

SPECIAL CALLED PLANNING AND ZONING

MEETING MINUTES

DATE: 01/10/2024 and 01/17/2024

ROLL CALL:

Mrs. McKellum- Present
Mr. Carter- Present

Mr. McMahon- Present
Mr. Lydick- Present

Mr. Nelson- Present

MINUTES: None

Comments or Revisions: None

Motion to forego 01/03/2024 Meeting Minutes by Mr. Carter and seconded by Mr. Nelson.

OLD BUSINESS: None

NEW BUSINESS:

Petition # SPR22-15 Presented By: Jarod Stubbs, as Agent

As owner or agent and gives address of: 755 Commerce Ct, Decatur, GA

Petitioner is Sworn in by: Mr. Lydick

Mr. Walker discussed with the Chair about swearing any that wishes to speak at the meeting on 01-10-2024 or 01-17-2024. Mr. Walker swore in all that wished to speak.

Mr. Walker discussed with the Board about ex-parte communications and asked the Board if they had any ex-parte communications. Mr. Nelson stated no. Mr. McMahon stated no. Mr. Carter stated that he had some general discussion. Mr. Walker asked him it would have an effect on his decision. Mr. Carter stated no. Mrs. McKellum stated no. Mr. Lydick stated no, but one of the attorneys that will be speaking on the project is working on a land deal that he is part of but has no monetary gain in the land deal. Mr. Walker and Mr. Lydick discussed whether it would influence his decision. Mr. Lydick stated no.

Mr. Walker explained the reason for this meeting as this matter was heard and approved in July of 2022. He stated that due to improper public notice it would need another hearing, a duo novo hearing.

Discussion:

Robert Angelo introduced petition SPR 22-15. Robert stated that the applicant is looking to add high-flow diesel pumps to the rear of their current facility. Robert stated that the application is listed three parcels but is being re-platted into two parcels leaving parcels 02524-001 and 02524-102. Robert stated that the current use is for automotive service station and is permitted per Land Development Regulations Section 4.15.2.1. Robert stated that the staff review from 2022 did not change any and staff's comments were still the same. Mr. Lydick asked if Robert could go through the steps as how we got to where we are. Robert stated that the project was approved in July in 2022. Robert stated that Nick Patel expressed concerns of the project. Robert stated that upon review of the application the City noticed that the project was not properly noticed. Mr. Walker stated that the Land Development Regulations states that you do not need to notice the hearing. Mr. Walker stated that all the attorneys in

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the room would agree that this is a quasi-judicial matter, and the public did not have a chance to be heard and it is his opinion that the petition needs to be re-heard.

Marshall Rainey spoke on behalf of Circle K. He introduced the parties on there side, John Shell owner of GWC Developments and Mike Higgins Real Estate Director for Circle K. He stated that Circle K has a ground lease for the two parcels. He stated that they are looking to add four high flow diesel pumps. He showed a diagram for the site plan which is page C-4 of the site plan. He stated that the site would have three spots for refueling behind the existing facility and six parking spots.

He stated that they have objected to the appeal the whole time. He stated that the rules in place at the time stated that no public notice or meeting is required per the Land Development Regulations 13.11.3. He stated that Circle K's position has been that it is inappropriate to throw out the baby out with the bath water in July of 2022. He stated that there was no objection from nobody, staff, FDOT, and anyone till October 2022 when Mr. Patel raised concern. He stated that they had received there building permit in February 2023. He stated at that time no lawsuit or appeal had been filed. He stated that it is a 30-day appeal period.

He stated that Circle K signed a long-term ground lease and signed a construction contract. He stated that months after the project was approved Mr. Patel filed an appeal of the construction permit. He stated that Mr. Patel's attorneys are calling the issuing of the permit a development order. He stated that the development order is the approval of the site plan by the board. He discussed the appeal process and how it would go to the City Council.

He stated that Mr. Walkers office notified them that the project was not properly noticed and that the project would need to be heard over. He stated that they objected to that, but they wanted to play nice and put the project on hold. He stated that the whole basis of the appeal was for if the four high flow diesel pumps make it a truck stop. He stated the definition of a truck stop in the Land Development Regulations in section 2.1. He stated that the site currently has 24 gas pumps and the addition is only for four diesel pumps. He stated that it is going to be 95% cars and 5% trucks. He stated that it is not a truck stop based on the definition. He stated that they are not going to have any of the accommodations that you normally have at a truck stop. He stated that the City has not changed its position.

He stated that no one has provided a traffic analysis except Circle K. He stated that the area is an intense commercial area. He stated that no other development in the Gateway Crossing Development has not had to provide no where near the level of a traffic analysis.

Mr. Walker address the Chair, Board, and audience about quasi-judicial hearing and that all comments go thru the chair and that everyone will be heard.

Mike Higgins, Director of Real Estate for Circle K. Mr. Rainey started questioning Mr. Higgins. He asked him to explain his role with Circle K and what his involvement with the site was . Mr. Higgins stated that he is very familiar with the site. He stated what Circle K is looking to do with the site. Mr. Rainey asked if he knew about how much fuel the current site pumps. He stated just under five million gallons a year. Mr. Rainey asked him if this was a high-volume store. He stated yes. He asked if there were any projections for the additional pumps He stated about 1.5 million gallons. He asked if they expected to see about one third more vehicles out there. He stated no, because a truck takes ten times the amount of fuel. He asked what the average car put in their car verse a truck. He stated the average car put about ten gallons in. He stated that the average truck puts in about one hundred gallons.

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Mr. Rainey asked if Circle K hired an engineer to handle the project. He stated yes, Kimley Horne. Mr. Rainey asked if a representative of Kimley Horne was there. He stated yes, Jarod Stubbs. He asked when the project was approved and was it approved unanimously. He stated yes, in July of 2022. Mr. Rainey asked what steps they took next. He stated that they got cooperate approval to move forward.

Mr. Rainey asked how much Circle K was paying on there lease. He stated eleven thousand dollars a month. Mr. Rainey asked if they hired a general contractor. He stated yes. Mr. Rainey asked if he was aware of the concerns from Mr. Patel. He stated yes. He asked him when he learned of the objections. He stated in November.

Mr. Rainey asked if the traffic is consistent with other developments and the Commercial Highway Interchange. He stated yes. Mr. Rainey asked about trucks coming around to the front of the site. He stated that the only trucks that would be out front is deliveries but not regular traffic. Mr. Rainey asked with the expansion were they adding bathrooms. He stated yes, because that is a major complaint from the store. Mr. Rainey asked if there were going to be any showers. He stated no. Mr. Rainey asked if they were going to add a restaurant or any overnight accommodations. He stated no.

Mr. Rainey called John Shell, owner of Gateway Crossings Partners. John stated that he was involved with property when the original development plan was approved by the City. He stated that he was contacted but Mr. Neely to partner with him to develop the property. He stated that they purchased the land in 2015. Mr. Rainey asked if they did a traffic analysis of the site. He stated yes, they did one for the whole site in 2015. He stated that they came up with a density for the entire build out.

Mr. Rainey asked if he spoke with Kimley Horne about the Circle K traffic analysis and if it was anywhere close to what they projected back in 2015. He stated he did discuss if with Kimley Horne and that they are nowhere close to being at capacity. He stated they were more ambitious in 2015 and that it will never reach that density. Mr. Rainey asked if GWC owned the lot that Circle K is currently on. He stated no they develop the lots, then either sell them or lease them. Mr. Rainey asked if Circle K entered a lease with them for lot two. He stated yes.

Mr. Rainey asked if he had the opportunity to speak with anyone from the City and discuss if this site would be a truck stop. He stated that he had a conversation with Dave Young in 2021. He stated that it was determined then that this was not a truck stop. Mr. Rainey asked how he heard about the concerns for the site. He stated that there were some articles in the paper. He said that he had some conversations with Mr. Patel. He stated that they agreed to disagree about the use. He stated that he asked Mr. Patel why they did not hear from him in a timely manner.

Mr. Rainey asked him from the conversations, what was Mr. Patel's primary concerns. He stated that the stacking characteristics of the traffic. He stated in Mr. Patel's view this is a truck stop. Mr. Rainey asked if Mr. Patel offered up any suggestions as to the fix of the concerns. He stated out of respect to Mr. Patel that neither of them is a traffic engineer, but in Mr. Patel's opinion that there should be another turn lane. He stated that he told Mr. Patel that the road is owned by the City.

Mr. Rainey asked if the addition of the new pumps is consistent with the Commercial Highway Interchange district. He stated yes, otherwise they would not have entered into a long-term lease.

Mr. Rainey asked if he was aware that Mr. Patel partners own other hotels that abuts the district. He stated yes, they own several. Mr. Rainey asked if they own Comfort Inn and Suites and encourages truck parking. He stated yes, matter of fact last night there were ten or so eight-teen wheelers parked there. Mr. Rainey asked if he was aware of any billboards advertising truck parking there. He stated yes, there is a large one on I-75. He stated that it had a big star burst that states trucks

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welcome. Mr. Shell stated that it is more of a truck stop than what the expansion of Circle K is. Mr. Rainey asked if he had discussed the Comfort Inn and Suites site with Mr. Patel. He stated yes, on a previous business matter. Mr. Rainey asked if they discussed if that open parcel next to Comfort Inn and Suites is for sell. He stated that no it was not. He said that Mr. Patel said that he had other partners and it was decided that the site was more valuable to them for truck parking. Mr. Rainey stated right across the street. Mr. Shell stated yes, about one hundred and eighty feet away.

Mr. Rainey turned the questioning over to his partner Jason Gabriel. Jason stated he would be asking questions for Vincent Spark, a traffic engineer. Mr. Gabriel asked what his role was with Kimley Horne. He stated that he is a traffic engineer, mainly prepares traffic analysis for public and private sector.

Mr. Gabriel asked if he was familiar with the site. He stated yes, he prepared the traffic analysis for the site. Mr. Gabriel asked if Circle K had Kimley Horne prepare traffic analysis for the site. He stated yes. One in early 2022 and the other in October 2022. Mr. Gabriel asked if he reviewed the traffic analysis the Mr. Shell referred to in his questioning. He stated that they reviewed the traffic analysis prepared in 2015. He stated what the traffic analysis involved as to density. Mr. Gabriel asked him if it was a comprehensive look at the site. He stated yes. Mr. Gabriel asked compared to the traffic analysis in 2015 to current time how does that look. He stated that the traffic analysis in 2015 was a comprehensive report for the entire build out and that all the current and proposed development is considerably less traffic that what was projected.

Mr. Gabriel asked about how far the intersection is from the exit ramp form I-75. He stated about four hundred feet. Mr. Gabriel asked what zoning district the sire was in. He stated the Commercial Highway Interchange. Mr. Gabriel asked what uses were allowed in the area. He stated mostly commercial and industrial use and that there is not any district that is much more intense. Mr. Gabriel asked if the Commercial Highway Interchange for the City of Lake City was and intense use. He stated a relative intense use.

Mr. Gabriel asked how many fuel stations and how many pumps are currently on the site. He stated twenty-four fueling stations and twelve pumps. Mr. Gabriel asked how many fueling stations and pumps were being proposed. He stated three refueling stations and four pumps. He stated that each fueling station will have two hoses for the trucks. Mr. Gabriel asked what is the ratio of the cars verse the trucks. He stated about 95% auto and 5% truck. He stated that it takes longer to fuel a truck, about ten to fifteen minutes.

Mr. Gabriel asked him to summarize the traffic analysis. He discussed the traffic analysis and stated the proposed expansion would not dramatically affect the site. Mr. Gabriel asked him if they took traffic counts from Centurion Ct and Hwy 90 and if they were conservative. He stated yes, and they viewed as all the traffic going to Circle K. Mr. Gabriel asked what the focus was on the traffic analysis. He stated that they looked at LOS, stacking, delays, and movements mainly north and south. Mr. Gabriel asked if they looked at AM and PM hours. He stated yes. Mr. Gabriel asked what the existing PM trips were. He stated that the existing PM trips in was one hundred twenty-two and one hundred six-teen out. Mr. Gabriel asked about how many PM trips were estimated. He stated about seventy-two new trips, thirty-six in and thirty-six out. He stated that the ITE has a trip generation for each use but that it is for the whole US and sees a use in Atlanta the same as Lake City and they calibrated it to the current conditions.

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Mr. Gabriel asked if they looked at any of the other sites proposed. He stated yes, at a high level based on the information from the City. He discussed the amount of the traffic from the other developments. He stated that the other sites were proposing a considerable amount more traffic than the Circle K. He stated that the other sites only looked at how many trips were being generated and did not look at where they were going. Mr. Gabriel asked if in his opinion was there any upgrades needed. He stated with looking at the existing conditions that it would not and that the LOS would stay a B. He stated that FDOT could adjust the green times to help the intersections.

Mr. Gabriel asked if there were going to be any accommodations for trucks other than the addition of the pumps. He stated no. Mr. Gabriel asked about the technical evaluation of the October traffic analysis done by Kimley Horne, for Circle K, provided by Mr. Buckholtz. Mr. Gabriel asked that he states in there the evaluations that Kimley Horne analysis uses a 3.61 growth rate and ignores Rib Crib, Sonic, and U-Haul. He stated that those developments were approved after the Circle K project. Mr. Gabriel asked about the reference 69% reductions and all the traffic on Centurion Ct being considered as going to Circle K and that if the popularity of Circle K increases then the trip generation could double. He stated that they did the reduction at 69% based ITE suggestions to do so. He stated that the ITE suggests adjusting the calculations to local conditions and variables. He stated that the over counts and under counts, they were being conservative. They looked at it as all the trips going to Circle K and not going anywhere else, even though a lot of the traffic currently on Centurion Ct goes to Denny's and the Hotel.

Mr. Gabriel asked about the reduction is trips being calculated not taking into count the trips on I-75 and projecting the traffic count to low. He stated that typically the pass by counts do not come from the interchange but come from road that the site is on. He stated they did not remove any from there counts. He stated they considered all the trips still going to Circle K.

Mr. Gabriel asked about his reference to the 95% que length and the blocking of Denny's entrance. He stated that the south bound form seven vehicles to eight vehicles. He stated that the current stacking will already block Denny's and that per State Statue 163 are not responsible for fixing the current problem. Mr. Gabriel asked what is your professional opinion of Mr. Buckholtz evaluation. He stated that the only sense that it was inaccurate and incomplete is that they were overly conservative. He stated that the refence to the addition of green arrows is wrong and you can see that in any google street view.

Mr. Gabriel turned the questioning over to Mr. Rainey. Mr. Rainey asked Jarod Stubbs to introduce himself and his background. He did. Mr. Rainey asked how he was involved with the project. He stated that he was the involved the site plan review in 2022 and started the concept in 2021. Mr. Rainey asked about the circulation on the site plan page 4.2. He discussed the circulation and the turn lane. He stated that the fixing of the turn lane was based on detailed coordination with FDOT. He stated that the current curbing is broken due to trucks running over the curb.

Mr. Rainey asked about the fuel truck routing movements. He stated the route of the fuel truck and that it is how it is currently. He stated that they are proposing new fuel storage tanks to the north of the current building and would only be accessed from the rear of the building. Mr. Rainey asked if the delivery trucks and refueling trucks currently travel to the front of the building. He stated yes. Mr. Rainey asked if they were going to install any signs restricting truck traffic to the front of the building. He stated yes. He said that this was considered and coordinated with the City after hearing of the concerns from Mr. Patel and would put no overnight parking signs.

Mr. Rainey asked if he had discussion with City staff about whether this would be a truck stop. He stated after Mr. Shells meeting with Mr. Young he had a meeting with Mr. Young and City staff in

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September 2021 to discuss zoning and zoning process. He stated that at that meeting he verified with Mr. Young that no additional approvals would be needed. Mr. Rainey asked is it your understanding that since September 2021 that no special use would be needed for the project. He stated that it was his understanding that it did not need a special use to be permitted.

