

100678

**TO:** City Plan Board

**Item Number: 5**

**FROM:** Planning & Development Services Staff

**DATE:** January 27, 2011

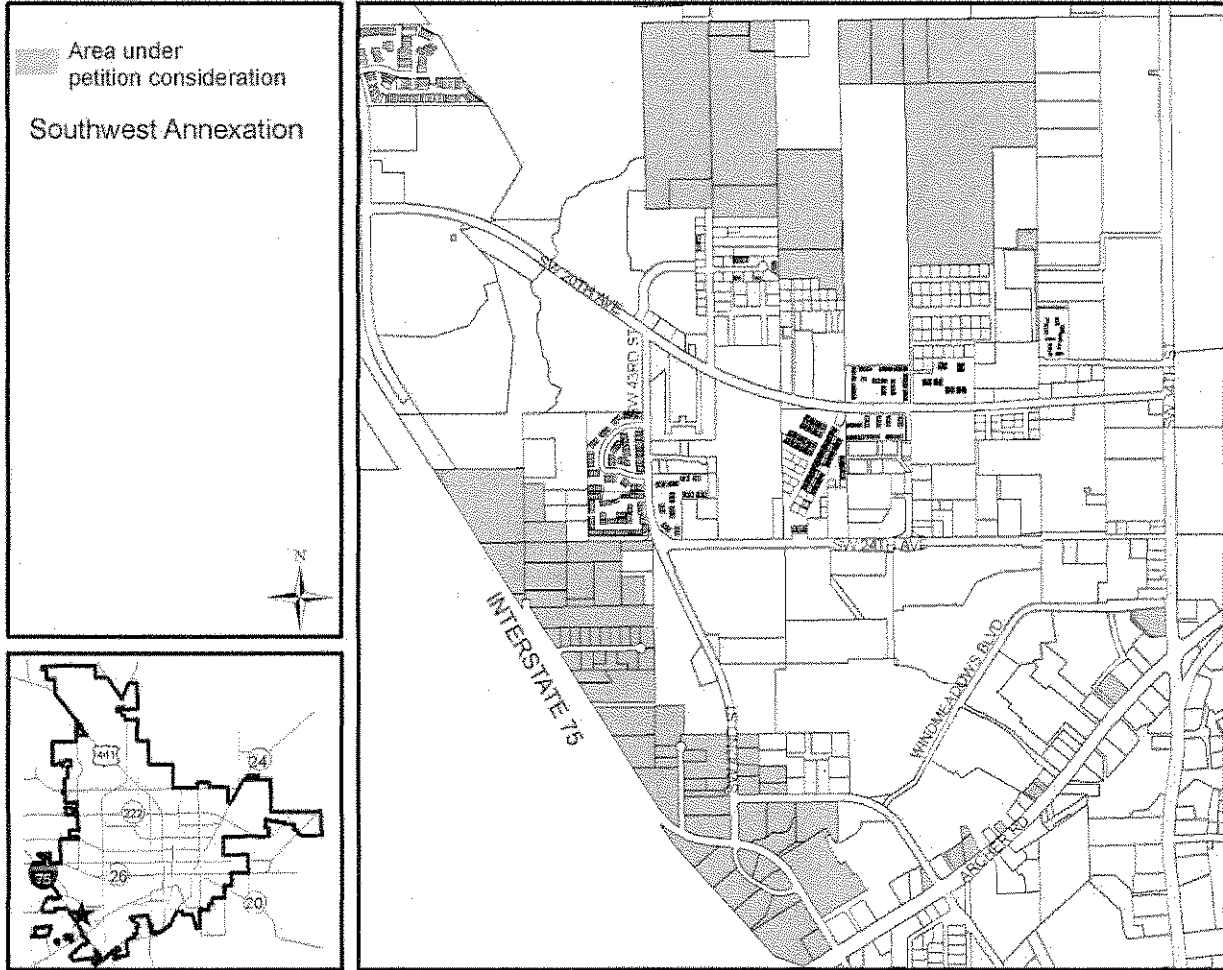
**REVISED:** February 9, 2011

**SUBJECT:** Petition PB-10-136ZON. City of Gainesville. Southwest Annexation Rezoning. Rezone the annexed lands from multiple Alachua County zoning districts (Agricultural (A); Single family, low density (R-1c); Multiple family, medium-high density (R-2a); Multiple family, high density (R-3); Highway oriented business services (BH); Planned development (PD); Residential professional (RP); and Industrial services and manufacturing (MS and MP)) to multiple City of Gainesville zoning districts (RMF-5: 12 units/acre single-family/multiple-family residential; RMF-7: 8-21 units/acre multiple-family residential; BUS: General business; BI: Business industrial; CON: Conservation; ED: Educational services; and PS: Public services and operations). Located in the vicinity of Southwest 20th Avenue and Southwest Archer Road, east of Interstate 75 and west of Southwest 34th Street. Related to PB-10-135LUC.

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## Recommendation

Staff recommends approval of Petition PB-10-136ZON and recommends that the requirement for a preliminary development plan be waived for properties being rezoned to PS.



## Petition History

Properties in this rezoning petition and its related land use petition (PB-10-135LUC) were originally part of a pair of petitions (PZ-09-145LUC and PZ-09-146ZON) that included a large area of southwest Gainesville annexed from 2005 through 2008. The original petitions included the area known as the Urban Village, a redevelopment concept that provides high-density student-oriented housing in proximity to the University of Florida. The Urban Village report (*Urban Village: Status Report on Implementation Tasks*) was approved by the Metropolitan Transportation Planning Organization (MTPO) in April 2008.

The original "Southwest Annexation" petitions were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8 of the Land Development Code, "If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date

certain, or has stayed action on the petition by enactment of a moratorium ordinance.” Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Given the opportunity to reintroduce this item, Planning staff chose to address the parcels that comprise the Urban Village as a separate petition, which is now PB-10-137LUC. Petition PB-10-136ZON concerns only parcels located outside the Urban Village.

