

Re: Opposition to Proposed Gate Convenience Store/Gas Station

Mr. Lindorff:

Mayor Mitch Reeves asked that we, the residents of the SaltAir neighborhood, submit to you our concerns about the proposed convenience store/gas station proposed at 535 Atlantic Blvd. which is a part of our neighborhood.

I live on the corner of Sturdivant Avenue and Sylvan directly across the street from this location. My comments are made as an adjacent landowner owning property located at 104 Sylvan Drive, Atlantic Beach, Florida, and as one of the spokespersons for the SaltAir neighborhood.

We are opposing the installation of this mega-convenience store and gas station because of the devastating, negative impact it will have on our neighborhood and our city. The Atlantic Beach City Charter and the Land Development Regulations serve as cornerstones on how to move forward with development.

Both the Charter and the City Ordinances dictate that commercial development shall have no adverse impact to the surrounding neighborhoods.

Atlantic Beach Charter:

- Policy A.1.3: Development shall have no adverse impact to surrounding neighborhoods.
- Policy A.1.11.1 General Commercial: Land use categories shall not include uses that have the potential for negative impact due to excessive noise, light or extremely late hours of operation.

Land Development Regulations – Chapter 24 of the City Ordinances (Ord. No. 90-10-212, § 2(Exh. A), 3-8-10):

Intent: to encourage the most appropriate use of land; to protect the natural environment; to protect and conserve the value of property; to promote, protect and improve the health, safety, comfort, good order, appearance, convenience, and general welfare of the public; and to help accomplish the goals and objectives of the comprehensive plan.

- Section 24-2 (a): To protect and conserve the value of property....to promote, protect and improve the health, safety, comfort... and general welfare of the public.
- Section 24-171: .."create an environment that is ... safe for pedestrians, bicycles and vehicular traffic.
- Section 24-111 (b) Permitted Uses "...uses shall not include uses that have the potential for negative impacts to surrounding neighborhoods and properties due to excessive traffic, noise, light or extremely late hours of operation or other factors that may adversely affect existing commercial uses..."

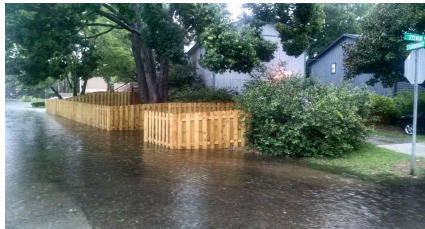
Following are negative impacts to our neighborhood:

- **Environment** – Hazardous gasoline fumes and residue will be released into the air, soil and groundwater, which will be very dangerous to the health of residents, especially children. These fumes are multiplied because of the high volume of idling cars and trucks that will be brought into our neighborhood. Atlantic Beach Elementary School and Community Presbyterian PreSchool are only a block away.
(LDR Sec.24-2, LDR Sec 24-171)
- **Flooding (Retention Pond)** - Because of the high traffic volume and refueling residue left behind, convenience stores-gas stations pose an unusually severe threat to ground and surface waters. Adding vehicle servicing facilities increases the threat. One study found that contaminant levels in convenience store-gas station runoff were 5- to 30-times higher when compared to residential runoff.
(LDR Sec 24-, LDR Sec. 24-171)

Gate gas station on Atlantic Boulevard. Imagine if we have heavy rains and all the dangerous ground contaminant running into our water systems



*pictures taken July 2015 (not the big flood October) at 104 Sylvan, **30 feet from proposed retention pond***



- **Safety:** The very need and requirement to have adequate lighting to promote safety with these type projects automatically ensure a negative impact to our surrounding neighborhood. The addition of so many cars pulling into our area creates pedestrian safety issues and noise. In addition, in an early correspondence to the City Gate Petroleum indicated they would need a variance as the depth of the lot was not sufficient for adequate pedestrian safety. However, the plans they have submitted do not request any variance so as to not have to go to the Community Development Board for approval. (LDR Sec.24-2, LDR Sec.24-111(b), LDR Sec 24-171) How did this safety concern go away? It didn't.
- **Dangerous Traffic Problems:** Sturdivant Avenue is a narrow street used by children and adults on foot, bikes and skateboards as a path to the beach and Town Center. It is already congested and additional vehicles will jeopardize the safety of all. Oil tankers, delivery trucks and additional vehicles should not be traveling this narrow street.