Mr. Rainey asked if the project had all the necessary FDOT permits. He stated yes, they had the upgrade permit and the drainage permit. Mr. Rainey asked if he was familiar with a letter sent by FDOT in October of 2023 threaten to revoke the access permit for Centurion Ct. He stated yes. Mr. Rainey asked if he had a chance to speak with the individual that sent the letter. He stated yes, he spoke with Troy Register. Mr. Rainey asked if he had discussed the letter with Troy. He stated yes, but it took several days to reach him and he also spoke with Carlos. He stated that the intent of the email was to get feedback from the City on the project and that he was getting a lot of concerned feedback from an adjacent land owner concerning the site plan and it was not what was permitted by FDOT. He stated at that point he sent detailed information presented and the slight modification. He stated that the updated site plan reduced the number of parking spaces for trucks from nine to six. Mr. Rainey asked if he had provided Troy with all the changes after his conversation with him. He stated yes. Mr. Rainey asked when that was. He stated it was November 10th. He stated that they received the letter from FDOT on October 30th. Mr. Rainey asked if he had received any information or feedback from FDOT since then. He said no. Mr. Rainey asked if he felt that he satisfied all FDOT needs. He stated yes.

At 7:36pm Chair called a five-minute break. At 7:48 Chair resumed the meeting.

Robert Angelo stated that the land is conducive for the proposed use based on the traffic count. He stated that 5% of the traffic according to the traffic analysis is for truck traffic and 95% is for auto traffic. He stated that this would still fall in the category of an automotive service station. He stated that the site would still be primarily used for automotive. He stated that would not require a special exception.

He stated that all of City department response on the staff review from 2022 are the same. He stated from speaking with City staff they all still felt the same way. Mr. Walker asked if he was introducing the staff review from 2022 as the staff review for this hearing, He stated yes.

Mr. Walker asked if he had looked at the Land Development Regulations. He stated yes. Mr. Walker asked if that was also the view of his Director Dave Young. He stated yes. He asked who all reviews the site plans. He stated that all the City departments and Directors review the projects and they have a New Development Meeting every other Thursday to discuss projects. He stated that Mr. Young and him met to discuss whether this is a truck stop or an automotive service station. He stated that they determined that based on the definition of a truck stop, it is not a truck stop and is a automotive service station. Mr. Walker asked if the definitions that he is referring to is from the Land Development Regulations. He stated yes, they are from the section 2.1. Mr. Walker asked based on the information provided in the application if it was his professional opinion that based on the addition of the three refueling stations that is a minor in comparison to the automotive service station. He stated yes, based on looking at the current site plan and the proposed site plan. The current site plan has twenty-four fueling station and the new one would only add three high flow fueling stations. He stated that based on the traffic flow being 95% auto and 5% truck makes this an automotive service station. Mr. Walker asked in section 4.2 did you review this section to determine if the use is permitted. He

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stated yes. Mr. Walker asked if he believed if a special exception is needed. He stated no, based on the previous reasons.

Mr. Walker asked if there was a process to review a site plan. He stated yes and discussed the process. Mr. Walker asked if this property was in the CHI Commercial Highway Interchange zoning district. He stated yes. Mr. Walker asked if an automotive service station is a permitted use in the CHI zoning district. He stated yes, in section 4.15.2.1. Mr. Walker asked has the applicant provided the necessary information in keeping with section 13.1.11. He stated yes. Mr. Walker asked if he was introducing his testimony and all his submitted documents in as evidence. He stated yes.

Dave Young, Director of Growth Management and Land Development Regulations Administrator, stated that he had to interpret the definition of a truck stop. He stated that it did not fit the category. He stated that he met with John Shell and a representative of Circle K in 2021. He stated that they stand behind what they have done to this point.

Guy Norris, Attorney with Norris and Norris law firm introduced his co council Terrell Arline, Nick Patel, client and partner of Gateway Hotels. Mr. Norris stated that all folks agree that page 4.3 of the site plan is an aerial view of the proposed site. He stated that you have I-75 pinning in the development. He stated that he wanted the board to see what where lot one was and that it was not owned by Circle K or was it owned by GWC. He also stated that Circle K is not the owner of lot one. He stated that the applicant is GWC which is not the owner of lot one. He stated that the only thing being developed on lot one is nine hundred square feet of the building which is owned by someone else. He stated the owner of lot one is not an applicant or agent of the application. The owner of lot two GWC and its agent Kimley Horne.

He stated that the proposed construction on lot two was for high flow diesel pumps. He stated that they are for tractor trailers and the canopy is designed high enough to cover tractor trailers not automobiles. He stated that the parking proposed is for tractor trailer rigs not automobiles. He stated that the truck pulls in forward and has nowhere to go but backwards. He stated that the other construction is the under-ground diesel pumps to service the high flow pumps. He stated that they even have a dumpster. He stated that all the construction on lot two is for trucks. He stated that they are going to restrict automobiles on lot two, but there going to call it an automotive service station.

He stated that he wanted to ensure that the documents submitted on December 18, 2023 was in evidence. He stated that there was a tremendous amount of discussion about an appeal. He stated that per your Council that this is not an appeal but a rehearing. He stated that you are here on a duo novo hearing and that the previous hearing in July 2022 matters not. He stated that there was no public notice.

He stated they are here on behalf on Gateway Hotels the owner of Tru by Hilton. He stated after approval of the plat, road Centurion Ct was turned over to the City. He stated that they provided a diagram for the proposed developments and how the hotel, restaurants, and how it is pinned in by I-75. He stated that if there had been any discussion on whether there would be a truck stop there, then Tru would not exist and they would not have bought lots four and five to build another hotel. He stated that you are not going to build a hotel like that next to a truck stop. He stated that his clients are proud citizens of the community.

He stated that GWC is the applicant not Circle K and that it is for nothing more that servicing tractor trailers. He stated that the site has a proposed one-hundred-foot sign advertising high flow diesel and here is the price. He stated that we are not here for an appeal, we are here on a duo novo hearing.

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He stated that your purpose here is the hearing of both sides along with the public comment and to make a decision and apply the existing Land Development Regulations. He introduced exhibit FGH1, a photo of a similar size Circle K in Jacksonville taken in the twilight. He stated lets see if this meets the definition of an automotive service station. He stated the definition of an automotive station. He stated that you heard the City say that this is an automotive service station. He stated that tractor trailers rigs produce more fumes, smoke, noise, vibration and an automobile. He stated that an automotive service station is not a car wash or a truck stop, or here is the key a combination of. He stated that is not an automotive service station.

He stated that the other side stated that an automotive service station is not a truck stop. He stated he agrees. He stated that when pumps are erect you shall consider each a principle use. He stated that there was some discussion of 4.2 mentioned by the City Staff. He stated that the following regulation shall apply to the location, design, construction, operation and maintenance of automotive service and self-service stations right, Mr. Angelo used that exact term. He stated look their self-service gasoline pumps. He stated that in section 4.2.6 that no sign or pump of any type shall be with in twenty-five feet of the lot line. He stated that these are all reasonable expectations and are all for gasoline. He stated the definition of truck stops. He stated it sort of brings back memories of lot two. He stated that when is says may have restaurants, snack bars, or overnight accommodations does not mean they must have in order to be a truck stop. He stated that much was stated about showers earlier. He stated that no word of showers is mentions in the definition of automotive service stations or truck stops. He stated that in the definition of truck stops the only requirements is for the refueling of tractor trailers.

He stated that in the auto service stations definition says that when 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. He stated that for the Planning and Zoning to approve a truck stop it must have a special exception. He stated no special exception has been done or have the requirements of a special exception been met. He states that the LDR does not say how large a truck stop has to be.

He stated that the Board should use the prohibited use as well to review this petition. He stated the verbiage in the LDR for prohibited use in the Commercial Highway Interchange district. He stated that any use which is potentially dangerous, noxious, or offensive to neighboring use, such as backing out into the road way. He stated that on page C4.5 on the site plan, the site is pinned in by I-75.

He stated that City of Lake City is the Gateway to Florida. He stated that the photograph in Exhibit FGH1, picture of a Circle K with truck parking is not what you want at the exit. He stated that every truck will have to enter and exit on Centurion Ct. He stated that it is only a two-lane road. He stated that the Columbia County Economic Council have expressed opposition. He stated that the FDOT has expressed concerns in a letter about the development. He stated that Mr. Register sent an email to Circle K, the Mayor, and the City Attorney Todd Kennon. He read the email talks about revoking the access permit for Centurion Ct and not to extend the safety permit that expires in October 30, 2023. He stated that the City did not contact the department to determine if a new permit was needed. He stated that the Board was led to believe that no farther traffic concerns would be created. He stated that the proposed use is not compatible with the district. He stated that when approving a special exception would promote the health and safety of the community.

Terrill Arline, land use attorney stated that it is his belief that this is a truck and should be heard as a special exception. He stated that the site will increase traffic.

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Mr. Arline questioned Jeff Buckholtz. Mr. Arline discussed Mr. Buckholtz about his resume and education. Mr. Arline asked him if he was hired by Nick Patel to review the traffic analysis submitted by Kimley Horne. He stated yes.

Mr. Arline asked him if he prepared two reports for Nick Patel reviewing the two-traffic analysis from Kimley Horne. He stated yes. Mr. Arline asked him if he produced report in material as Exhibit G after he saw the most recent traffic analysis from Kimley Horne. He stated yes. He stated that Kimley ignored the additional projects that are coming on Centurion Ct. He stated that he understood in the first one as they were not proposed, but they were aware of them in the second one.

He stated that he did not agree with the reduction on ITE trip generation, which is the average in the industry thought the US. He stated it is not the highest count or the lowest. He stated that it is a high-volume intersection, probably worse than Miami. He stated the mistake in the bypass traffic is where they took the traffic out. He stated that they should be taken out the traffic on I-75. He stated how they took the truck fueling stations as they are car fueling stations in wrong. He stated that the land regulations have not caught up with the current trends with truck stops. He stated that in the past you had large truck stops but now they are adding fueling stations to auto service stations.

He stated that Kimley Horne looked at the high flow fueling stations and looked at them as auto fueling stations on there traffic analysis. He stated that they needed to go out and find similar uses with similar conditions and use that for trip generation. He stated there is no documentation in their reports that shows 95% auto and 5% truck. Mr. Arline asked him, does that establish that there will be an increase in truck traffic. He stated if you look at their synchro runs across Kimley Horne's reports they only use 2% truck traffic, 2% before and 2% after. He stated that they stated that there would be 72 trips but they did not state that they would be truck trips, they assumed. He stated that if you have all this information wrong then your que length is going to be wrong. He stated that trucks are longer then autos and they did not take that into account. Mr. Buckholtz asked why did Kimley Horne not analysis the truck traffic on the exit ramp coming off of I-75.

Mr. Arline asked him, what is the issues that could arise with longer que lengths. He stated that people would not be able to leave Denny's or other places and cause backups. He stated if you do a traffic study you may see that you need a longer right turn lane or maybe a double left turn lane. Mr. Arline asked him in his conclusion if he felt that the Kimley Horne information was inaccurate. He stated yes.

Mr. Norris questions Nick Patel. Mr. Norris asked him if he is one of the owners of Florida Gateway Hotels. He stated yes. Mr. Norris asked him, what does Florida Gateway Hotels do. He stated that they own Tru Hotel in Lake City. Mr. Norris asked him how many hotels do you have in Lake City. He stated seven. Mr. Norris asked him if the Comfort Inn and Suites is in the same zoning district or in the CHI zoning district. He stated no. Mr. Norris asked him if Mr. Shell was mistaken in that the Comfort Inn and Suites hotel was in the same zoning district or in the CHI zoning district. He stated yes. Mr. Norris asked him does Comfort Suites sell parking spaces. He stated no. He stated that there is a big difference between a hotel and a truck stop. He stated that they turn off their trucks at a hotel. He stated that my hotels are high quality hotels.

Mr. Norris asked him if he took the photo labeled exhibit FGH1 and does it represent the overall Circle K site on Chaffe Rd. He stated yes. Mr. Norris asked him when and from whom did you acquire the property on Centurion Ct. He stated in 2016 and from Gateway Crossing Development Partners. Mr. Norris asked him is this a development like a residential subdivision with a home owners association. He

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stated yes, there is an association that governs what comes in and what does not. He stated that they pay a yearly fee to the association.

Mr. Norris asked him if he owned another lot on Centurion Ct. He stated yes. Mr. Norris asked him if he planned to build another hotel. He stated yes. Mr. Norris asked him if the other hotel that he plans to build is going to be another Hilton or a Marriot. He stated yes. Mr. Norris asked him in all his travels and stays at other hotels has he ever seen a Marriot next to a truck stop. He stated that it is hard to find a good Marriot next to a truck stop. Mr. Norris asked him if the development of lot two is approved have an adverse effect on your decision to build a Marriot hotel there. He stated yes. He stated that if this truck stop comes it will hamper his ability to get a good franchise and it will depreciate his property.

Mr. Norris asked him was there plans to build a truck stop there when he bought the property to develop. He stated no. He stated that where the U-Haul is going to be built was to be a movie theatre. He stated that he did not buy into a truck stop.

Mr. Norris asked him to describe Centurion Ct. He stated that it is a one way in and one way out. He stated that it was not built for trucks.

Mr. Norris asked him when did he learn find out about the mini truck stop. He stated that Parker Neeley asked him about buying the lease of the lot that he was leasing. Mr. Patel asked him to send him the information. He stated that when he reviewed the material that Mr. Neeley emailed to him, that is when he seen what was coming. Mr. Norris asked him if the document that is in the material that they provided to the Board was what he sent him. He stated yes. Mr. Norris asked him if he called the City once he knew what was coming. He stated yes.

Mr. Norris asked him if he met with any one from the City. He stated he requested to meet with Mr. Dyal the City Manager, Steve and Mr. Angelo. He stated at that meeting that he expressed how deeply concerned he was about the development. Mr. Norris asked him if Mr. Young was employed with the City at that time. He stated that he was not. Mr. Norris asked him if this meeting was after the Planning and Zoning meeting in July. He stated yes. Mr. Norris asked him if he was aware of the Planning and Zoning meeting in July. He stated that he was not. Mr. Norris asked him if anyone told him of the meeting in July. He stated he does not recall. Mr. Norris asked him what was represented to him at this meeting as to the status of the development. He stated that Mr. Dyal said that we would take those concerns into consideration and we would reach out to Circle K. He stated that he told the City that he wanted to be part of the decision of what happens. Mr. Norris asked him if at this meeting did the City tell him that no permit had been issued at that point. He stated yes, they told him that a permit had not been issued at that point.

Mr. Norris asked him if the City told him if he needed to wait for the issuance of the permit to file an appeal. He stated that he did not recall. Mr. Norris asked him did you file a notice of an appeal with the Board of Adjustments after the permit was issued. He stated he did. Mr. Norris asked him was he notified in any way about the meeting in July 2022. He stated he was not.

Mr. Norris asked him what is his understanding of the meeting on January 10, 2024. He stated that was his understanding that he was not noticed properly and that Mr. Walker advised to have a do over hearing.

Mr. Norris asked him how often he travels to the Tru Hotel and has he seen vehicles blocking the road waiting to leave Centurion Ct. He stated that he travels to almost every day. Mr. Norris introduced exhibit FGH-2 into the record, a photo of the Circle K on Chaffee Rd showing the truck stop at Chaffee Rd just from a different angle. Mr. Norris asked him if he took the photo. He stated he did. Mr.

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Norris asked him when he enters Centurion Ct does he turn left off of Highway 90. He stated he does. Mr. Norris introduced exhibit FGH-3 into the record, showing the entryway onto Centurion Ct. Mr. Norris asked him if he took the photo. He stated he did. Mr. Norris asked him if it shows an accurate representation of the entrance to Centurion Ct. He stated it did. Mr. Norris asked him if the traffic there typical. He stated yes.