One 44-acre parcel in the center of the northern section is long and narrow, extending from north of Hogtown Creek to the developable area south of the wetlands. Staff included this parcel in its original presentation of PB-10-135LUC to the City Plan Board on January 27, 2011. Because approximately ten acres of this parcel are developable and adjacent to the Urban Village, the property owner and Planning staff agreed to move it to the Urban Village petition (PB-10-137LUC). This revised staff report reflects the City Plan Board’s approval of staff’s recommended change.

Appendix B contains a map that defines the area of this petition. A list of included parcels was submitted with the application for each petition, and is included in Appendix C (as amended to exclude parcel 06724-000-000 based on the Plan Board vote).

#### Description

This petition requests changes in zoning categories from Alachua County to City of Gainesville designations for recently annexed lands. It covers approximately 285 acres of southwest Gainesville in the vicinity of SW 20<sup>th</sup> Avenue, SW Archer Road, and SW 34<sup>th</sup> Street. The lands involved in this petition span from suburban arterial and light industrial development to forested wetland and floodplain areas. Proposed zoning categories were selected to reflect existing conditions and to be compatible with surrounding uses.

The parcels are grouped in three sections:

- In the **northern** section, the majority of the subject area is forested land with Hogtown Creek passing through. This area includes the ten-year flood channel and other environmentally constrained lands. These undeveloped parcels are adjacent to single-family neighborhoods and City-owned park and conservation lands to the north and west, the Urban Village to the south, and undeveloped conservation lands owned by private parties and the University of Florida to the east. The proposed Conservation zoning is compatible with existing conditions and neighboring uses.

The northern area also includes a small cemetery proposed for Public services and operations zoning; one undeveloped parcel that is appropriate for RMF-5 (consistent with the 9.7-acre parcel adjacent to the north and east); and one small parcel that is owned by the University of Florida and proposed for Educational services zoning.

- The **western** section is bounded by the interstate to the west, and is typified by light industrial uses, self-storage facilities, and hotels along the SW 43<sup>rd</sup> Street/40<sup>th</sup> Boulevard corridor north of Archer Road. The Butler Plaza Planned Use District (adopted by Ordinance 090537 on August 5, 2010) forms the eastern boundary.

The Business Industrial zoning district is appropriate for most of the parcels in this area as it allows for a wide variety of uses and does not render any existing uses non-conforming.

The three northernmost parcels in this section are proposed for residential land use. Residential Medium land use was selected for two of these parcels based on the previous Alachua County land use designation and adopted City land use categories on adjacent properties. Residential Low land use is proposed for the largest parcel due to the fact that it is in the flood channel and adjacent to Forest Park to the north.

- The **southern** section consists of eleven commercial properties adjacent to Butler Plaza and fronting Archer Road or SW 34<sup>th</sup> Street. Existing development on these properties is highway-oriented, and suitable for the City’s Commercial future land use category.

Existing development is summarized in the following categories:

Type of development	Acres	Percent of total
Developed land (Single Family)	10.81	3.8%
Developed land (Commercial)	70.34	24.7%
Conservation	153.48	53.9%
Vacant developable land	28.08	9.9%
Education	0.67	0.2%
Stormwater and utility facilities, rights-of-way, common areas	21.50	7.5%
	<b>284.90</b>	<b>100.0%</b>

## Data and Analysis

The following existing zoning designations are represented in this petition:

Alachua County Zoning	Acres
Agricultural (A)	151.0
Planned Development (PD)	5.5
Highway-oriented business services (BH)	57.5
Industrial services and manufacturing (MP)	9.1
Industrial services and manufacturing (MS)	42.1
Residential professional (RP)	1.1
Single family, low density (R-1c)	0.8
Multiple family, medium-high density (R-2a)	16.1
Multiple family, high density (R-3)	1.7
<b>Total</b>	<b>284.9</b>

The following zoning designations are proposed:

<b>Proposed City Zoning</b>	<b>Acres</b>
BI: Business industrial	84.6
CON: Conservation	153.5
BUS: General business	15.0
PS: Public services and operations	13.9
RMF-5: 12 units/acre single family/multiple-family residential	13.2
RMF-7: 8-21 units/acre multiple-family residential	4.0
ED: Educational services	0.7
<b>Total</b>	<b>284.9</b>

Please see Appendix B for detailed maps of the subject area that show the City's proposed zoning designations.

### **Key Issues**

This is a wide-ranging group of parcels that spans a variety of contexts. The following key issues were considered as part of staff's analysis:

- While some of these properties were annexed as early as 2005, they still have Alachua County land use and zoning designations. Changes for these properties were delayed as staff has developed an integrated strategy for the overall southwest area.
- The current petition includes parcels adjacent to the Urban Village, the area along SW 20<sup>th</sup> Avenue that is envisioned as redeveloping from multi-family residential to a mixed-use district. The proposed Conservation, Public services and operations, and RMF-5 designations are compatible with the neighboring Urban Village lands.
- The Butler Plaza Planned Unit Development (PUD) is also within the larger area addressed by this petition. This PUD includes commercial development north of Archer Road and south of SW 24<sup>th</sup> Avenue. Because it is privately initiated, that land is addressed in a separate petition (PB-09-84PDV).

The parcels in the current petition adjacent to the western and southern boundaries of the Butler Plaza PUD are proposed for BI (Business Industrial) and BUS (General business) zoning. These designations were selected to match the existing character of development as well as to complement the character of proposed uses in the Butler Plaza PUD.

- Hogtown Creek runs through the northern subject area, and the area along the creek is within the floodplain and the ten-year flood channel. The properties in the flood channel are proposed for Conservation zoning in order to protect this valuable natural resource.

### **Basis for Recommendation**

The staff recommendation is based on the following factors, which are discussed below: conformance with the comprehensive plan; conformance with the land development code;

changed conditions; compatibility and surrounding land uses; impacts on affordable housing; transportation; and environmental impacts and restraints.

