeds the available storage length by a factor of almost three, blocking access to the adjacent thru/right turn lane.

It is my professional opinion that the Kimley-Horn traffic study is both incomplete and inaccurate and that the recommendations contained in the report do not ensure safe and efficient access to the proposed site. One can envision a series of improvements that would help traffic flow in the area, including the provision of side street left turn arrows for the traffic signal at the US 90/Centurion Court/Florida Gateway Drive intersection, extension of the existing thru/right turn lane on Centurion Court, extension of the existing left turn lane on Florida Gateway Drive, the addition of a third approach lane on centurion Court, and the lengthening of the westbound right turn lane on US 90.

Please contact me if you have any questions concerning this matter.

Sincerely,

Jeffrey W. Buckholz, PhD, P.E., PTOE President

This item has been digitally signed and sealed by Jeffrey W. Buckholz, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

TABLE 1

# TRIP GENERATION CALCULATIONS

# HIGH TURNOVER SIT DOWN RESTAURANT

Land Use Code 932

T = Number of Vehicle Trip Ends

Size of Building = 3428 (X = 3.428)

TIME PERIOD	TOTAL TRIP GENERATION EQUATION	TOTAL TRIP ENDS	PERCENT ENTERING	PERCENT EXITING	TOTAL TRIP ENDS ENTERING	TOTAL TRIP ENDS EXITING
AVERAGE WEEKDAY						
Daily	T = 107.2 (X)	352	50%	50%	176	176
AM Peak Hour	T = 9.57 (X)	33	55%	45%	18	15
PM Peak Hour	T = 9.05 (X)	31	61%	39%	19	12

SOURCE: Institute of Transportation Engineers, "Trip Generation", 11th Edition (2021)

TABLE 2

# TRIP GENERATION CALCULATIONS

# FAST-FOOD RESTAURANT WITH DRIVE-THRU WINDOW AND NO INDOOR SEATING

Land Use Code 935

T = Number of Vehicle Trip Ends

Size of Building = 1227 (X = 1.227)

TIME PERIOD	<b>TOTAL</b> TRIP GENERATION <u>EQUATION</u>	TOTAL TRIP <u>ENDS</u>	PERCENT ENTERING	PERCENT EXITING	TOTAL TRIP ENDS ENTERING	TOTAL TRIP ENDS EXITING
AVERAGE WEEKDAY						
Daily	T = 467.48 (X)	574	50%	50%	287	287
AM Peak Hour	T = 43.00 (X)	53	47%	53%	25	28
PM Peak Hour	T = 59.50 (X)	72	51%	49%	37	35

SOURCE: Institute of Transportation Engineers, "Trip Generation", 11th Edition (2021)

# Estimated Using LUC 934

NEW TRIPS		NEW			NEW	NEW
TIME PERIOD	PERCENT NEW TRIPS	TRIP <u>ENDS</u>	PERCENT ENTERING	PERCENT EXITING	TRIP ENDS ENTERING	TRIP ENDS EXITING
AVERAGE WEEKDAY						
Daily	69%	396	50%	50%	198	198
AM Peak Hour	69%	37	51%	49%	19	18
PM Peak Hour	69%	50	52%	48%	26	24

SOURCE: Institute of Transportation Engineers, "Trip Generation", 11th Edition (2021). Excel Tabl

TABLE 3
TRIP GENERATION CALCULATIONS

# BUSINESS HOTEL

Land Use Code 312

T = Number of Vehicle Trip Ends

X = Rooms = 110

TIME PERIOD	TOTAL TRIP GENERATION EQUATION	TOTAL TRIP ENDS	PERCENT ENTERING	PERCENT EXITING	TOTAL TRIP ENDS ENTERING	TOTAL TRIP ENDS EXITING
AVERAGE WEEKD	ΑY					
Daily	T = 2.90 (X) + 151.69	470	50%	50%	235	235
AM Peak Hour	T = 0.30 (X) + 6.94	40	39%	61%	16	24
PM Peak Hour	T = 0.21 (X) + 12.03	35	55%	45%	19	16

SOURCE: Institute of Transportation Engineers, "Trip Generation", 11th Edition (2021)

TABLE 4
TRIP GENERATION CALCULATIONS

# HIGH-CUBE COLD STORAGE WAREHOUSE (SMALL SIZE)

Land Use Code 157

T = Number of Vehicle Trip Ends

Size of Building = 50,000 gsf (X = 50.0)

TIME PERIOD  AVERAGE WEEKDAY	TOTAL TRIP GENERATION EQUATION	TOTAL TRIP ENDS	PERCENT ENTERING	PERCENT EXITING	TOTAL TRIP ENDS ENTERING	TOTAL TRIP ENDS <u>EXITING</u>
Daily	T = 2.12 (X)	102	50%	50%	51	51
AM Peak Hour	T = 0.11 (X)	10	77%	23%	8	2
PM Peak Hour	T = 0.12 (X)	11	28%	72%	3	8

From LUC 154

SOURCE: Institute of Transportation Engineers, "Trip Generation", 11th Edition (2021)