Mr. Norris introduced exhibit FGH-4 into the record, a picture of Centurion Ct with an RV blocking the road. Mr. Norris asked him if he took the photo. He stated yes. Mr. Norris asked him if that picture accurately represents Centurion Ct. He stated it did. Mr. Norris asked him why the backup happened. He stated that it is a two-way road and a high-volume Circle K.

Mr. Norris introduced exhibit FGH-5 into the record, an aerial photo of the Circle K on Chaffee Rd. He asked he felt like this was an accurate representation of what the Circle K on Centurion Ct will look like. He stated that the difference is that the one on Centurion Ct will only have one way in and out but the one on Chaffee Rd has plenty of room and access. He stated that trucks were parked on the side of the road.

Mr. Norris asked him if he was aware of regulations of tractor trailer rigs having to stay off of the road for ten hours a day. He stated yes. He stated that it would be very difficult make them move if they are out of hours. He stated that if you allow this, it will degrade the area. He stated you have smoke, noise, and vibration. He stated that he may not get his franchise if it comes.

Mr. Norris asked him if he was a member of the Tourist Development Council (TDC). He stated he was. Mr. Norris asked him if the TDC advertises Lake City and Columbia County. He stated yes, they do. Mr. Norris asked him what his thoughts were for an automotive service station. He stated that if the primary use is for refueling of trucks, it is a truck stop. Mr. Norris asked him about photo of tables in the Circle K in Lake City. He stated that the LDR does not say you have to have a restaurant to be a truck stop. He stated there is no written basis for using the 95% to 5% to determine if it is a truck stop.

He stated that this business does not add any value to this exit. He stated he would not invest any property near a truck stop. Mr. Norris asked him a trucker heading done I75, how far down I-75 to get to another truck stop. He stated about fifteen minutes. He stated that if Circle K was to advertise cheap gas then this would encourage more traffic. He stated that he believes that the City Staff made a mistake. He stated that there is no harm in asking Circle K to change their plan.

Mr. Norris questioned, Aaron Trippense. Mr. Norris asked him what his role with FDOT is. He stated that he is a Maintenance Engineer for five counties. Mr. Norris asked him if he knows Troy Register. He stated yes, he is Troy's supervisor for twenty years. He asked if was still employed by FDOT. He stated yes. Mr. Norris asked him if he was familiar with the DOT permits for Gateway Crossings. He stated yes, there was two issued in 2022. One for he driveway access and one for the drainage. Mr. Norris asked him do you have any involvement with the permits. He stated yes, he is in charge of the office.

Mr. Norris handed him a paper with an email on it that is in the record. Mr. Norris asked him if he was familiar with the letter. He stated yes. Mr. Norris asked him who signed the letter. He stated Troy Register did at his request. Mr. Norris asked him who was the letter sent to. He stated the Mayor, Florida Gateway Hotels, and Circle K. Mr. Norris asked him if he was involved with the decision to send and draft the email. He stated yes. Mr. Norris asked him what is the status of the upgrade permit. He stated it is expired. Mr. Norris asked him what does that mean for the permit. He stated that it is no longer viable. Mr. Norris asked him about another permit that was issued in 2016 and what is it for. He stated that it is the original permit for the access of the connection of Centurion Ct to US 90.

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Mr. Norris asked him about what does it mean in the letter when they stated the jurisdiction. He stated that it means that Centurion Ct is a City street and is the owner of the permit. Mr. Norris asked him about the letter and how the development is significantly different. He stated that planned construction is for high flow diesel pumps. He stated that is a significant change in what was in the original permit. He stated that the permits for the upgrade permit in 2022 was not presented as a change in use. Mr. Norris asked him what does this mean. He stated that FDOT is monitoring this development and if it is approved they will revoke the original permit from 2016 and will require a new permit.

Mr. Norris asked him what was the City obligation. He stated that it was the City's responsibility to apply for a change in the permit, which would require a traffic study. Mr. Norris asked him if FDOT had heard anything from the City since the letter was sent. He stated they have not. Mr. Norris asked him what is the status on the permit from 2016. He stated that it is active, but if the project is approved it would cause the permit to not be in compliance. Mr. Norris asked him if the DOT was in a position to revoke the permit. He stated yes, they are in the works to do so as the monitor this project. He stated that the City should communicate with his office with any changes to the permit form 2016.

Mr. Arline questioned Luis Serna. Mr. Arline asked him to go over his education and his resume. He did. Mr. Arline asked him if he worked as a planner in local government. He stated yes, for over fourteen years. Mr. Arline asked him if he was AICP certified. He stated he was. Mr. Arline asked him if he was retained by Nick Patel. He stated he was, to review the notice of appeal. Mr. Arline asked him if he reviewed the site plan application for tonight. He said that he was.

Mr. Arline asked him to give his opinion. He stated that he feels that the site plan did not go thru the right process and that it should have been a special exception. Mr. Arline asked him if he looked at the definition of a automotive service station and a truck stop. He stated he did. He stated that his conclusion is that this use is clearly a truck stop. Mr. Arline asked him if the City concluded if this was a truck stop what did they need to do. He stated that they needed to run it as a special exception which the process is clearly defined in section 11.2. He concluded with that he has never seen a situation where high flow pumps be an accessory use. Mr. Arline asked him what does it mean with the development being on a separate lot. He stated that if Circle K was to go away then the lot would be truck stop.

Mr. Lydick advised the Board to no discuss the project through out the next week.

**Mr. Carter motioned to enter a period of recess for the next seven days and reconvene on the 17th.
Seconded by Mr. Nelson.**

Motion to recess was approved unanimously by hand voted.

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Meeting continued from January 10, 2024.

Mr. Lydick asked City Attorney to give a recap of previous meeting and to explain how the meeting will flow.

Public Comment:

Mr. Lydick addresses the public and explained the use of the three-minute clock. He stated that he had the public comment papers from the previous meeting from January 10, 2024.

The following people spoke at the meeting on January 17, 2024. Brad Wheeler, Bruce Drawdy, Azie Handy, Tony Buzzella, Barbara Lemley, Ben Loftstrom, Billy Bivins, Jonathon Sluss, Joey O'Hern, Robby Hollingsworth, Janak Patel, Shailesh Patel, Amanda Johnson, Sharon Del Castillo, John Cole, Dennille Decker, Ron Williams, Tim Williams, and Dylan Adams all spoke. They all discussed concerns about access to the hospital on Commerce Blvd, obligations to citizens, developments are cause deer to enter the road, tractor trailers will back up interstate, stated the Board are people of integrity, can fix previous vote, somethings were left out, Board got false information, traffic is going to get worse, is having the truck stop there in the best interest of Lake City, Mr. Patel has been good for Lake City, Mr. Patel has stopped vagrants from being under the interstate, one way in one way out to hospital, not enough room on site, will block traffic, truck drivers do not throw their urine bottles in the trash, drivers coming off interstate do not know there is on three fueling stations, cul-de-sac not designed for tractor trailers, does the City plan to cite truckers for sleeping, drivers get there fuel at the end of there eight hours, Ellisville is always full of trucks, truckers will be fined if they move and are out of hours, regularly have to stop at green light, school on County Road 252 is a concern with traffic increase, concerned about turn lane off of I-75 to Highway 90, has been an out pour from the business owners to the Chamber, thinks we need a thorough traffic study, Board serves the citizens, does not need a traffic study if you drive it daily, economic development needs planning, compare it to the Oaks Mall exit in Gainesville, County is putting in a truck stop at next exit, truck stop is not in the right spot, agrees we need trucks but not there, against location not truck stop, this in not the growth we aspired, first impression is last impression, problems with trucks parking on Centurion Ct now, trucks park near entrance to hotel, safety of guest, when an accident happens at intersection causes major delays, husband had a stroke and EMS was able to get there quick but with more traffic they may not be able to, would ruin the image of Lake City as the Gateway to Florida, has worked hard to change image of Lake City, keep Highway 90 a business corridor, state made cities have a Future Land Use for reason, Columbia County is one of the fastest growing counties in America, stacking is not sufficient, insufficient space between I-75 and Centurion Ct, gas is a lost leader and retail is the profit, just because we can does not mean we should and want development but not at cost to Citizens.

Motion to close public comment by Mr. Carter. Seconded by Mrs. McKellum.

Mr. Gabriel questioned Mr. Buckholtz. Mr. Gabriel asked him if he issued to Mr. Patel. He stated yes. Mr. Gabriel asked him if it was labeled technical evaluation of Circle K's traffic analysis. He stated yes. Mr. Gabriel asked him if has perform a traffic analysis of the area. He stated no. Mr. Gabriel asked him about his stated that Circle K traffic analysis should have included the new developments after the

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project was approved and is this a standard practice. He stated yes. He stated that they did not know of the developments for the first traffic analysis but they did on the second one.

Mr. Gabriel asked him about his comments of the ITE calibration being inaccurate and if he read the section that explained the calibration. He stated yes, it was not very long. They discussed the calibrations. Mr. Gabriel asked him that in the report it states that the traffic is lower at that site than what the ITE suggest, is that correct. He stated that is what the study says. Mr. Gabriel stated that the observed trips were about 60 % of the ITE projects. Mr. Buckholtz stated that was suspicious. Mr. Gabriel asked him in what way. He stated is a high-volume location but it came back at almost half of what is average.

Mr. Gabriel asked him about his testimony when he stated that it is inappropriate to treat car fueling station like truck fueling stations. Mr. Gabriel stated that he agreed. Mr. Buckholtz stated he was glad he agreed but the study did not state that.

Mr. Gabriel asked him about in his testimony the he stated that the average car fueling station pumps about ten gallons per trip in about three to five minutes and the average high-flow fueling station pumps about one hundred gallons in about ten minutes. He asked him with that information if, how many trucks could fill up in an hour. He stated six. Mr. Gabriel asked him if there were three fueling stations, how many trucks could fill up in an hour. He stated eighteen, which is quick. He stated it would take closer to fifteen minutes which would only allow for twelve trucks per hour. Mr. Gabriel stated let's assume we are at the faster side of the estimate. Mr. Gabriel asked him how many trips would they generate with the proposed development. He stated half what Kimley Horne projected, which is the problem. He stated that their study showed seventy-two trucks per hour and we just determined that only eighteen could refuel. He stated what is going to happen to the rest. He stated that you are confusing the supply and demand. They are going to park in the road.

Mr. Gabriel asked him if he was aware of section 950 of the ITE that is specifically for truck stops. He stated yes. Mr. Gabriel asked him if the ITE section 950 defines a truck stop. He stated yes. Mr. Gabriel read the definition of a truck stop in the ITE. Mr. Buckholtz asked Mr. Gabriel what question are you asking, I just told it is not a truck stop. He stated this is a new land use, a mini truck stop. This is a use they have not had. He stated the best way to find the trips is to go look at a similar development.

Mr. Gabriel asked him you stated in your testimony that you objected to the 95% auto and 5% truck correct. He stated yes. He stated that there is no documentations. Mr. Gabriel stated bring him to his next point. He stated that in earlier testimony Kimley Horne's engineer stated that there would be about 4.7 million gallons a year for gas and about 1.7 million gallons of diesel. Mr. Buckholtz stated that Kimley Horne is looking at the whole site not just the pumps being added. Mr. Gabriel stated that the projected auto fueling trip is about 470,000 and about 15,000 truck trips, which equates to about 3% truck and 97% auto. Mr. Gabriel asked him is that correct. He stated yes, but you are looking at the existing trips as well as the new ones. He stated that you can only look at what is being added not what is existing. He stated that if you look at the ITE and calculated the peak trips per hour then do that for the entire year you would get 180,000 truck trips.

Mr. Gabriel stated that he stated that in your testimony that the traffic at this intersection is would than Miami, correct. He stated sure when you look at the truck traffic from I-75. He stated, he said South Beach which does not have a truck problem.

Mr. Gabriel asked him if he was familiar with the ITE chapter ten. He stated yes. Mr. Gabriel stated that section 10.2 of the ITE states that pass by traffic is traffic coming from an adjacent street. He stated pass by trip are not diverted from another road way not adjacent to the site. Mr. Gabriel asked

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him based on this definition would you not take the trips to and from US 90. He stated is you want to look at that definition, fine. He stated the mistake Kimley Horne made was the took away all of the pass by trips from US 90 and none from I-75 which is a technical error. He stated it is not a huge so we should not argue it. They discussed passed by trips in more depth and how they are calculated.

Mr. Gabriel asked him are you aware that the ITE has separate definition for pass by trips and diverted trips. He stated yes. Mr. Gabriel asked him did the Kimley Horne traffic study reduce their estimated trips to account for diverted trips from I-75. He stated another mistake, they did not. They discussed trip generation in more depth.

Mr. Gabriel asked him asked if he was involved with the project when this traffic analysis was done. He stated no. Mr. Gabriel asked him if he was aware that Kimley Horne communicated with the City Staff and FDOT staff when conducting the traffic analysis. He stated he does not know.

Marshall Rainey questioned Mr. Patel. Rainey asked him are you aware that this site was approved on July 6, 2022. He stated yes. Mr. Rainey asked him you learned of the development a couple of months later. He stated yes, not sure exactly when. Mr. Rainey asked him you were familiar with the application. He stated he was not familiar with the details. Mr. Rainey asked him when you found out it was approved did you file an appeal. He stated he did not because he was under the assumption that the City still had the power to stop the project. Mr. Rainey asked him did you go to the Lake City Reporter. He stated he did not.

Mr. Rainey asked him in your testimony you stated that you were very involved in the Tourist Development Council in the past, did you have anything to do with the letter sent to the City from the Tourist Development Council. He stated he is not a member, but is involved in may ways with them and it was very important that he let them know of the development. Mr. Rainey asked him did you encourage this letter in any way. He stated he did not, but that he did inform them of the development and how he was concerned about it. Mr. Rainey stated but you did bring if to their attention.

Mr. Rainey asked him did you bring this to the attention of several City Council members. He stated yes. He stated that when he originally filed an appeal he did not get any cooperation with the City attorney. He stated that he then went to the City Council to get on the agenda.

Mr. Rainey stated the you went to Tourist Development Council and to the City Council. Mr. Rainey asked him did you look at the regulations to see if you had a time period to file an appeal. He stated no. He stated that he only looked the definition of a truck stop and an automotive service station. He stated there was no notice given. Mr. Rainey asked him did you look to see if there was an apelet procedure or did you go to the Tourist Development Council and City Council and lobby. He stated no. He stated he did not lobby. He stated that he went to them because he has a right to be heard. He stated that he had no notice. He stated that you can not expect me to appeal something when I have no idea of what is going on at this exit. Mr. Rainey stated that he understands that. He stated that we got to 2023 almost six months after the approval. Mr. Patel stated that I believe we filed our appeal in 2023. Mr. Rainey stated March 29, 2023 you filed the appeal, twenty-nine days after the construction permit was issued. Mr. Patel stated that he will argue the fact that he filed an appeal of the development order. Mr. Rainey asked him if he was aware of what a development order is and what the difference between a development order and a construction permit. He stated yes. Mr. Rainey stated that when you order the filing of the appeal more that eight months had passed since the development order. Mr. Patel stated possibly.