### **Conformance with the Comprehensive Plan**

The proposed land use categories are consistent with the overall goals, objectives, and policies of the adopted comprehensive plan. The following list represents the most pertinent policies to this petition; please see Appendix A for a full list of applicable comprehensive plan policies.

#### ***Future Land Use Element***

**Objective 4.4** Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

**Policy 4.4.1** Land use amendments shall be prepared for all annexed properties within one year of annexation.

**Goal 2** Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

**Objective 2.1** Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

The proposed zoning categories are consistent with the proposed future land use categories shown in Petition PB-10-135LUC.

### **Conformance with the Land Development Code**

The proposed zoning categories are in conformance with the Land Development Code (LDC).

The parcels included in this petition that are proposed for Conservation Zoning are constrained for development by policies in the LDC. Specifically, uses permitted within the floodplain and flood channel districts are established in sec. 30-287. These permitted uses are compatible with the uses permitted in the Conservation zoning district (sec. 30-73).

The character of the areas proposed for BI and BUS meet the purpose and intent of their respective zoning districts. The BUS properties are “commercial, business, and office uses located along major transportation arteries and frontage roads.” The BI properties meet the intent of a “business park that will cater to a variety of uses that support and complement each other and reduce external trips for goods and services.”

The properties proposed for PS zoning consist of rights-of-way, public utilities, and a cemetery. The PS district is being proposed without an accompanying preliminary development plan because these are annexed lands, and the City annexed them “as is” with facilities that existed prior to annexation. If any new development activity occurs on those sites, a development plan will be required.

### **Changed Conditions**

This rezoning is required due to the annexation of these properties into the City of Gainesville, and the adoption of several plans that will influence the future redevelopment of this area including the MTPO Urban Village plan and the Butler Plaza Planned Unit Development.

### **Compatibility and surrounding land uses**

The subject property consists of developed (24.6 percent) and vacant (8.5 percent) land, as well as large conservation areas (59.9 percent). As described above, all zoning districts were carefully selected to suit the existing conditions, adjacent properties, environmental constraints, and adopted plans.

Please see Table 1 at the end of the report for a full list of adjacent zoning and land uses.

### **Impacts on Affordable Housing**

The parcels proposed for Conservation zoning (which allows one unit per 5 acres) are currently a mix of Alachua County A (Agriculture), R-2 (4-8 DU/acre), and R-3 (14-24 DU/acre). These parcels are undeveloped and constrained for future development due to environmental features so their potential for affordable housing is limited.

The one-acre parcel proposed for RMF-5 (which allows up to 12 units per acre) is currently designated Alachua County R-3 (14-24 DU/acre). This parcel and the adjacent privately-owned lands are undeveloped and landlocked. Due to its small size, the lower density is not expected to have a noticeable impact on the provision of affordable housing in this area.

### **Transportation**

Primary roads serving the subject area include Archer Road, SW 34<sup>th</sup> Street, SW 20<sup>th</sup> Avenue, SW 42<sup>nd</sup>/43<sup>rd</sup> Street, and SW 40<sup>th</sup> Terrace. The areas proposed for Conservation, Education, and Residential Low Density have limited road access.

Several fully-funded Florida Department of Transportation roadway projects are currently underway in this area: one project expands the northbound left turn lane off Archer Road onto SW 40<sup>th</sup> Boulevard from one to two lanes; another expands the eastbound right turn lane from SW 43<sup>rd</sup> Street onto SW 20<sup>th</sup> Avenue; and some Archer Road medians are being reconfigured to improve safety.

The subject area is served by the following RTS routes:

Area Served	RTS Route number	Peak weekday headways
SW 20 <sup>th</sup> Avenue	20	10
SW 20 <sup>th</sup> Avenue	21	10
SW 34 <sup>th</sup> Street, SW 43 <sup>rd</sup> Street, SW 20 <sup>th</sup> Avenue, SW 24 <sup>th</sup> Avenue	22	10
SW 34 <sup>th</sup> Street	34	20
Archer Road and Butler Plaza	1	20
	12	10
	75	35
SW 34 <sup>th</sup> Street, SW 20 <sup>th</sup> Avenue, SW 24 <sup>th</sup> Avenue	28 <i>Beginning Fall 2011</i>	TBD

Transit in this area includes weekday, weekend, and “Later Gator” after-hours service. An additional route that is planned but not funded is Route 62, which connects the Oaks Mall with Butler Plaza via SW 62<sup>nd</sup> Boulevard. This new route is shown on the 5-Year Schedule of Capital Improvements. See Appendix B for detailed information regarding transit routes, headways, and ridership.

The SW 20<sup>th</sup> Avenue corridor was studied as part of the Bus Rapid Transit (BRT) feasibility study, concluded in March 2010. This corridor was highly ranked and is currently the recommended route for BRT through this area of Gainesville. The next step in this process will be the Alternatives Analysis, which will commence in early 2011 and result in 30 percent design plans.

Construction is currently underway on an advanced bus bay on SW 20<sup>th</sup> Avenue east of 38<sup>th</sup> Terrace. This project includes pull-off lanes for busses and pedestrian-actuated crossing signals. Bus pulloff lanes are also under construction at the intersection of SW 20<sup>th</sup> Avenue and 43<sup>rd</sup> Street.

The adopted Butler Plaza Planned Unit Development contains a commitment to fund and build a transit transfer station and 50-car park-and-ride facility. This station will be located within the PUD and will be accessible to serve the surrounding area.

Sidewalks are sporadic in the subject area, but are found on most of the major roads. Street-oriented bicycle facilities are found on all the major roads in the area. Please see Appendix B for maps of sidewalk and bicycle facilities.

All parcels are located in TCEA Zone M, which is defined in Policy 1.1.13 of the Concurrency Management Element. This policy establishes a list of mobility needs and requires proportionate fair share payments upon development and redevelopment. Please see Appendix A for the full text of this policy.



### **Environmental Impacts and Constraints**

The southern portion of the subject area is largely developed with suburban commercial and industrial development. No sensitive environmental features have been identified on these properties.