There is an FDOT traffic counter located on Atlantic Blvd. 175' west of 3rd street(AIA). According to the FDOT, 25,000 cars travel daily on Atlantic Blvd. Based on the October 2014 FDOT Trip Generation study and included formulae, we can expect as many as 2700 cars DAILY to visit a 6400 square foot convenience store with 14 fueling positions. Even half this number would cause havoc in our neighborhood. We have raised this concern to the city – yet, as recently as 3 weeks ago, no effort had been made to do any type of traffic study to quantify the negative impact to our neighborhood. (LDR Sec. 24-111(b))

One of Many Daily Delivery Trucks - Gate Gas Station Ponte Vedra Beach



- **Crime** – Convenience store employees are second only to taxi drivers for being subject to robberies and homicides. We do not need to add to the potential of another Jordan Smith case in Atlantic Beach (which occurred at a Gate Convenience Store/Gas Station). (LDR Sec.24-2, LDR Sec 24-171)

***Clerk is shot, killed at
Northside Gate station***

*By Teresa Stepzinski Sun, Nov
9, 2014 @ 11:19 am | updated
Mon, Nov 10, 2014 @ 6:13 am*

Photo by First Coast News.
A clerk was shot about 5:30
a.m. at the Gate station in
the 500 block of Busch
Drive Sunday and died at a
hospital.



- **Quality of Life - 24 x 7 Operating hours.** There are no more “extreme” operating hours than 24 hours a day, seven days a week! These type operations bring an undesirable element of transients into the area and a level of “busy-ness” where the neighbors will NEVER get relief. The sale of beer and wine invites late night traffic – which invites disruptive behavior and crime. (LDR Sec. 24-111(b))
- **Noise:** Between HVAC units running 24x7, back-up beepers, loud car stereos, and customers shouting across the gas bays, convenience stores can be extremely noisy. Add the sound of vacuums and possibly a car wash, and the noise worsens. Make it an all-night establishment and you have a use which definitely does not belong near homes. (LDR Sec. 24-111(b))

*Back of Gate Gas Station, Jacksonville Beach
3 VERY noisy HVAC units running non-stop*



- **Lighting:** Lighting is essential to convenience store safety and profitability. We're less likely to patronize a poorly lit store while criminals find this inviting. But too much lighting and area residents will suffer glare in their bedrooms and/or lose their view of the nighttime sky. (LDR Sec. 24-111(b))

*Proposed 7 row's of pumps with canopy
will be quite bright at night*



- **Visual Impacts** – Few homeowners would choose a convenience store as a prominent item in their viewshed. The problem is compounded when no one is tasked to maintain the overall property. Based on (3) of the closest Gate stations and pictures (we have over 100 both inside and out); we have NO confidence that Gate will maintain this property either. Is this what we can expect after 2 years, 4 years, or even 8 years? (LDR Sec. 24-2)

Side View of Gate Gas Station Ponte Vedra Beach, and Back View Gate Gas Station Jacksonville Beach



- **Property Values** – Local realtors have advised homeowners that our property values will decrease by as much as 20%. There is a concern that the SaltAir neighborhood could become a low rent area as homeowners will not want to remain in the area. *Also as a “what if” let’s do the math on 10-20% decrease of say 100 homes at 200K per.* (LDR Sec. 24-2)
- **Threat to Local Businesses** – A mega convenience store will negatively impact existing businesses in the area. They include: Ohana’s Hawaiian Shaved Ice, A&J’s Old Fashioned Ice Cream, Davinci’s Pizza, SL Food Mart, King Food convenience store and Beach Diner. Current Gate plans show limiting the Beach Diner to 19 parking spaces. According to the owners, this without any doubt, will put them out of business. (LDR Sec. 24-111(b))



**And, two gas stations are already located within three (3) blocks of this project;
and NEVER too busy for a wait to get gas.**

- **Character of the Community and Impact to Historic Resources** – Atlantic Beach is a beautiful and quiet seaside community -- This proposed project is just 3 blocks from the ocean. A mega station will dramatically change the landscape of AB forever, and NOT in a positive way - as per hundreds of locals and long term residents and their comments! (see separate attachment for quotes).

In conclusion, the guiding charter and regulations repeatedly state that permitted development SHALL NOT include those uses that have the potential for negative impacts to surrounding neighborhoods.

They don't say "may", they say "shall not."

There will be negative impacts due to excessive traffic, noise, light and extremely late hours of operation. In addition, there will be environmental and negative impact to existing commercial uses.

As a result, per Section 24-111(b) of Chapter 24, Land Development Regulations, no permit can be issued for mega-convenience store/gas station at the 535 Atlantic Boulevard location as it will have a negative impact to the surrounding neighborhood and existing commercial uses.

We look forward to hearing from you that you agree with this analysis.

Best regards,

A handwritten signature in cursive script that reads "Glenn Shuck".

Glenn Shuck
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