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Mr. Rainey asked him in respect to the Tru hotel how many feet is it from I-75. He stated he does not know. He stated he knows it is close. Mr. Rainey asked him lots four and five, they back up to I-75 correct. He stated yes. Mr. Rainey asked him you bought lots four and five, a Marriot an upscale hotel right. He stated yes. Mr. Rainey asked him in your testimony you stated that you are worried about the noise from the six parking spots at Circle K correct. He stated you are right. Mr. Rainey asked him is it your belief that the discomfort from those six spots is significantly more than the thousands of trucks that go by on I-75. He stated Mr. Rainey I have been building hotels for a very long time. He stated that there is different types of construction. He stated that when you are near an interstate you build a sound proof exterior wall. He stated that you can not take away all of the noise. He stated that he owns a Comfort Inn and Suites in Gainesville and they do not get complaints on noise. Mr. Rainey stated that you are worried about the trucks a couple of lots away with a building in between but you are not worried about the thousands on I-75. Mr. Patel stated that there is a difference, they are going to be twenty-four hours a day. He stated your traffic engineer testified that there is going to be thirty-six new trips. Mr. Patel stated that the trucks that are waiting to fuel are going to park near his hotel. Mr. Rainey stated that is a congestion issue not a noise issue.

Mr. Rainey asked him you hired Mr. Buckholtz right. He stated yes. Mr. Rainey asked him if he was hired to provide expert services for you correct. He stated yes. Mr. Rainey asked him if he was hired to provide a traffic analysis. He stated no, he was hired to review the Kimley Horne traffic study. Mr. Rainey asked him you hired him to shot holes in the traffic study right. He stated yes. Mr. Rainey asked him if he or anyone else that has commissioned an independent traffic study for the area. He stated no.

Mr. Rainey asked him if he was aware that lot one is owned by Asprey and that lot two is owned by GWC. He stated he does not. Mr. Rainey asked him if he was aware that Circle K was a long-term lease on both lots. He stated that he does not. Mr. Rainey asked him if you are familiar with a triple net lease. He stated he is not.

Mr. Rainey asked for exhibit A-1 be brought up on the screen, page C3.0 of the site plan. Mr. Rainey asked him if he had ever examined the plan before. He stated he may have. Mr. Rainey asked him if he was aware of the plans to expand the existing building. He stated he was. Mr. Rainey asked him if he was aware of the current dumpster pad being demolished and a new one on lot two. He stated yes. Mr. Rainey asked him if he was familiar with any utility plans for networking. He stated he was getting to technical for him. Mr. Rainey asked him if he was familiar with where the brains of the operations is. He stated he was not. Mr. Rainey asked him is it fair to say that both lots are being developed. He stated yes.

Mr. Rainey asked him in the power point presentation there is a picture of some dinning tables in a Circle K, are sure those are from the one on Centurion Ct. He stated no. He stated this is a picture of one he took at the time when you submitted your plans. Mr. Rainey introduced Applicant exhibit 1, a picture of dining counter top currently in the Circle K on Centurion Ct. Mr. Rainey asked him if had been in the Circle K recently. He stated no. Mr. Patel stated that is obviously less seating that the one he took.

Mr. Rainey asked him you have a Comfort Suites that is across the street caddy corner. He stated yes. Mr. Rainey introduce Composite Exhibit 2, four pages. Mr. Rainey asked him if he pays for a billboard on I-75 advertising the Comfort Inn and Suites. He stated yes. Mr. Rainey asked him in your testimony last week you stated that you invite trucks to your hotel and turn off, correct. He stated yes. Mr. Rainey asked him if his hotel looks like the picture he was showing of trucks parked in the parking lot. He stated yes. Mr. Rainey asked him that creates a lot of heavy traffic correct. He stated no. He stated that he had a picture of the parking lot at night with no trucks and wanted to enter it in to

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evidence. Mr. Rainey said they would concede and allow it. Mr. Rainey stated that picture is of a certain moment in time and that you may have one truck there but you may have fifteen there another night. Mr. Rainey showed him another picture and asked how many trucks were there. He stated nine. Mr. Rainey asked him if the billboard work. He stated that the Comfort Inn and Suites has not submitted a site plan. Mr. Rainey asked him if any of his other hotel advertise for truck parking. He stated he was not sure. Mr. Rainey asked him he recognized the hotel in the photo as his. He stated yes. The picture showed a billboard in front of his hotel. He stated that he has no control over the sign.

Mr. Rainey introduced exhibit 3, a picture of the Econo Lodge with a package store next to it. Mr. Rainey asked him he recognized the hotel. He stated yes. Mr. Rainey asked him you have to drive past this to get to your hotel right. He stated yes. He stated that the structure existed before he built his hotel.

Mr. Rainey introduced exhibit 4, a picture of the Days Inn. Mr. Rainey asked him if he owned the Days Inn. He stated yes. Mr. Rainey asked him about the one-hundred-foot pole in front of the hotel. He stated yes.

Mr. Rainey introduced composite exhibit 5, two pages, pictures of Camping World next to a hotel. Mr. Rainey asked him does this accurately depict the view form the Hampton Inn. He stated yes. Mr. Rainey asked him Camping World has a RV garage correct. He stated yes. Mr. Rainey asked him can you see it from your hotel. He stated yes. Mr. Rainey asked him do you know how many hundreds of RV's are next to his hotel. He stated that he understands that it is an RV center. He stated that hotel is not in a subdivision. He stated that Tru Hotel is in a subdivision. Mr Rainey asked if his Hampton Inn is in a CHI zoning district and if it is a intensive zoning district. He stated that he did not research that. He stated that he does not agree that it is an intensive use. Mr. Rainey stated that according to the public comment earlier in the meeting the citizens thought it was. Mr. Patel stated that he does not think that Florida Gateway Drive is intensive, but does think that the intersection and the exit is. He stated that MR. Rainey is forgetting that Tru Hotel is in a subdivision and there is use restrictions on it. Mr. Rainey asked if there is a use restriction on HSD facilities, because if there was you would have enforced it on Mr. Shell and would not have allowed Circle K to lease the property. He stated that it is not mentioned and read Provision 13.4 declaration and association document. Mr. Rainey stated those are in a commercial subdivision correct. He stated yes.

Mr. Rainey stated that I think your concluding point, I could be wrong, based on your previous comments, is this would diminish the life we live in Columbia County. Mr. Rainey asked if that was accurate. He stated yes. He stated that the amount of traffic that you are going to create is significant. He stated that there was an accident, where one of his staff was injured, at the intersection right in front of Circle K.

Mr. Rainey asked for exhibit FGH4 from Guy Norris presentation showing picture of a Camper clocking Centurion Ct. Mr. Rainey asked if he took the picture and was it in the morning. He stated yes, but it was in the evening. Mr. Rainey asked that was at a point in time you pulled in there and seen the camper and took the photo, correct. He stated yes. Mr. Rainey asked how is that any different than when Mr. Shell took photos of trucks parked at your hotel, you pulled down Centurion Ct and did not see a camper. He stated it happens many times. Mr. Rainey asked if that is anecdotal, one picture one shot in time whether it be of your hotel in truck traffic or Centurion Ct absent a traffic study. He stated he will disagree with your statement, you are comparing night and day and apples and oranges. Mr. Rainey stated that he is not comparing apples and oranges. Mr. Rainey asked if he could determine how many trucks are parked in his hotel on average unless he does a study correct. He stated yes. Mr. Rainey

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asked if the only traffic study that was done was Kimley Horne's. He stated yes, but it is inaccurate. Mr. Buckholtz testified earlier that the three bays would allow for twelve to eighteen trucks and that the site is going to create thirty-six trips, where are the rest of the trucks going to park.

Mr. Martin asked that the photo that Nick Patel mentioned in his questioning be introduced into the evidence. Mr. Norris introduced exhibit FGH6 into evidence.

Mr. Norris questioned Robert Angelo. Mr. Norris asked him if he was employed by the City and what his title was. He stated yes, he is the Planning and Zoning Tech. Mr. Norris asked him. Mr. Norris asked him how have you been in that position and are you familiar with the Land Development Regulations. He stated March will be two years and yes, he is familiar with the Regulations.

Mr. Norris asked him if he was present for Dr. Buckholtz cross-examination and that Dr. Buckholtz was asked questions about the ITE. He stated yes. Mr. Norris asked him if he know what the ITE, Institute of Transportation and Engineering. He stated yes, but he is not an engineer and does not know what the full definition is. Mr. Norris asked him if the ITE was part of the Land Development Regulations is it. He stated no it is not.

Mr. Norris asked him if the Land development Regulations defines a convenience store or high-speed diesel fuel station. He stated no it does not. Mr. Norris asked him if that is the terms that is on the application in front of the Board tonight isn't it. He stated yes. Mr. Norris asked him if it uses the term automotive service station or the term truck stop. He stated no. Mr. Norris asked him if there was a single use defined in the Land Development Regulations on the application. He stated no. Mr. Norris asked him if he was aware that Gate Way Crossings is a platted subdivision. He stated at the time he was not, but he is now. Mr. Norris asked him if he was aware of the process that the developer went through to replat lots one and two. He stated no, that was done as he came in.

Mr. Norris asked him as part of your work for the City you reviewed the entire application submitted by the applicant and that on lot two is where all of the development is going to be done. He stated yes. Mr. Norris asked him if he understands the applicant to be GWC Development Partners LLC. He stated yes.

Mr. Norris asked him if he was aware the in the Land Development Regulations for the CHI zoning district that a truck stop requires a special exception and that section 4.15.4 prohibits certain uses in the CHI zoning district. He stated yes. Mr. Norris asked him about the section that mentions use that are dangerous, noxious, or offensive to neighboring uses, that is talking about the CHI district, right. He stated yes. Mr. Norris asked him did I read that correctly. He stated yes.

Mr. Norris asked him did the City issue a variance for a one-hundred-foot truck diesel sign. He stated yes. Mr. Norris asked him if he was present for last week's meeting, tonight's meeting, and all of the material that was submitted. He stated yes. Mr. Norris asked him when he learned of the October 23, 2023 email of the letter to the Mayor, City Attorney, and Circle K about the FDOT permits. He stated I am not sure of the exact date or time, but it was either late November or early December. Mr. Norris asked him to your knowledge has the City made any response to the email. He stated yes, I reached out to Dan Morgan and I emailed him the updated site plan as he requested an updated site plan in December. Mr. Norris asked him if Dan Morgan was on the email. He stated he did not recall. Mr. Norris asked him if the City has any agreement with the developer or with Circle K to pay for any traffic studies for a new application for a connection permit on North West Centurion Ct. or for any improvements to Centurion Ct or US Hwy 90 that FDOT may require. He stated not that I am aware of.

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Mr. Norris asked him according to the Land Development Regulations does the Planning and Zoning board have the right to deny or reject the site plan application. He stated that the are processes to accept, accept with conditions, or deny. Mr. Norris asked him if the Board determines if the development is incompatible, the Board has the right to reject the application. He stated yes, but the decision must be based off competent and substantial evidence. Mr. Norris asked him if the Board determines that the refueling of tractor trailer rigs and the high-flow diesel pumps are not and automotive service station they can reject the application. He stated would have to determine if it is a truck stop or an automotive service station.

Mr. Norris asked him if it is not an automotive service station then it must be a truck stop. He stated that they must look at the definition of a auto service station and by doing so the would determine if it is an automotive service station, it is not his decision to make for them. He stated that they would need to look at the overall structure of the whole site and see if the site is a truck stop. Mr. Norris asked him where in the LDR does it say that. He stated that we looked at the overall project for Circle K for the property that is leased by Circle K. He stated that we looked at the definition of an automotive service station, then we looked at the definition of a truck stop it is not a truck stop.

Mr. Norris asked him if the Board makes the determination that this is a truck stop, then they can deny the application. He stated that decision would originally been made by the Land Development Regulations Administrator and whether a special exception is needed and they would have made the decision at that time if it is a truck stop or an automotive service station. He stated that the Board is approving the site plan, not the decision of the Land Development Administrator. He stated that decision would need to be appealed through the articles in the LDR to the Board of Adjustments. Mr. Norris asked him like the appeal we filed. He stated no they you applied for an appeal against the construction permit and was not against the decision of the land development regulations administrator. Mr. Norris asked him if the development order was the permit issued as a result of that, right. He stated that we determined earlier that the development order is different from the construction permit. Mr. Norris asked him if the development order is the permit under the Florida Statue 163. Mr. Norris asked him if it is true that we are here tonight on a duo novo hearing. He stated yes.

Mr. Norris asked him if the Board determines that the traffic study conducted by Kimley Horne is flawed then they can deny to application. He stated he was not sure. He stated that they could deny it or do a conditional approval with a new traffic study. Mr. Norris asked him are they authorized to deny it. He stated that there is a lot of factors that goes into that.

Mr. Lydick opened up the floor for the Planning and Zoning Board to ask questions.

Mr. Carter asked Mr. Young if the Board can disagree on whether this is a truck stop or a gas station or is that for the Board of Adjustments. He stated as the land development administrator he makes the decision and determination on what and LDR section or definition is. He stated the only alternative is for a party to file the paper work to the land development regulations administrator for an appeal. Then the administrator would then schedule it with the Board of Adjustments.

Mr. Carter asked Mr. Martin, City Attorney, if it would help the Board to have the definition of a truck stop and automotive service station brought in front of the Board of Adjustments. Mr. Martin stated that that the Board is not making a decision on his interpretation but is making a decision on how

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it is applied and has given testimony through staff of its application and have heard other testimony of how other people view how it should be applied.

Mr. Lydick asked Dr. Buckholtz is it a fair testimony that you think that the traffic at this intersection that will be created, will be an unacceptable quantity of traffic. He stated he can not honestly say with out a traffic study. Mr. Lydick asked him if the application was dropped for the HSD pumps and the rest of the lots were developed to the utmost potential of the original conceptual plan, in your professional opinion make the intersection unserviceable and that any development of the other parcels could have as much of an effect as the Circle K development. He stated it could, but with out any improvements, but with out a traffic study you do not know.

Mr. Lydick asked if under the notion that you know that there are issues with the traffic study and there could be an unacceptable increase in traffic, noise, and vibration that are mentioned in the LDR, if that is the justification for a majority of the members of the board to deny this application, would this set a precedent on future developments. Mr. Lydick asked if are we effectively closing that interchange. He stated that there would be a strong possibility. Mr. Lydick asked what is the grieving parties options depending on the outcome of this meeting. He stated that the next step would be the Board of Adjustments.

Mr. Nelson stated to Mr. Patel, that by your testimony it is clear that you do not want the high flow pumps by your hotel. Mr. Patel stated that he beliefs this would greatly diminish the area. Mr. Nelson asked Mr. Patel would help his case if he funded a traffic study. He stated that is not his purview to fund a traffic study for the developer. He stated it is the developer's responsibility to present a study which is acceptable to the FDOT. He stated that his traffic expert stated that the traffic study was inaccurate. Mr. Nelson stated that Dr. Buckholtz conceded that a traffic study needs to be done.

Applicant, intervener, and staff make there closing statements.

Mr. Rainey stated that it is Mr. Patel's right to object to any development that may interfere with his business. He stated that there was a lot of public that was there to voice their opinion and they understand that. He stated that there was a process in place and Circle K followed that process and have invested already in the site and committed to go forward. He stated that Mr. Patel did not follow that process and we are here on a do over. He stated that once Mr. Patel learned of the developments it took him months to file an appeal. He stated that the City attorney made the decision he made for the do over and that he understands the position the City attorney was in. He stated that they appreciate that the City of Lake City wants to turn square corners and do this right. He stated that they believe that the staff analyzed the LDR correctly and this is not a truck stop. He stated that the site is still going to be 95% auto. He stated that there is nothing wrong with someone wanting to and an ancillary use and develop lot two and make it one use.

He stated that he understands that Mr. Patel wants to lobby or meet with people but we are not a nation of men. He stated that Mr. Patel said that he has invested millions in the area. He stated that Mr. Patel should get the same treatment as some poor guy on the street. He stated that we are a nation of laws.

He stated the Circle K followed the rules and they should to. He stated just because they have talked about it being a truck stop a lot. Still does not mean it is.