Natural features in the northern portion of the subject area include Hogtown Creek, wetlands, and the ten-year flood channel. This area is heavily forested and includes several types of hydric soils.

#### *County Regulations*

Alachua County designates certain sensitive areas as Strategic Ecosystems, based on a variety of ecological characteristics including watershed quality, native plant and animal habitats, and presence of endangered species. They are mapped as broadly-defined areas in a future land use map overlay, and require ground truthing to determine their specific boundaries. Once these boundaries are set, the County requires set-asides for conservation of the environmental features of the land. When these lands are annexed into the City, the Strategic Ecosystem designation applies until a City land use designation is adopted.

Approximately 150 acres of the subject area falls within the County's Hogtown Prairie Strategic Ecosystem. This entire area is proposed for Conservation land use. Please see Appendix B for a map of this area.

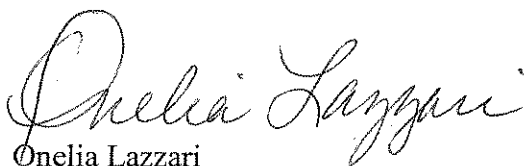
#### *City Regulations*

Due to its environmental features, portions of the subject property are constrained for development by the following City requirements:

- Land Development Code Sec. 30-302(b) prohibits development within 35 feet of the break in slope at the top of the bank of any regulated creek. Beyond this 35-foot buffer, any development within 150 feet of the break in slope must meet additional standards, as set forth in 30-302(e).
- Land Development Code Sec. 30-302(b) further establishes a minimum buffer distance of 35 feet and an average buffer distance of 50 feet between any developed area and the landward extent of any wetland or surface water (other than a regulated lake which requires a minimum distance of 75 feet, or a regulated creek as discussed above).
- Land Development Code sec. 30-286(a) states that "it shall be unlawful... to erect, remodel alter any permanent structure or other development or to dredge or fill in any flood channel... [n]o permanent structures or fills shall be allowed..."
- A current petition, PB-10-143TCH, proposes to amend the Land Development Code to add and update protection for natural and archaeological resources.

Applicable Comprehensive Plan policies may be found in Appendix A. The creek, wetlands, and flood channel are represented in the map in Appendix B.

Respectfully submitted,



Onelia Lazzari  
Principal Planner



Prepared by: Susan Niemann

100678

**Petition Information**

**Applicant Information** City of Gainesville

**Request** Rezone the annexed area from multiple Alachua County designations to multiple City of Gainesville designations

**Existing Land Use** Multiple County designations

**Existing Zoning** Multiple County designations

**Purpose of Request** To complete annexation of the property by changing from County to City zoning designations

**Location** See map in Appendix B

**Existing Uses** Residential, commercial, public facility, industrial, vacant

**Surrounding Uses**  
 North: City park  
 South: Archer Road  
 West: Interstate 75, City Conservation lands  
 East: SW 34<sup>th</sup> Street; University-owned hotel, office/research, and parking

**Surrounding Controls**

The site is surrounded by the following land use and zoning designations:

	<b>Future Land Use</b>	<b>Zoning</b>
<b>North</b>	Conservation Recreation	Conservation (CON) Public Facilities (PF) Planned Development (PD) RSF-1
<b>West</b>	Conservation Mixed-use Medium-intensity Interstate 75	Conservation (CON) MU-2
<b>East</b>	Education Public Facility Mixed-use Low-intensity Commercial	Education (ED) Public Services and Operations (PS) MU-1 General Business (BUS)
<b>South</b>	Commercial Mixed-use Low-intensity Planned Unit Development (PUD)	General Business (BUS) MU-1 (currently under consideration for Planned Development)

Please also note that these parcels form a ring around two areas that are subject to other active petitions: the Urban Village (PB-10-137LUC) and the proposed Butler Plaza Planned Development (PB-09-84PDV).

## **List of Appendices**

**Appendix A** Applicable Goals, Objectives, and Policies of the Comprehensive Plan

**Appendix B** Supplemental Documents

**B-1** Aerial Map (REVISED)

**B-2** Existing Zoning (REVISED)

**B-3** Proposed Zoning (REVISED)

**B-4** Environmental Features (two maps)

**B-5** RTS Bus Routes (map and table)

**B-6** Sidewalks

**B-7** Bicycle Facilities

**Appendix C** Petition Application (REVISED)

## **Appendix A**

### **Applicable Goals, Objectives, and Policies of the Comprehensive Plan**

#### **Future Land Use Element**

##### **Goal 2**

Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

##### **Objective 2.1**

Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

##### **Policy 2.1.1**

The City shall continue to develop recommendations for areas designated as redevelopment areas, neighborhood centers and residential neighborhoods in need of neighborhood enhancement and stabilization.

##### **Policy 4.1.1**

Land Use Categories on the Future Land Use Map shall be defined as follows:

##### **Residential Low-Density (up to 12 units per acre)**

This land use category shall allow dwellings at densities up to 12 units per acre. The Residential Low-Density land use classification identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development, particularly the conservation of existing traditional low-density neighborhoods, single family attached and zero-lot line development, and small-scale multi-family development. Land development regulations shall determine gradations of density, specific uses and performance measures. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations; accessory units in conjunction with single-family dwellings; and bed-and-breakfast establishments within certain limitations.

##### **Residential Medium-Density (8-30 units per acre)**

This land use classification shall allow single-family and multi-family development at densities from 8 to 30 dwelling units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. The land shown as Residential Medium-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding

land uses and development patterns, are appropriate for single-family, and medium-intensity multi-family development. Land development regulations shall determine gradations of density and specific uses. Land development regulations shall specify criteria for the siting of appropriate medium-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations within certain limitations.

### **Commercial**

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses, and, when designed sensitively, residential uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by special use permit.

### **Business Industrial**

This land use category is primarily intended to identify those areas near the Gainesville Regional Airport appropriate for office, business, commercial and industrial uses. This district is distinguished from other industrial and commercial districts in that it is designed specifically to allow only uses that are compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, this category may be used to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

### **Conservation**

This category identifies areas environmentally unsuited to urban development, permanent buffers between land uses, areas used for passive recreation and nature parks. Privately held properties within this category shall be allowed to develop at single-family densities of 1 unit per 5 acres. Land development regulations shall determine the appropriate scale of activities, structures and infrastructure that will be allowed.

### **Education**

This category identifies appropriate areas for public and private schools and institutions of higher learning when located outside of neighborhood centers (activity centers). Land development regulations shall address compatibility with surrounding uses and infrastructure needs, except in a special area plan, where there shall be no floor area ratio maximum. The intensity of development on property covered by a special area plan shall be regulated by the Urban Design Standards that include building height, build-to lines, setback requirements and building coverage to determine intensity of use instead of a maximum floor area ratio.

### **Public Facilities**

This category identifies administrative and operational governmental functions such as government offices, utility facilities and storage facilities. Maximum lot coverage in this district shall not exceed 80 percent.

#### **Policy 4.1.3**

The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:

1. Overall compatibility of the proposal;
2. Surrounding land uses;
3. Environmental impacts and constraints;
4. Whether the change promotes urban infill; and
5. Whether the best interests, community values, or neighborhood support is achieved.

In no case shall this or any other Policy in the Future Land Use Element indicate a presumption that the City shall support a change of designation of land use for any parcel.

#### **Objective 4.4**

Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

#### **Policy 4.4.1**

Land use amendments shall be prepared for all annexed properties within one year of annexation.

#### **Policy 4.4.2**

Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this Plan.

### **Conservation Element**

#### **Policy 1.1.1**

At a minimum the following standards and guidelines shall be used to protect environmentally sensitive resources identified in the Environmentally Significant Land and Resources map series within the Future Land use Map Series. The City shall develop and adopt land development regulations that establish criteria for expansion of the minimum standards addressed below.

- a. Creeks: Between 35 and 150 feet from the break in slope at the top of the bank, there is a rebuttable presumption that development is detrimental to the regulated creek. Development must conform to applicable provisions of the land

development regulations which prohibit development within a minimum of 35 feet of the break in slope at the top of the bank of any regulated creek.

- b. Wetlands: Development containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority. Degradation or loss of function that is unavoidable shall be minimized, and the applicant must demonstrate that the project is clearly in the public interest, with final administrative approval by the city commission on appeal. If necessary. The City shall develop and implement land development regulations that at a minimum:
  - 7. A minimum buffer distance of 35 ft. and an average buffer distance of 50 feet shall be required between the landward extent of any wetland or surface water and the developed area. Larger buffers may be warranted. ...

#### **Policy 2.4.10**

The City shall protect floodplains through existing land development regulations that at a minimum:

- a. Prohibit development within the flood channel or floodplain without a City permit;
- b. Prohibit filling in the flood channel by junk, trash, garbage, or offal;
- c. Prohibit permanent structures in the flood channel, except for those necessary for flood control, streets, bridges, sanitary sewer lift stations, and utility lines;
- d. Prohibit the storage of buoyant, flammable, explosive, toxic or otherwise potentially harmful materials in the flood channel;
- e. Prohibit development within the floodplain that would reduce the capacity of the floodplain;
- f. Prohibit development that would cause or create harmful soil erosion, stagnant water, and irreversible harmful impacts on existing flora and fauna;
- g. Limit flood channel uses to agriculture, recreation, lawns, gardens, and parking areas; and
- h. Limit floodplain uses to launching areas for boats and structures at least one foot above the 100-year flood elevation, in addition to those allowed in the flood channel.

#### **Concurrency Management Element**

##### **Policy 1.1.13**

Within Zone M, development or redevelopment shall be required to meet standards by making a proportionate share payment of the planned costs to fund mobility, including transit, pedestrian,



bicycle, and vehicular needs, in the zone. This may include projects outside the limits of Zone M (in adjacent areas) that can be demonstrated to be a direct benefit to the transportation system in the area of Zone M. The proportionate share shall be based on the development's (including all phases) trip generation and proportional impact on transportation mobility facilities calculated as set forth in Sec. 30-37.3(d), *Determining proportionate fair-share obligation*, subsections (1), (2) and (3), of the City Land Development Code. In addition to making the proportionate share payment, development or redevelopment that has a net, new average daily trip generation of greater than 5,000 trips shall either be located on an existing transit route with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS or shall provide funding for a new transit route with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS or provide funding to improve transit headways to minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions shall include capital and operating costs for three years. The mobility needs in Zone M shall be identified in the City's 5-Year Schedule of Capital Improvements. The developer shall sign an agreement with the City of Gainesville for the provision of mobility needs. It shall be anticipated that the provision of all mobility needs in Zone M may span a 20 to 30 year time period. The following is a list of mobility needs/projects in Zone M:

- a. Roadway projects to: provide a more interconnected transportation network in the area, provide alternate routes to reduce congestion, and reduce pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. These projects include, but are not limited to the following projects:
  1. extension of Hull Road consistent with MTPO Option M;
  2. extension of SW 62<sup>nd</sup> Boulevard to SW Archer Road in accordance with the MTPO design; and,
  3. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity;