He stated that Jarod Stubbs shows up on the application as the applicant and GWC shows up as the owner on the application. He stated that real party of interest is Circle K with has signed a fifty-year

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ground lease between Circle K and GWC for lot one and then the lease was sold to an investor, which is recorded. He stated that they have signed and is now paying rent on a fifty-year ground lease for lot two to GWC. He stated that GWC will then probably then sell that.

He stated that in order to have a place for someone to fuel up, you must have a brain to the operation. He stated that this in an integrated site, egress, dumpster, and convenience store. He went of the specifics in the application and how it could no operate by itself.

He stated that the numbers on the traffic study is coming in far below the numbers of the traffic study done in 2016. He stated that Circle K has presented competent and substantial evidence but Mr. Patel has not. He stated that there was a reason that the other side only focused on the noise, vibration, and fumes.

He stated that this is as an intensive of an area as you are going to get. He stated that he believes that Circle K has followed the process.

Mr. Norris stated this is a very significant and serious matter for the City and the future of the City. Mr. Norris stated we are here for duo novo hearing as advised by your legal counsel. Mr. Norris stated he is advising you on the Florida law. Mr. Norris stated Florida law is very clear on duo process. Mr. Norris stated you are not a rubber stamp of the administrator and you are not bond by a mistake made by the Growth Management department for the City of Lake City.

Mr. Norris stated when you say you are entitled to the same process, you are correct. Mr. Norris stated we are not only here for Mr. Patel and Gateway Hotels, but are here for the public because the was a violation of due process. Mr. Norris stated that your counsel is going to advise you that per your Land Development Regulations that you will be guided in your decision by article 13.11 of the Land Development Regulations. He went through the article and why the Board could deny the application. Mr. Norris stated you are not a rubber stamp and that you are the deciding body that must make sure that the Land Development Regulations are applied correctly.

Mr. Norris stated it is funny that Circle K and the City's Growth Management department can not get past the first sentence of the definition of an automotive service station and as you can see that it is much for than one sentence. Mr. Norris stated you must follow and consider the definition of truck stop. Mr. Norris stated you must also consider Section 4.15 of the Land Development Regulations for CHI zoning district. Mr. Norris stated that a truck stop needs a special exception.

Mr. Norris stated that he wanted to address the question from the Chair of is this decision going to prohibit future development of this area. Mr. Norris stated the Land Development Regulations is clear of what is a permitted use and what is not. Mr. Norris stated that a truck stop requires a special exception. Mr. Norris stated that is in part because they are very well known for the noise, smoke, odor, and vibration.

Mr. Norris stated that is it funny that in the definition for automotive service station that it says however, which is code for wait a minute. Mr. Norris read the part of the definition after however. Mr. Norris stated that like a high-speed diesel pump added to a automotive service station. Mr. Norris stated that will you have level noise, smoke, or vibration greater than normal the use is prohibited.

Mr. Norris stated that when you use this application and all of the material that you will not see the use automotive service station on it. Mr. Norris stated it is important that no certified planner for the City or Circle K spoke about the project. Mr. Norris stated our planner a certified planner, stated that the facility does not meet the definition of an automotive service station in his opinion. Mr. Norris stated there is a reason that I am the only one harping on the definitions. Mr. Norris stated Mr. Serna in

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his testimony stated that Circle K and the City staff made an error in viewing this as an automotive service station.

Mr. Norris stated that Mr. Serna stated that with the flawed logic of the viewing of the project Circle K would be able to have twenty-three high speed diesel pumps and still be an automotive service station. Mr. Norris stated that there is no size limits for how many pumps there has to be. Mr. Norris stated they testified that they are going to prohibit cars from lot two. Mr. Norris stated that the principle use for lot two is for refueling of trucks. Mr. Norris stated that the representative from the FDOT testified that this is a truck stop.

Mr. Norris stated that in the definition of an automotive service station it mentions that it can not be a truck stop or a combination thereof. Mr. Norris stated it is very clear and each use must be viewed as a separate use.

Mr. Norris stated that there is no provision in the Land Development Regulations that allows you to call your project an expansion. Mr. Norris stated that it is undisputed that lot two is not used for autos.

Mr. Norris stated that the site plans show how catastrophic this would be for the busiest intersection in all of Columbia County. Mr. Norris stated Circle K evidence will bring more than fifteen thousand new trucks to the intersection per year. Mr. Norris stated they will not be coming to the vacant lot but if approved they will come in droves to the mini truck stop. Mr. Norris stated that all of the traffic must come through the intersection to get onto Centurion Ct.

Mr. Norris stated that we have seen that even though there promises to restrict overnight parking is not managed well by Circle K. Mr. Norris stated if they did then you would not have trucks parallel parked on the exit ramp. Mr. Norris stated the intersection already backs up with traffic. Mr. Norris stated have established that the Tourist Development Council has concerns with this application.

Mr. Norris stated that the FDOT expressed concerns for the application. Mr. Norris stated the FDOT representative stated in his testimony that the DOT would not review the expired safety upgrade permit until the City worked with them. Mr. Norris asked the Board if they were candid with you. Mr. Norris stated that if the new use is approved then a new access permit would need to be applied for thru the FDOT by the City as they are the owner of the road. Mr. Norris stated that in the email from the FDOT that they stated that the City did not communicate nor did they update for the permit and that the site plan is significantly different than what was presented.

Mr. Norris stated that according to the Circle K representative and quoted what he stated about the 2016 connection permit. Mr. Norris stated that none of that is a truck stop or even close. Mr. Norris stated that everyone can agree that none of the uses permitted in the connection permit are a truck stop. Mr. Norris stated we are not asking you to deny this based on comments from FDOT. Mr. Norris stated we are suggesting that the FDOT had no problem with the traffic in 2016, but they do now.

Mr. Norris stated it is also clear that Circle K made no agreement to upgrade the exit or the road. Mr. Norris stated that the burden imposed on the City road could put the City on the hook for the upgrades. Mr. Norris stated we have established thru Dr. Buckholtz testimony that this site is going to significantly increase traffic at this intersection. Mr. Norris stated that the Circle K is telling us to listen to us and not to the public and the experts on the other side and do not believe your common sense.

Mr. Norris stated that this is the primary entrance to Columbia County and that the application is not compatible with the Gateway to Florida. Mr. Norris stated we have proved that the staff did not define the use of lot two correctly. Mr. Norris stated we strongly believe that this falls under the

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category of prohibited uses in section 4.15.4 of the Land Development Regulations. Mr. Norris stated to assisted the Board we have prepared a recommended motion.

Robert Angelo recapped the process. He stated that the Land Development Regulations Administrator made an interpretation back in 2021 of whether this is a truck stop or not. He stated that was based on the Land Development Regulations, which is the book that we use to guide our decisions. He stated that we have to review what is in front of us. He stated you have heard lots of comments that it is not adequate, there is new uses, or it is not right. He stated that may be true but we have to view it with what is in front of use and not hypotheticals. He stated that we have to review competent and substantial evidence.

He stated that we reviewed this we looked at the definition of an automotive service station. He stated that in the last sentence of it, states that an automotive service station can not be a car wash, truck stop, or a body shop. He stated then we looked at those definitions. He stated when we reviewed the definition of a truck stop. He stated the definition is for primary use is for the refueling and servicing of tractor trailer rigs. He stated the it does not say and/or it says and. He stated that we are not here to argue if this is a truck stop or not, or the traffic studies. He stated that he recommends what Mr. Norris stated and that the Board should use the whole LDR not just a section of it.

Mr. Martin read into the record section 13.11 of the Land Development Regulations. He stated this is the criteria that Board should use when making their decision. Mr. Lydick if this is clear to the Board.

Mr. Carter stated that he is convinced that based on the definition of a truck stop in the LDR, all though at minimum it is a truck stop. He stated that he is convinced that it is not compatible with the district. He stated that he thinks that is does designate a separate principal use and would require a special exception.

Mr. McMahon stated that he is concerned with the amount of truck traffic coming in and out. Mr. Carter stated that the expert witness's testimony from Dr. Buckholtz and the Planner Mr. Serna heavily affected his opinion. Mrs. McKellum stated that her thoughts are about the safety and that the lady that spoke about her husband going to the hospital. She stated that with her driving the area going to the doctors. She stated that it should somewhere else.

Mr. Carter stated that the testimony form the gentlemen from FDOT that stated his concerns about the traffic affected his opinion as well.

Mr. Lydick asked about how they should do the motion. Mr. Martin advised how the motion should be.

Mr. Carter moved to motion SPR 22-15 in that it is incompatible with the character of the district and that the proposed use constitutes a separate principal use and that based on the definition of a truck stop although minimally meets that definition in 2.1 and for the City Attorney to bring back a resolution that adopts it. Mr. Nelson seconded the motion.

Mrs. McKellum: Aye Mr. Nelson: Aye Mr. McMahon: Aye
Mr. Carter: Aye Mr. Lydick: Aye

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WORKSHOP: None

ADJOURNMENT

Mr. Lydick closed the meeting.