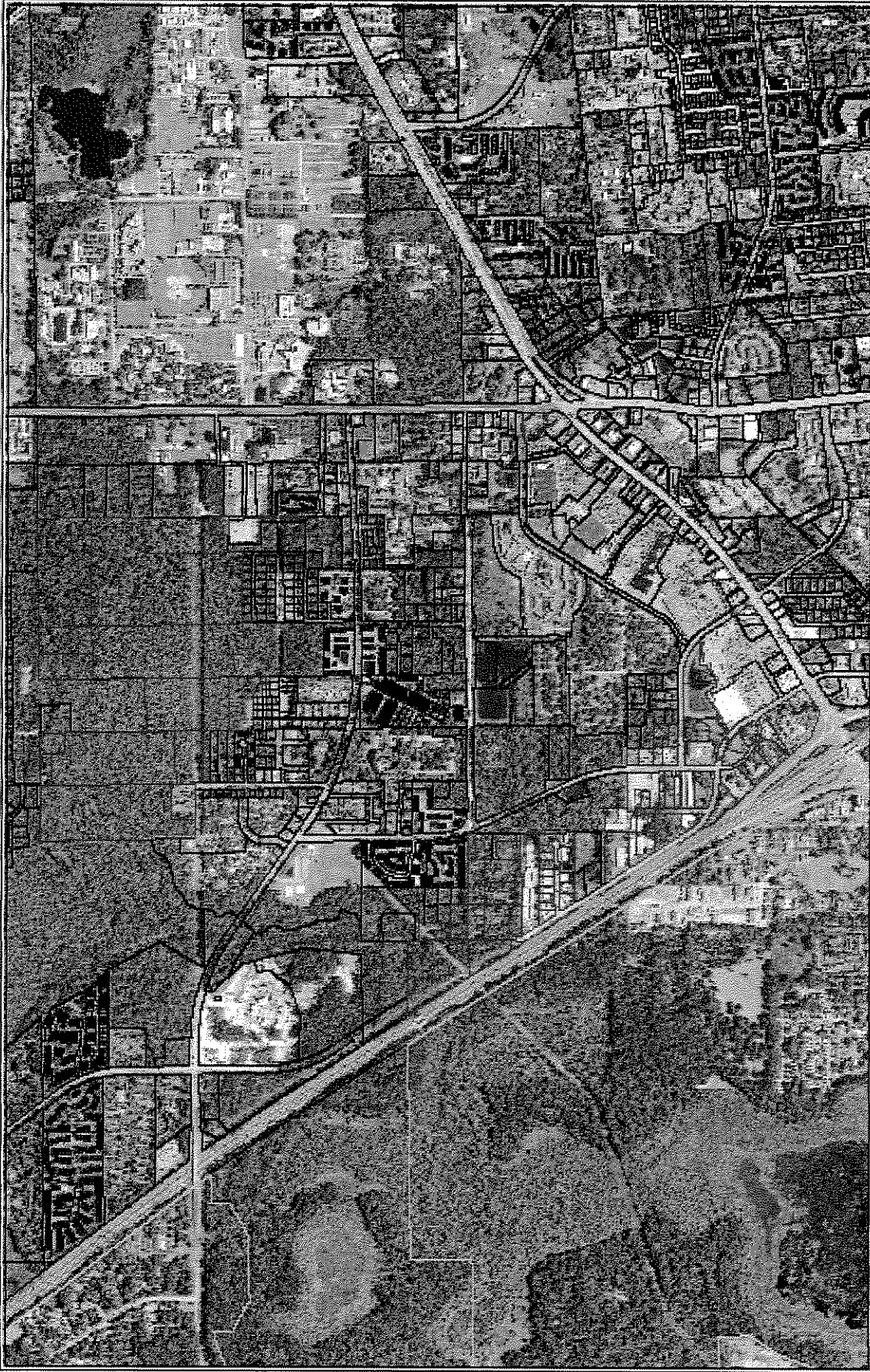
Developers may deed land for right of way and/or construct roadway extensions to City specifications. Prior to the donation of the right of way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this standard. In the event the parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable to the City for purposes of establishing value, subject to review by the City.

- b. 8 articulated buses.
- c. Funding for the construction of a new or expanded bus maintenance/operations facility.
- d. Construction of 4 transit superstops on SW 20<sup>th</sup> Avenue built to City specifications.
- e. A Park and Ride facility with a minimum of 100 spaces, including transfer station and restrooms/information center, built to RTS specifications.

- f. Traffic management system equipment for transit vehicles operating in Zone M.
- g. Payments to the Regional Transit System for the capital and operating costs associated with Route 62, which includes 2 new buses.
- h. Construction of public sidewalks where they are not currently existing or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA requirements.
- i. Business operations that can be proven to have limited or no peak hour roadway impact.
- j. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.
- k. Funding for express transit or bus rapid transit, where appropriate.
- l. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.
- m. Funding for two buses for Route 22.

Exhibit B-1 Aerial Map

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AERIAL PHOTOGRAPH


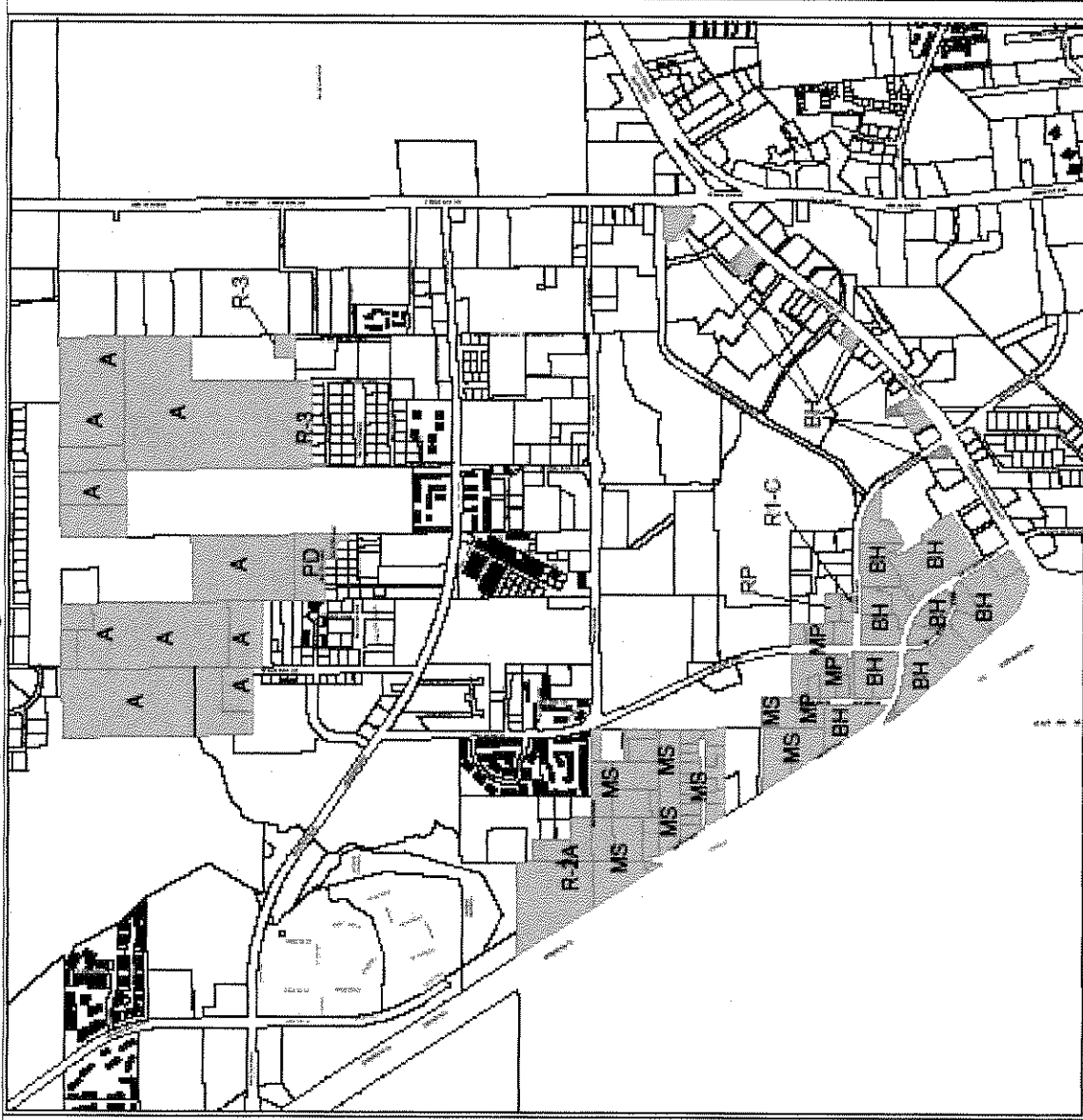
Name	Petition Request	Map(s)	Petition Number
	City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville RL, RM, C, CON, E, PF and BI Categories. Change Zoning from Alachua County districts to City of Gainesville RMF5, RMF7, BUS, CON, ED, PS and BI Districts.	4244, 4246, 4343, 4344, 4345, 4444 Southwest Annexation PB-10-135 LUC PB-10-136 ZON

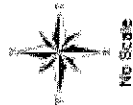
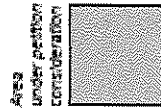
Exhibit B-2 Existing Zoning



**Alachua County  
Zoning District Categories**

- R-1C Single Family Residential (1-4 DU/acre)
- R-2 Multi-Family Residential (4-8 DU/acre)
- R-2A Multi-Family Residential (8-14 DU/acre)
- R-3 Multi-Family Residential (14-24 DU/acre)
- RP Residential/Professional
- A Agricultural
- BA Automotive Oriented Business
- BH Highway Oriented Business
- MS Manufacturing/Services
- MP Manufacturing/Processing

- Historic Preservation/Conservation District
- Special Area Plan
- Division line between two zoning districts
- City Limits



**EXISTING ZONING**

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County districts to City of Gainesville RMF5, RMF7, BUS, CON, ED, PS and BI Districts.	4244, 4245, 4343, 4344, 4345, 4444	Southwest Annexation PB-10-135ZON

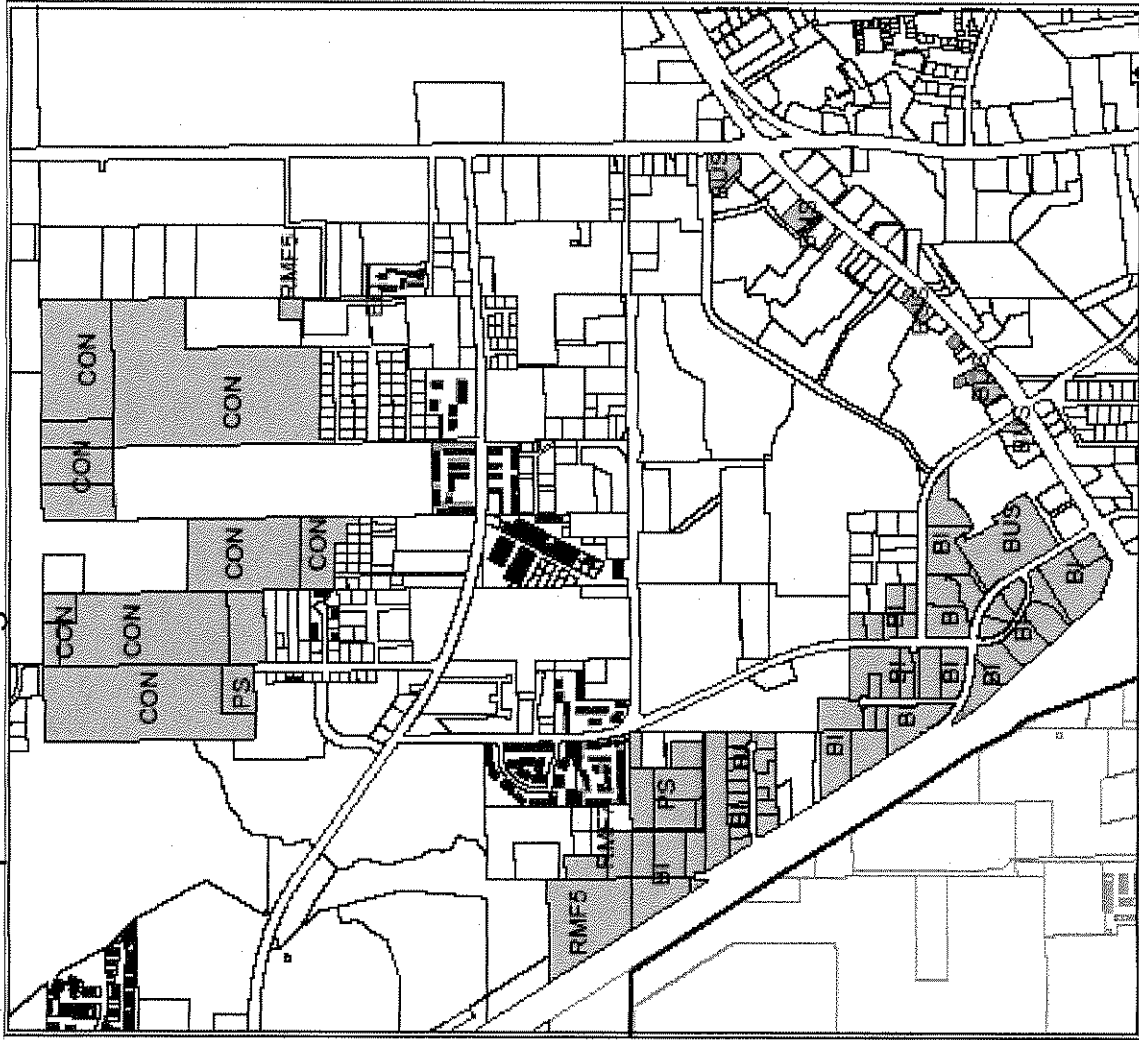
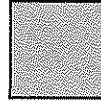
Exhibit B-3 Proposed Zoning