Motion to Adjourn by: Mrs. McKellum

Time: 10:42 pm

Motion Seconded By: Mr. Carter

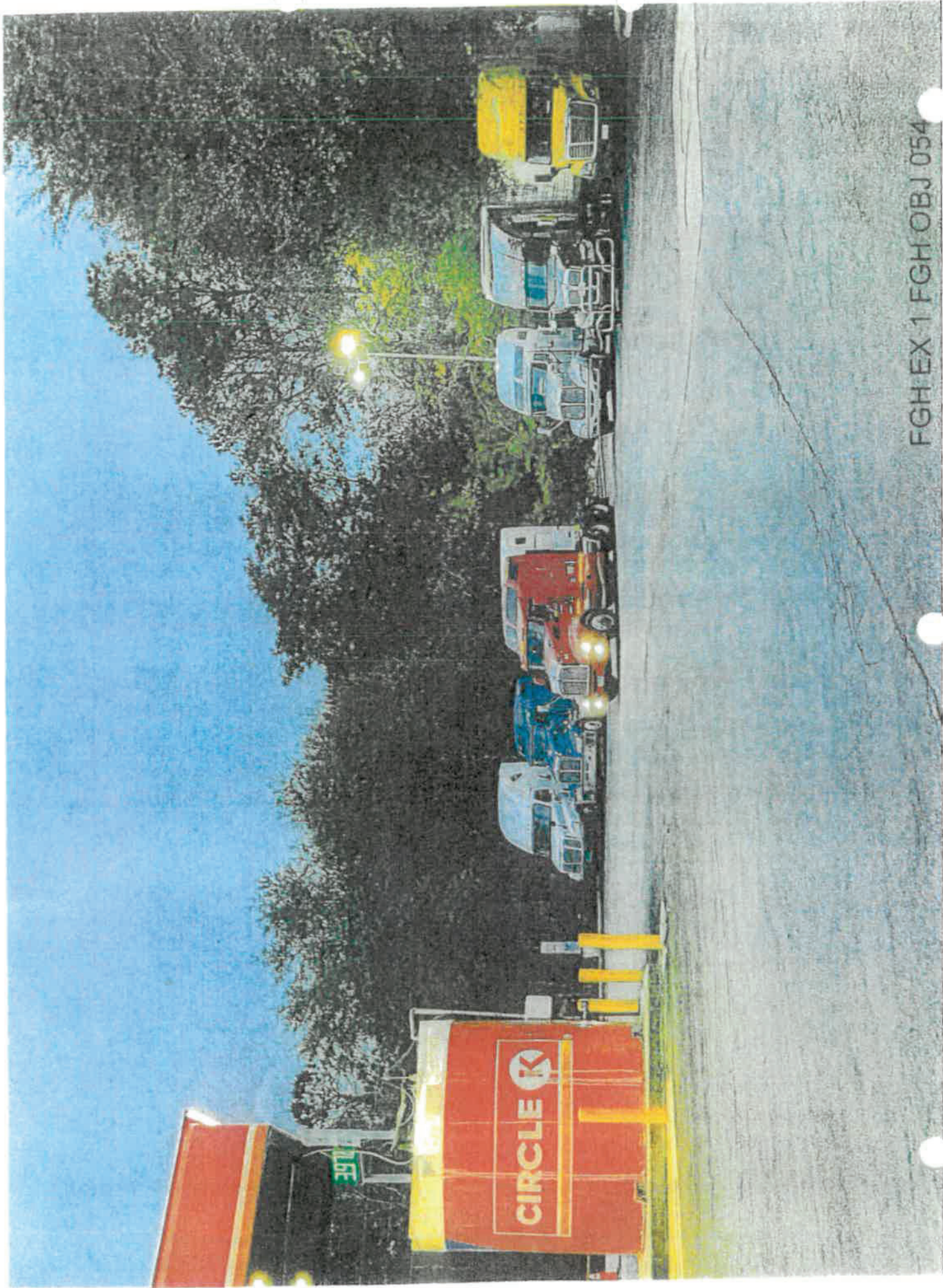
Mr. Lydick, Board Chairperson

Date Approved

Robert Angelo, Secretary

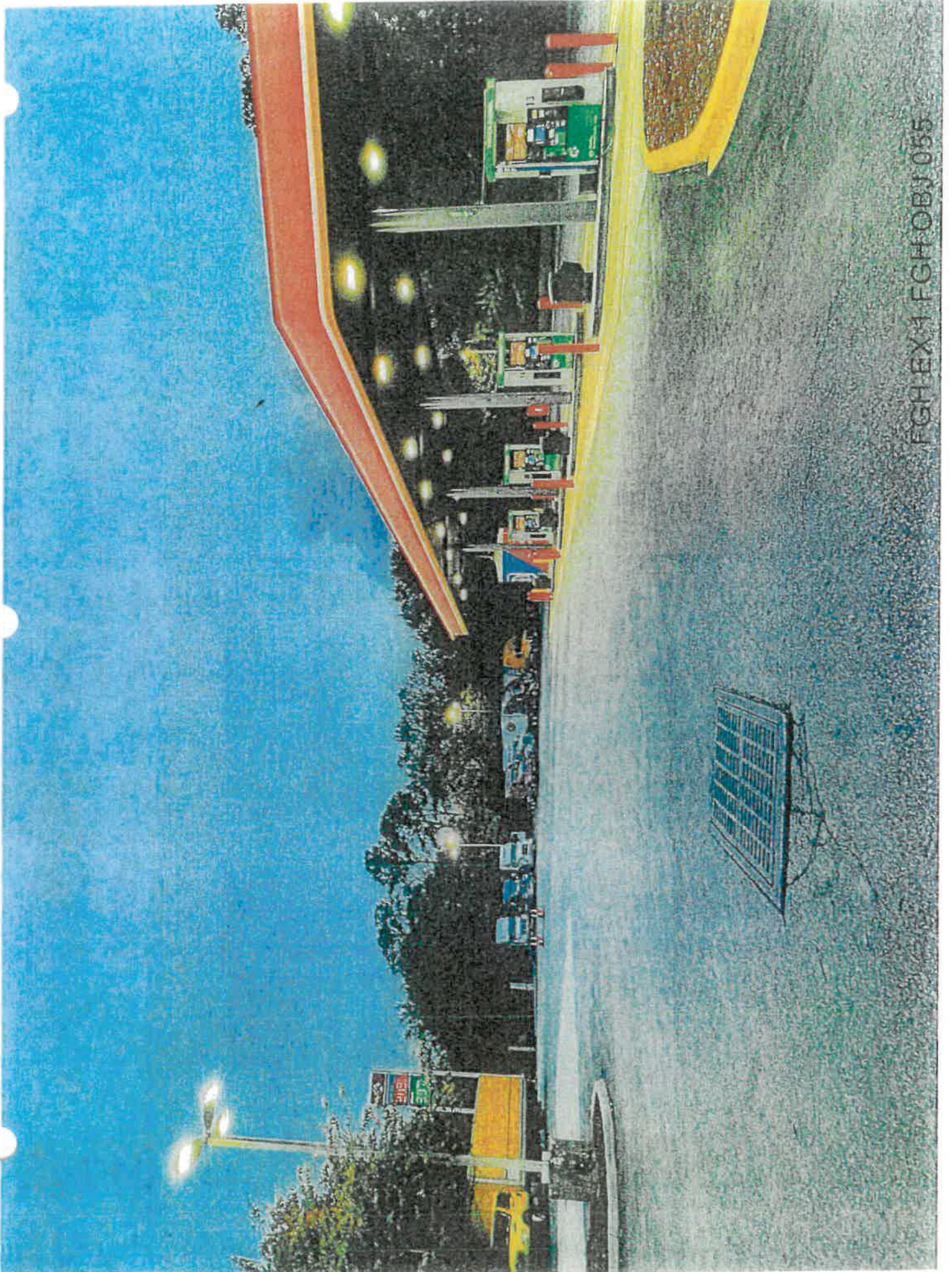
Date Approved

EXHIBIT
FGH1



FGH EX 1 FGH OBJ 054

EXHIBIT
FGH2



FGH/EX-1 FGH/OBJ 055

EXHIBIT
FGH3



US 90

CIRCLE K

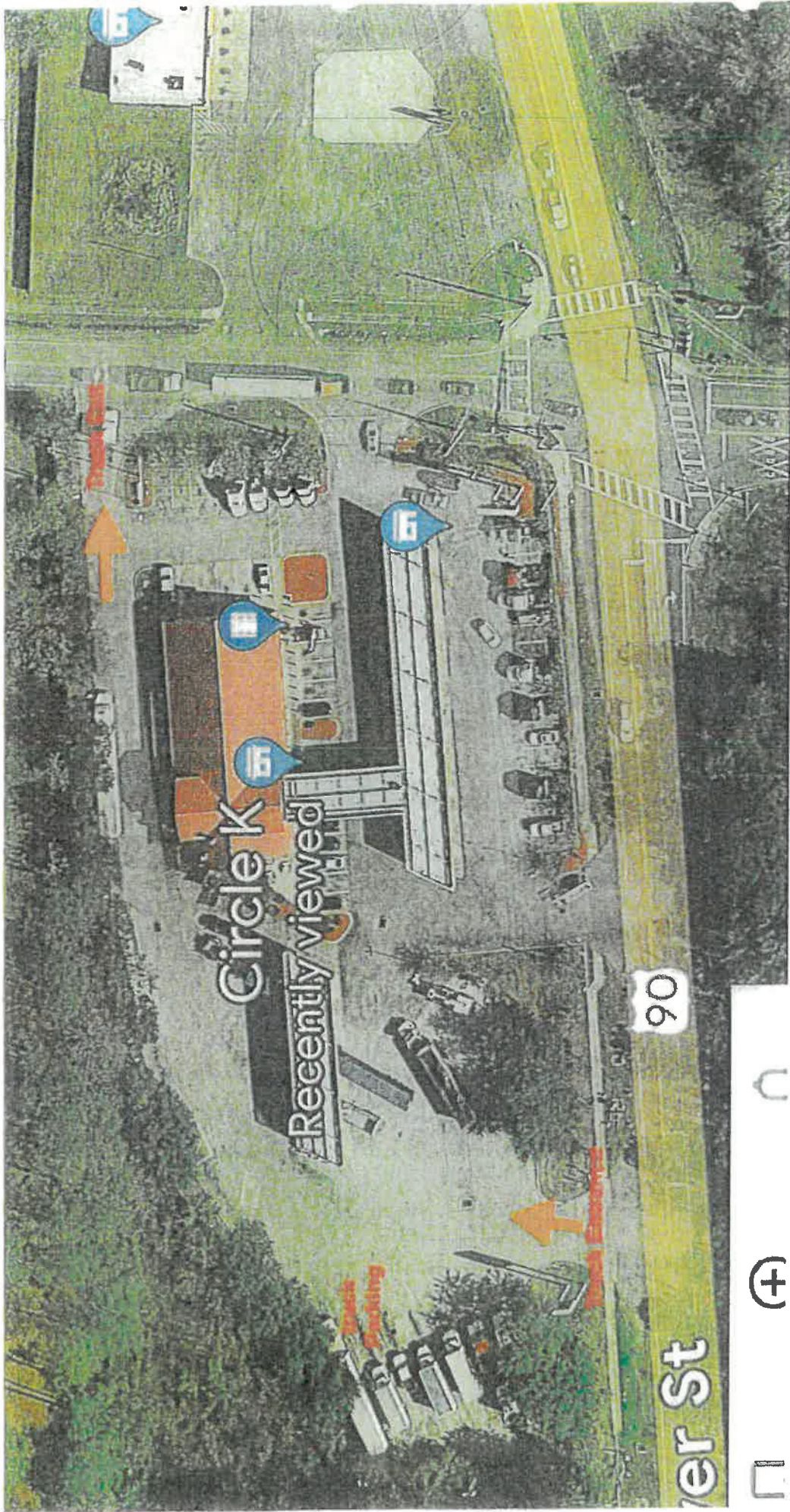
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EXHIBIT
FGH4



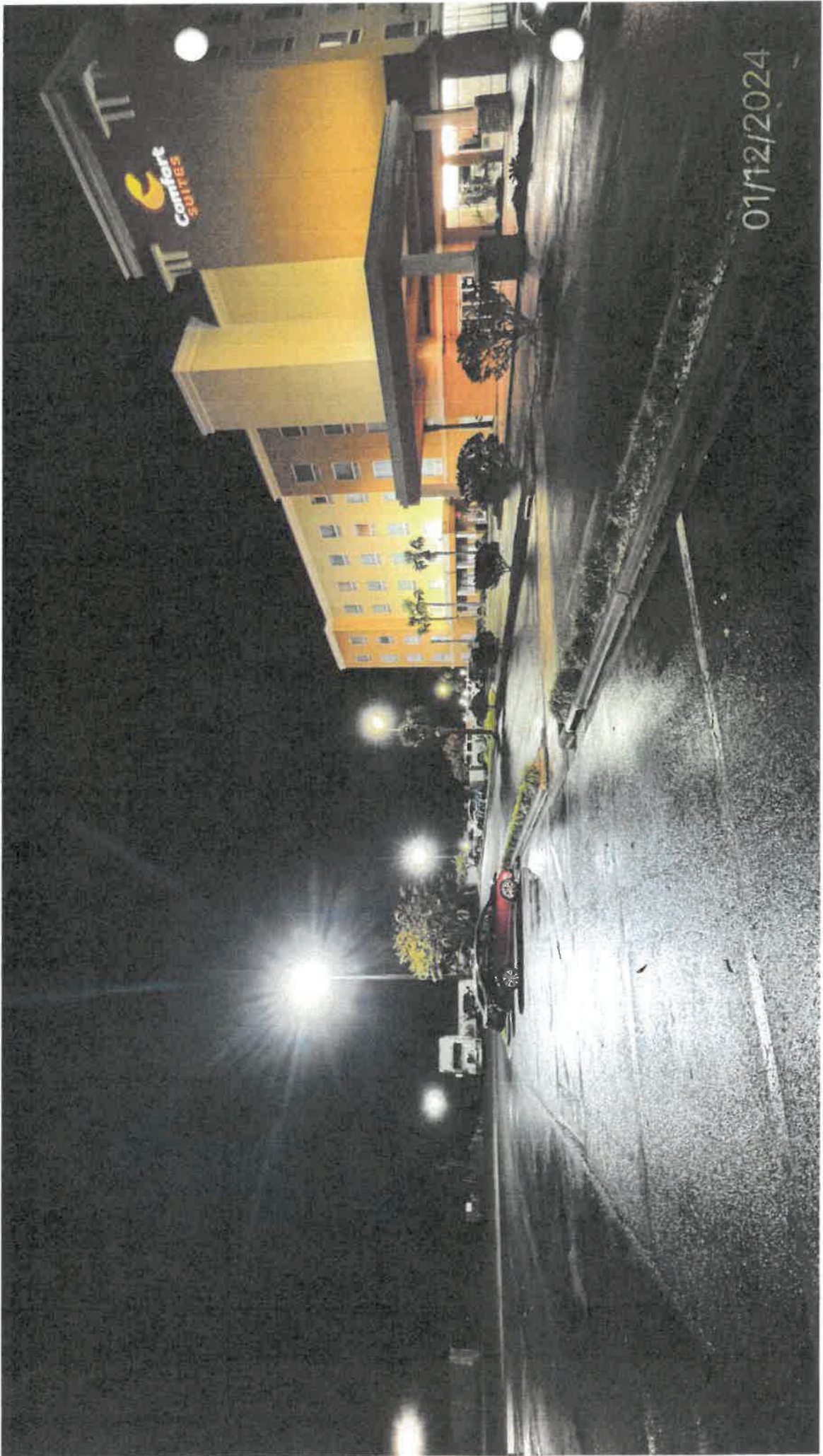
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EXHIBIT
FGH5



FGH EX 1 FGH OBJ 058

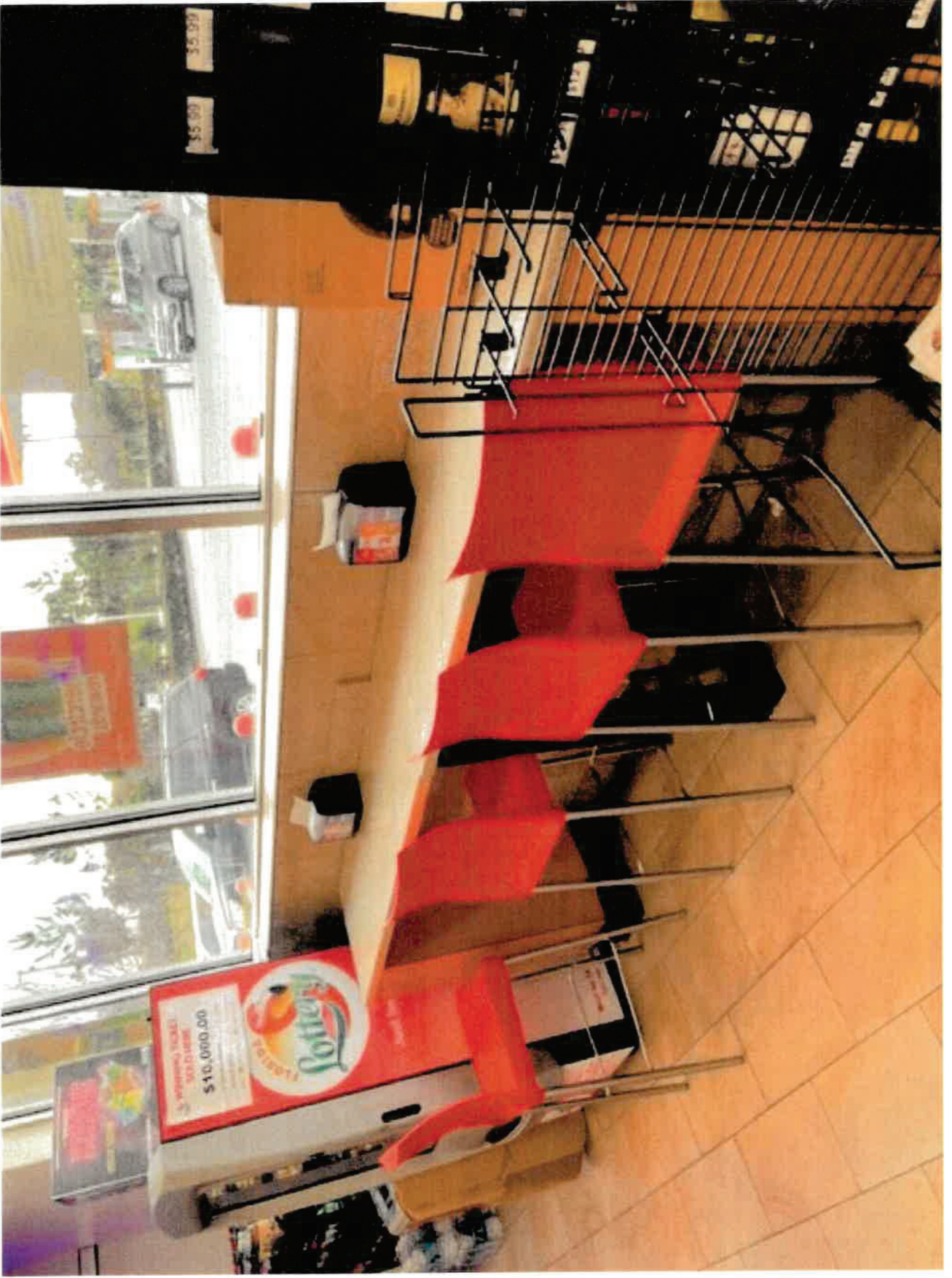
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01/12/2024

APPLICANTS EXHIBIT

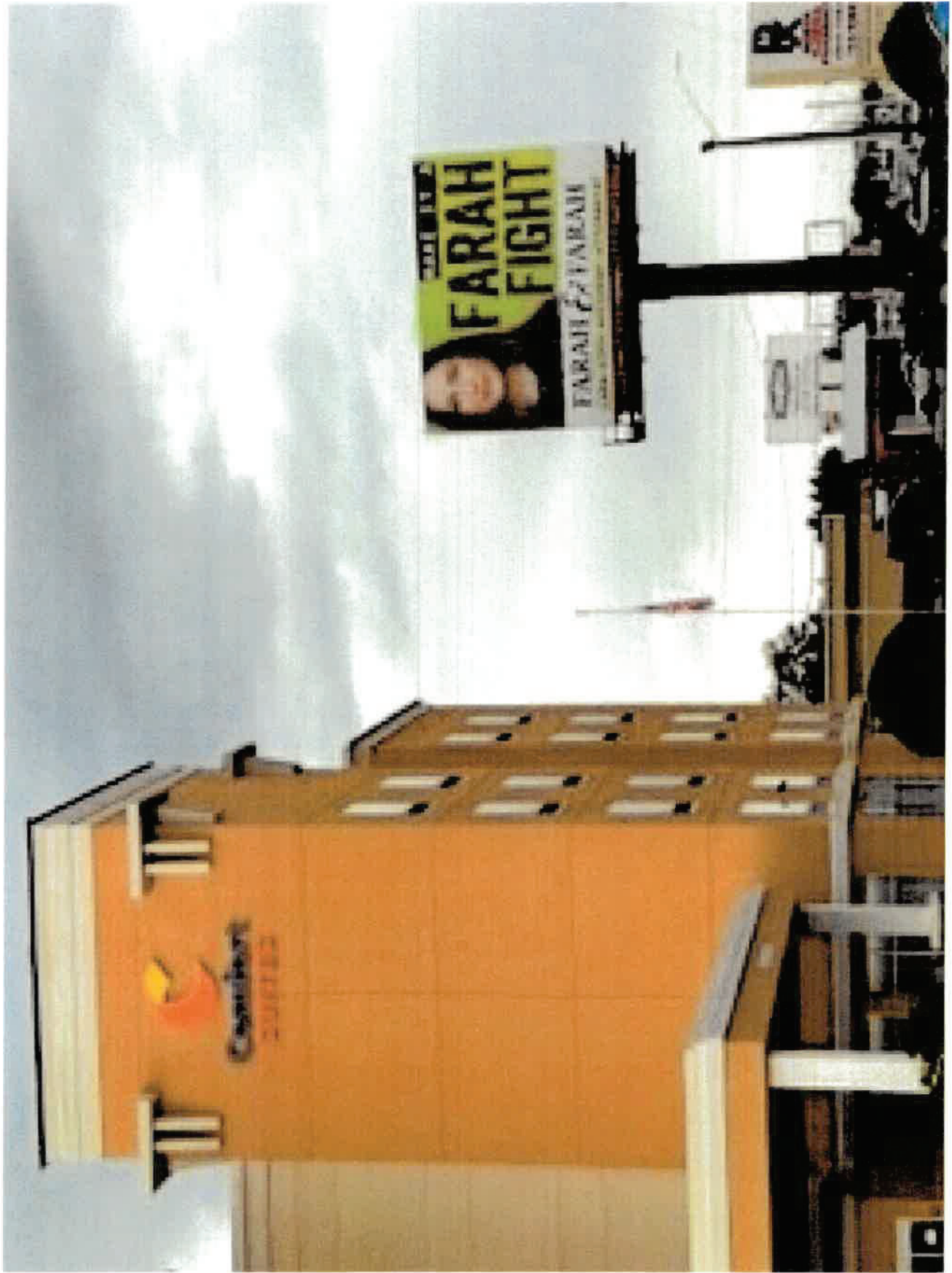
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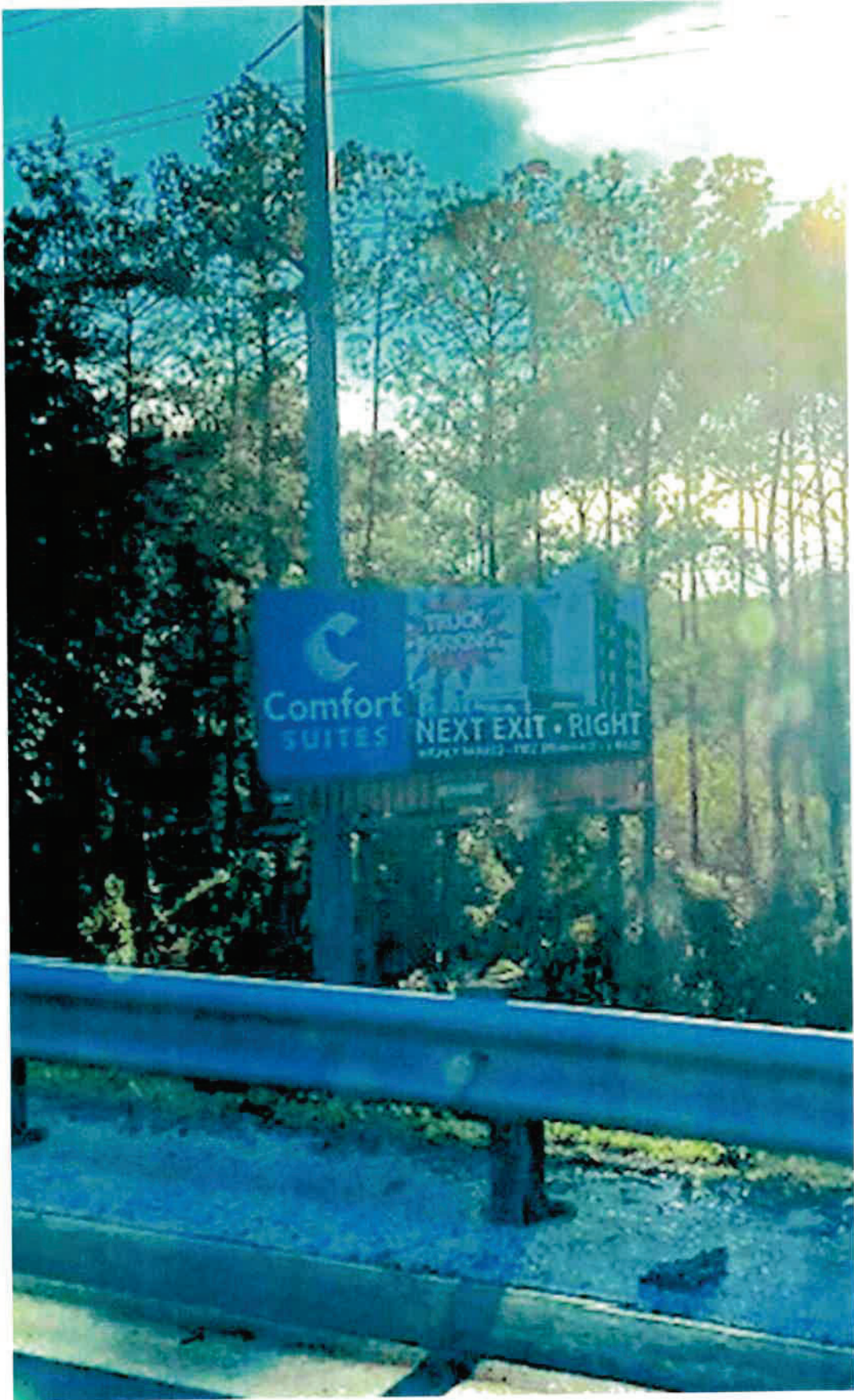
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COMPOSITE
EXHIBIT**

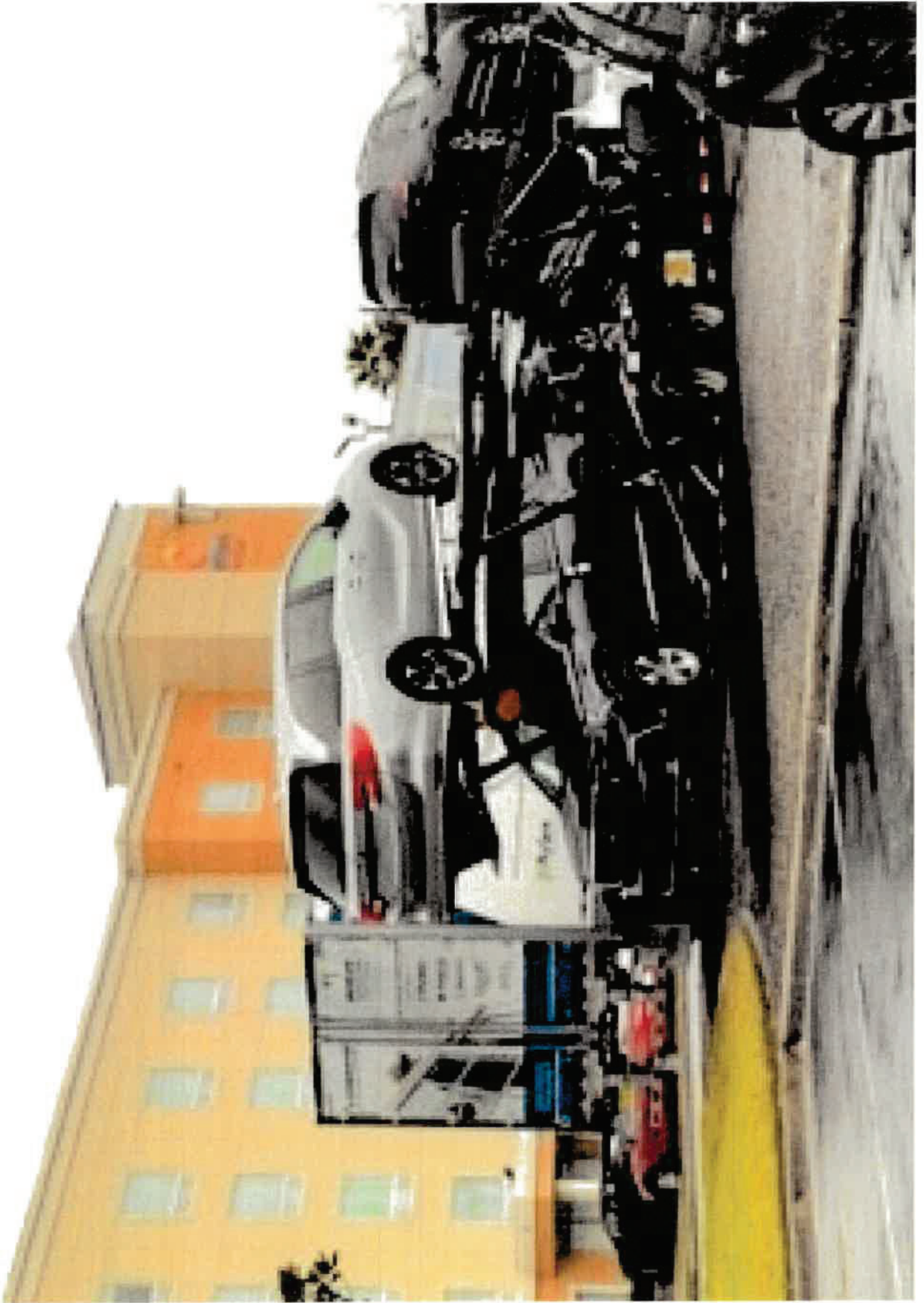
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4 PAGES



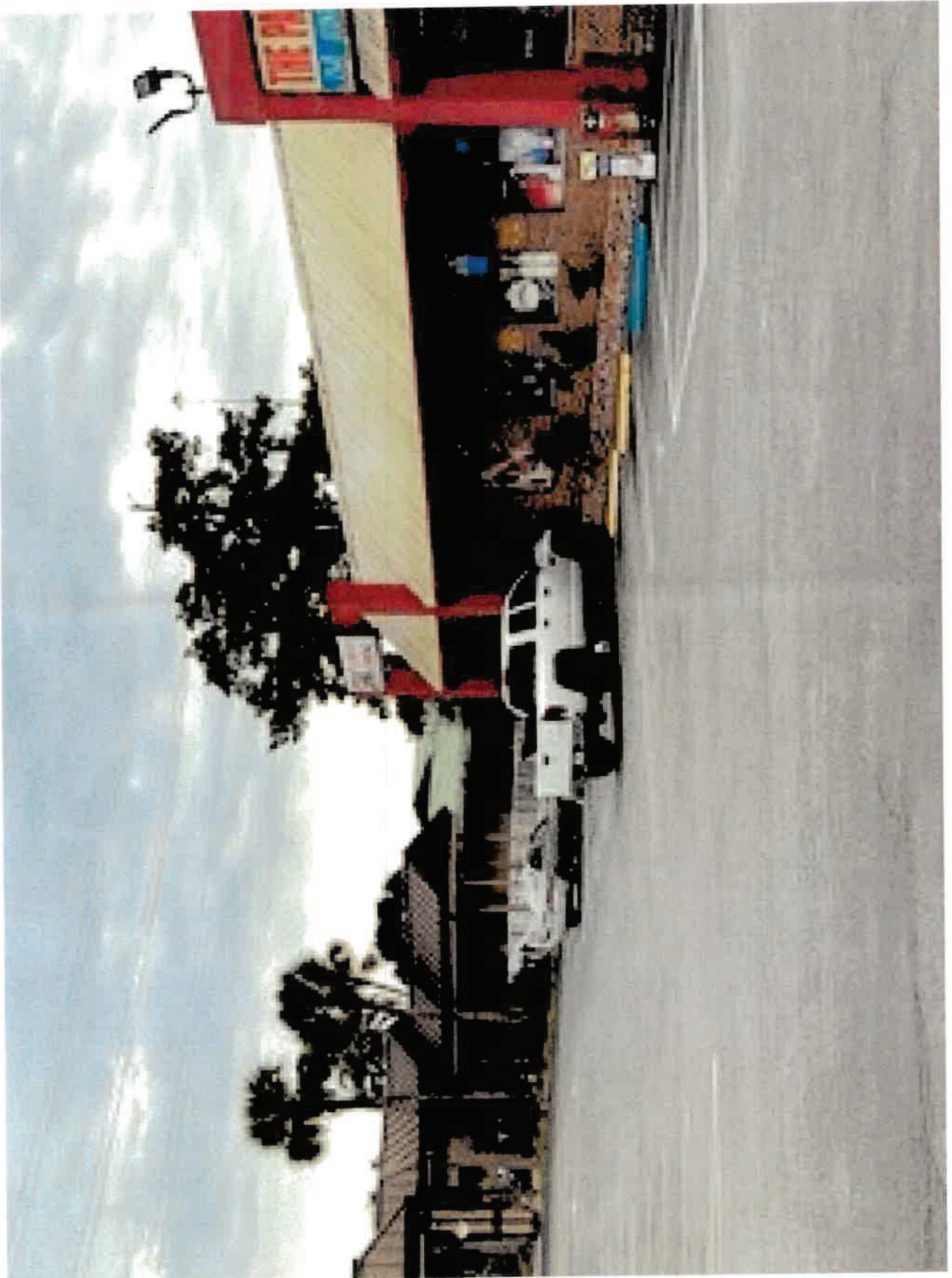






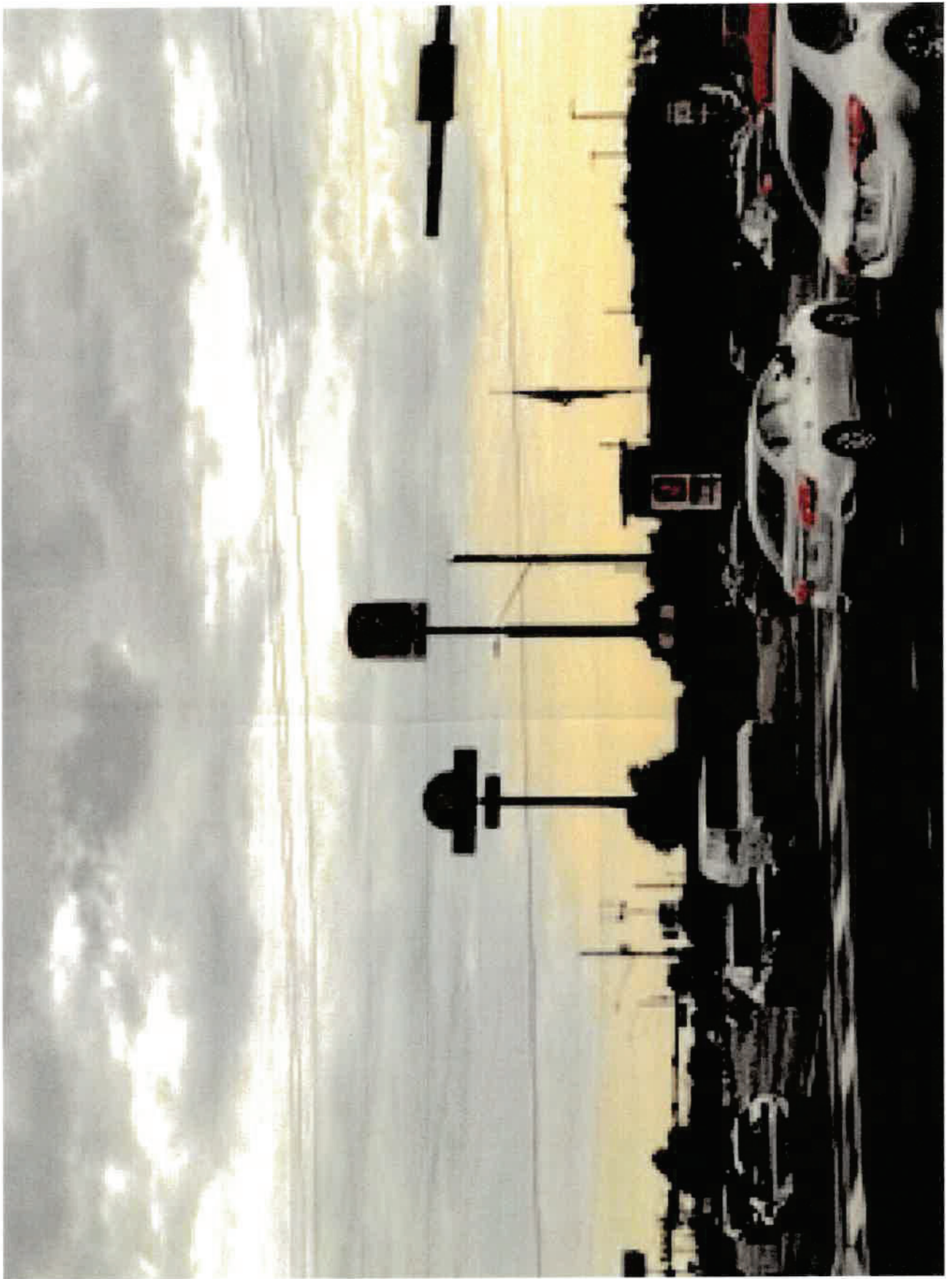
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APPLICANTS EXHIBIT

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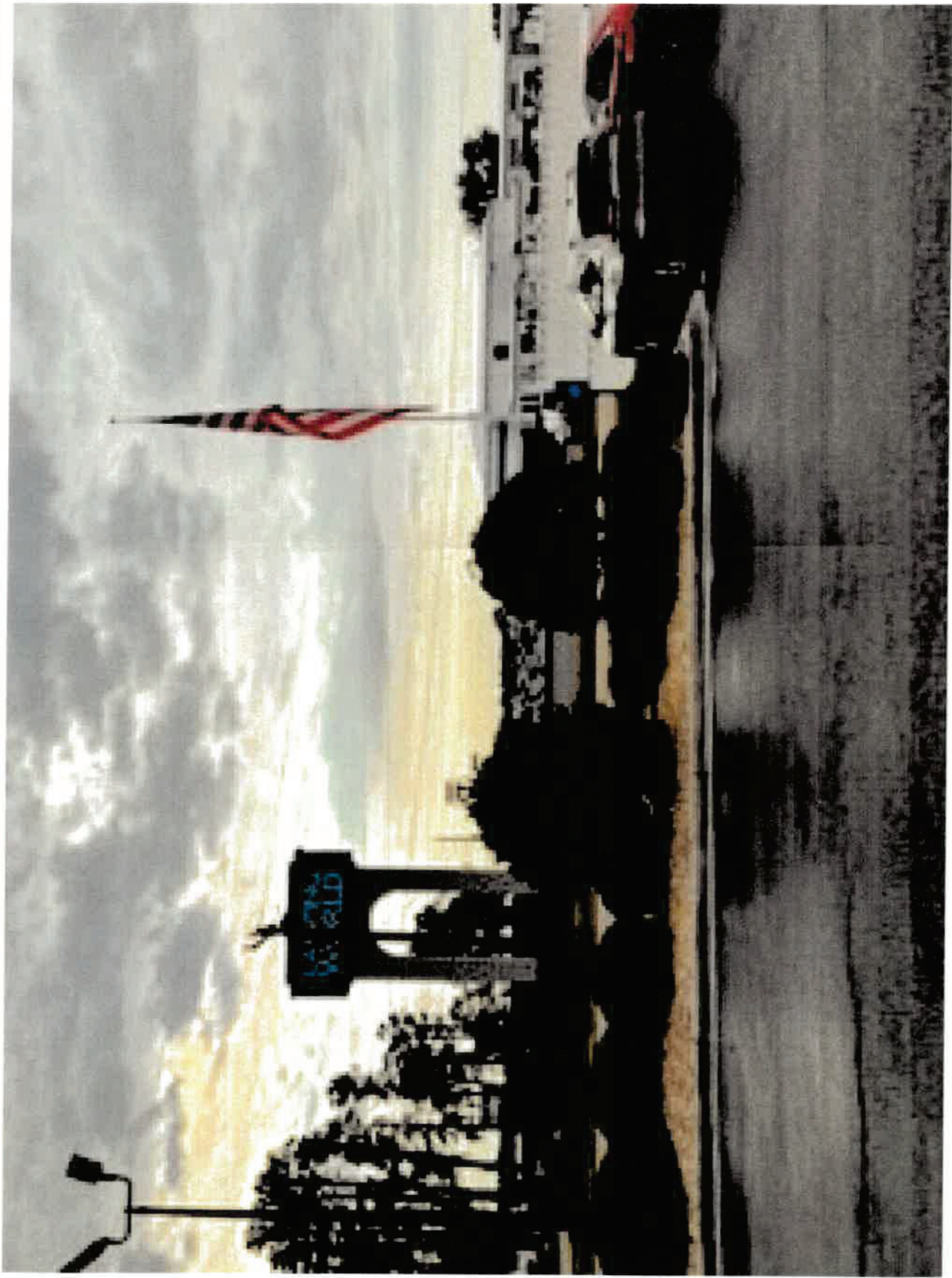


**APPLICANT
COMPOSITE**

EXHIBIT

5

2 PAGES





EXHIBIT

PC1



PC 1
Seber Associates, Inc.

PO BOX 836 Wellborn, FL. 32094
386 590 9015
flpotato@prodigy.net

January 17, 2024

City of Lake City Planning & Zoning Board/ LPA

Via: e mail delivery

RE: Please vote AGAINST the Expansion of existing Circle K on USHW 90 to have additional pumps to serve large Diesel Vehicles, or large Trucks and Trailers of any kind.

Dear Board,

My Experience and Some Applicable Background:

Licensed Real Estate Salesperson in FL since 2000

Commercial transaction award winner for Miami Dade Market in 2002-2004, 2007-2009

Consulting Firm for Economic and Real Estate Development in Greater

Homestead/Miami Dade area established in 2001

City of Live Oak CRA Director, 2013-2014

Suwannee County Development Authority Chairman, 2012-2013

With my clients and as a principal investor over a 10-12 year period we created over a Billion Dollars of taxable impact through the design, entitlement, development and delivery of over 7000 homes and hundreds of acres of Commercial and Retail Development including three Publix Shopping Centers, a new Hospital, a new Movie Theatre, many big box stores and a retail complex that housed the interim City Hall for many years as well.

I also work with repeat clients who buy and sell Commercial Real Estate using the 1031 codes and I underwrite acquisitions, confirm values and analyze and confirm applicable LDR's, HIBU, access, and DOT criteria both past and current to make sure the 1.5m to 5m per year in transactional volume.... meets our criteria.

How I am Affected by this Proposal:

I have lived here since 2004 with my wife, my parents-in-law, my parents (since 2006) and our 4 children. I work in Lake City currently in my 'day job' as the Regional Land Acquisition Manager for a National Home Builder.

I work from Home in Wellborn and an office in Lake City on USHWY 90. My wife and I travel both the I-10/I-75 corridor to the USHW 90 intersection several times a week as well as the USHW 90 to Lake City route many times a month. Our Hospital, Restaurants, Doctors offices, vendors, pharmacies, and grocery providers all are along this stretch of USHW 90, intersected by I-75.

I have experienced the occasional Semi Truck and Trailer as well as large Campers try and navigate the short exit path and turning movement between USHW 90 and I-75 from, and to the existing Circle K and the remainder of the development site and it's a complicated thing to watch, much less experience as someone who is trying to also get through that intersection. It is common to see two light cycles required during peak cycles for traffic to get through. The I-75 bridge also presents its own complications due to height and clearance tolerance as all who have lived here can attest.

There is insufficient space between I-75 exit and entrance ramps and the entrance to the Development AND insufficient space between the circle K and the USHW 90 intersection to manage current longer vehicle and truck traffic and to invite additional users to engage in these movements and intersections is a bad idea. Accidents, damage to the roadway, significant interruptions to East/West traffic flow WILL OCCUR. This is never a good idea and I would suggest as someone who lives West of I-75 it's also callous to the lives of West Lake City, Western Columbia County, and SE Suwannee County residents and taxpayers as unobstructed access to our only local Hospital via USHW 90 will be imperiled should you approve this request.

I have standing as a member of the public, and knowledge as someone who has engaged traffic engineers and planned large and small complicated projects with significant impacts to current and planned road design and conditions.

I've led a team designing and planning the siting and development of a 4-lane divided highway with a 5-mile infrastructure loop serving tens of thousands of cars per day and negotiated a Release of RROW from the Turnpike Authority adjacent to a major exit as an example of past work connected to road use and design. I have even had Rick Hall, a leading transportation Engineer and a father of significant sections of the FDOT "Green Book" speak to groups like yourselves to encourage good design and planning. Based on all my personal experience with this intersection, and substantial work experience, I ask you to please vote NO on this item and to NOT SUPPORT any increase in large vehicle service at this location at this time.

I have not visited the Circle K as frequently as I one did with my wife to get gas and a frozen Coke or Icee (they have the best selection in FL) because we couldn't get out due to camper traffic taking up all the available insufficient stacking space in the short area between the exit and the signalized intersection. It's dangerous to cars, pedestrians and bikes and motorcycles now because of the minimal planning for egress/ingress and the increased traffic on both 90 and 75.

Additional/Final Thoughts:

The State of FL is working to redesign I-75 instead of building a new interstate in the state. This process will include access and bridge improvements to facilitate additional capacity and safer ingress and egress from same. Saying NO now is based on the current design of both the surrounding roads and the current configuration of I-75. This can possibly be considered again should things change.

The more we cram in near the current insufficient on and off ramps makes it that much more expensive for the State to redesign and implement better and safer access to and from I-75 in the future. Stop making it worse for all of us who use these roads now and preserve the opportunity to have better road design here in the future too by saying NO.

I appreciate your time and service. Your work is important and necessary. Please let me know if you have any questions.

386 590 9015 Mobile

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Williams", with a horizontal line underneath it.

Tim Williams

CITY ATTORNEY

EXHIBIT

1

3 PAGES

CITY OF LAKE CITY

LAND DEVELOPMENT REGULATIONS

13.11.3 Action on Site and Development Plan.

The Land Development Regulation Administrator shall forward the application for site and development plan approval along with any comments or criticisms to the Planning and Zoning Board for consideration. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of site and development plans shall be a public record and approval, approval with conditions, or denial shall require formal action of the Planning and Zoning Board. A petition for a zoning amendment and an application for site and development plan approval shall not be handled concurrently. Rather, an application for site and development plan approval shall be heard only after the applicant has secured the appropriate zoning on the subject parcel. Appeals from decisions of the Planning and Zoning Board shall be heard as set out in Article 12 of these land development regulations.

In reaching a decision as to whether or not the site and development plan as submitted should be approved with a directive to the Land Development Regulation Administrator to issue building permits, the Planning and Zoning Board shall be guided in its decision to approve, approve with conditions, or to deny by the following standards; the Planning and Zoning Board shall show in its record that each was considered where applicable and it shall make findings in regard to those of the following standards which it finds to be applicable:

1. Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use, and permanent maintenance of common open space, common facilities, or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the City Council.
2. Density and/or the intended use of the proposed development with particular attention to its relationship to adjacent and nearby properties and effect on those properties and relationship to the Comprehensive Plan.
3. Ingress and egress to the development and proposed structures on the development, with particular reference to automotive and pedestrian safety, minimization of marginal friction with free movement of traffic on adjacent streets, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe, or emergency.
4. Location and relationship of offstreet parking and offstreet loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscape.
5. Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

6. Manner of stormwater management on the property, with particular reference to the effect of provisions for stormwater management on adjacent and nearby properties and the consequences of such stormwater management on overall public stormwater management capacities.
7. Adequacy of provision for sanitary sewers, with particular relationship to overall sanitary sewer availability and capacities.
8. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
9. Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community open spaces and recreational facilities.
10. General amenities and convenience, with particular reference to assuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be in conflict with other development in the area as to cause substantial depreciation of property values.
11. Such other standards as may be imposed by these land development regulations on the particular use or activity involved.

PUBLIC
COMMENT
FORMS

197 NW Brookside



REQUEST TO ADDRESS THE MAYOR AND COUNCIL

If you wish to speak to the Mayor and City Council at tonight's meeting, please complete this form and present it to the City Clerk prior to the meeting.

When you speak, you must come to the podium in front and clearly state your name and address for the record. Personal, impertinent or slanderous remarks are not permitted.

Special interest groups are encouraged to select a representative to speak for the group to conserve time and avoid repetition.

A 3 MINUTE TIME LIMIT WILL BE IMPOSED ON ALL COMMENTS FROM THE PUBLIC UNLESS TIME IS SPECIFICALLY EXTENDED BY THE MAYOR.

DATE: 1-10-24
NAME: Brad Wheeler

ITEM YOU WISH TO ADDRESS: Circle K

NOTE: Minutes of the City Council meetings are not transcribed verbatim. If you require a verbatim transcript you must make arrangements for a court reporter or some other method of recording/transcribing.

317 NW Streamside Ct



REQUEST TO ADDRESS THE MAYOR AND COUNCIL

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DATE: 1-10-24
NAME: Bruce Drawds

ITEM YOU WISH TO ADDRESS: Circle K

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DATE: 1-10-24

NAME: Azie Handy

ITEM YOU WISH TO ADDRESS: To comment about the truck stop they want to put on Hwy 90

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REQUEST TO ADDRESS THE MAYOR AND COUNCIL

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DATE:

1/10/24

NAME:

John Craig

Absent

ITEM YOU WISH TO ADDRESS:

Proposal pumps added
at Circle K at 90 & I-75

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174 SW Buzzetta Brookwood Dr.



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DATE: 1/10/2024
NAME: Tony Buzzella

ITEM YOU WISH TO ADDRESS: ZONING ISSUE
CIRCLE K expansion

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DATE: 1/10/24

NAME: Joe Adkins

N/A

ITEM YOU WISH TO ADDRESS:

Circle K Expansion

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DATE: 1-10-24
NAME: Lemley Barbara

ITEM YOU WISH TO ADDRESS: Circle K

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DATE: Jan 10, 2023

NAME: Aaron Trippensee
with FDOT

N/A

ITEM YOU WISH TO ADDRESS: Circle K project

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443 SW Faul Ct



REQUEST TO ADDRESS THE MAYOR AND COUNCIL

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DATE: 1/17/21
NAME: BEN LOESTROM

ITEM YOU WISH TO ADDRESS: Circle K

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323 SW Cindy Gl



REQUEST TO ADDRESS THE MAYOR AND COUNCIL

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DATE: 01-17-24

NAME: Billy Bivins

ITEM YOU WISH TO ADDRESS: Truck Stop 90-I 10

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DATE: 1-17-2024

NAME: Jonathan Sluss

ITEM YOU WISH TO ADDRESS: Circle A truck Stop

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203 SW Plafesu Gl



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DATE: 11/17/24
NAME: Joey Ottern

Ch. of Comm.

ITEM YOU WISH TO ADDRESS: Possible expansion at Gateway Crossing

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DATE: 1/17/24

NAME: Robby Hollingsworth cc BOC
Robby Hollingsworth

ITEM YOU WISH TO ADDRESS: Truck stop

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DATE: 1/10/24

NAME: DAVID KRAS

N/A

ITEM YOU WISH TO ADDRESS: Circle K expansion

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DATE: 01/10/2024
NAME: Janak Patel

ITEM YOU WISH TO ADDRESS: Circle K Truck stop development.

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DATE: 1/10/23
NAME: Shailish Patel

ITEM YOU WISH TO ADDRESS: Circle K Expansion
of TRUCK STOP

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DATE: 1/10/24

NAME: Amanda Johnson

ITEM YOU WISH TO ADDRESS: Truck stop

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1464 SW JAVIS



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DATE: 1-10-24

NAME: ~~Sharon DelCastillo~~ Sharon DelCastillo

ITEM YOU WISH TO ADDRESS: Diesel Station

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DATE: 1/16/24
NAME: John Cole

ITEM YOU WISH TO ADDRESS: Truck Stop & more for youth
in 2024

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561 NW Hackney Terr



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DATE: 1-10-24
NAME: Dennille Decker

ITEM YOU WISH TO ADDRESS: TRUCK STOP

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440 NW Winfield St



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DATE: 1-10-24
NAME: Ron Williams

CC BOCC

ITEM YOU WISH TO ADDRESS: US 90 west Track stop

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3196 104st st



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DATE: 1/17/23

NAME: TIM Williams

ITEM YOU WISH TO ADDRESS: Circle K Fueling Station

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DATE: 1/17/23
NAME: Dylan Adams

ITEM YOU WISH TO ADDRESS: Circle (K)

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