**City of Gainesville  
Zoning District Categories**

- RMF5 Residential Low Density (12 du/acre)
- RMF7 Multiple-Family Medium Density Residential (8-21 du/acre)
- BUS General Business
- BI Business Industrial
- CON Conservation
- PS Public Services and Operations
- ED Educational Services

City Limits

Area under petition consideration



**PROPOSED ZONING**

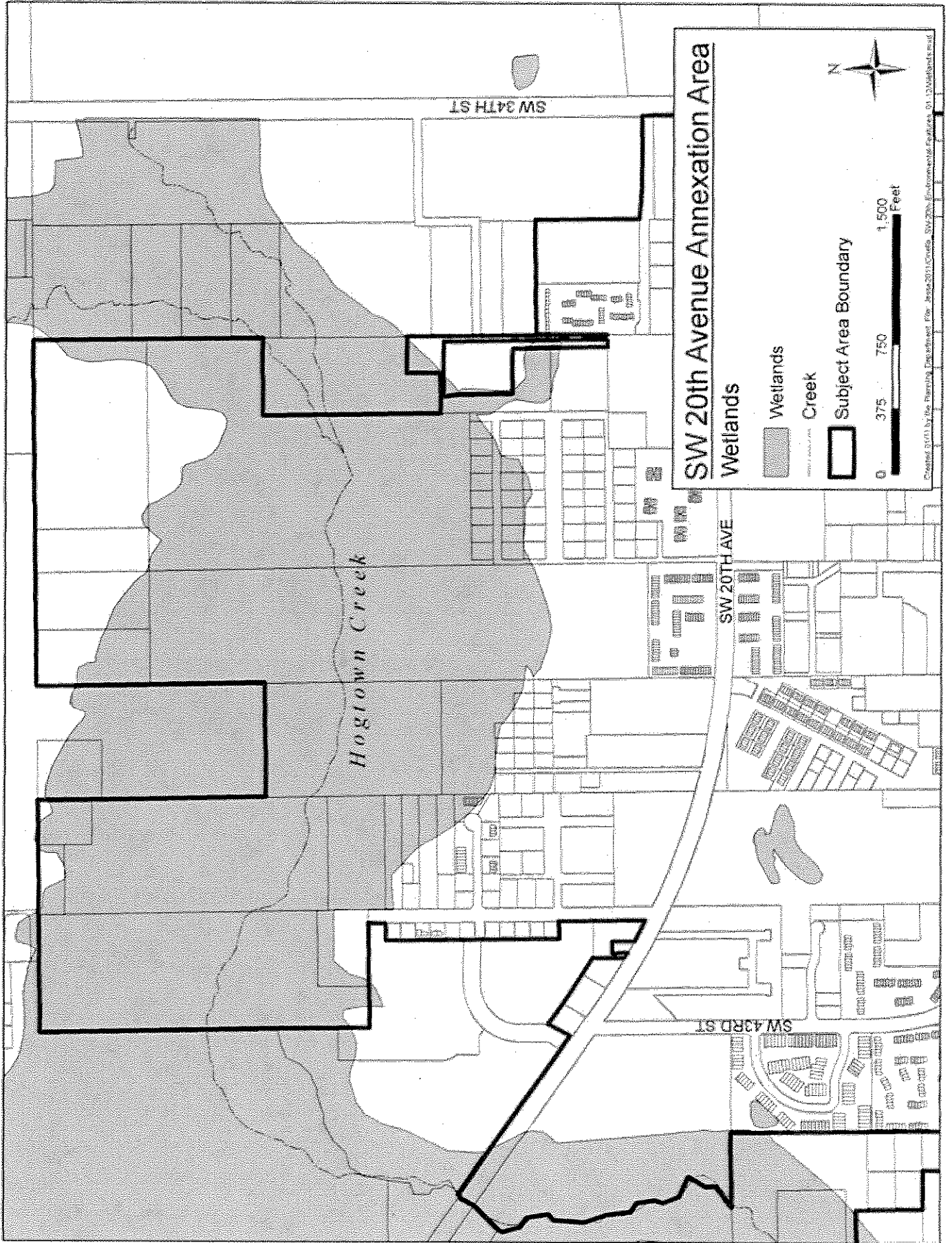
Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County districts to City of Gainesville RMF5, RMF7, BUS, CON, ED, PS and BI Districts.	4244, 4245, 4343, 4344, 4345, 4444	Southwest Annexation PB-10-136ZON



No Scale



Exhibit B-4 Environmental Features



Prepared 10/11 by the Planning Department for Area 2011/Coverd. SW 20th Environmental Features 01 12/26/2011.mxd

Exhibit B-5 Environmental Features

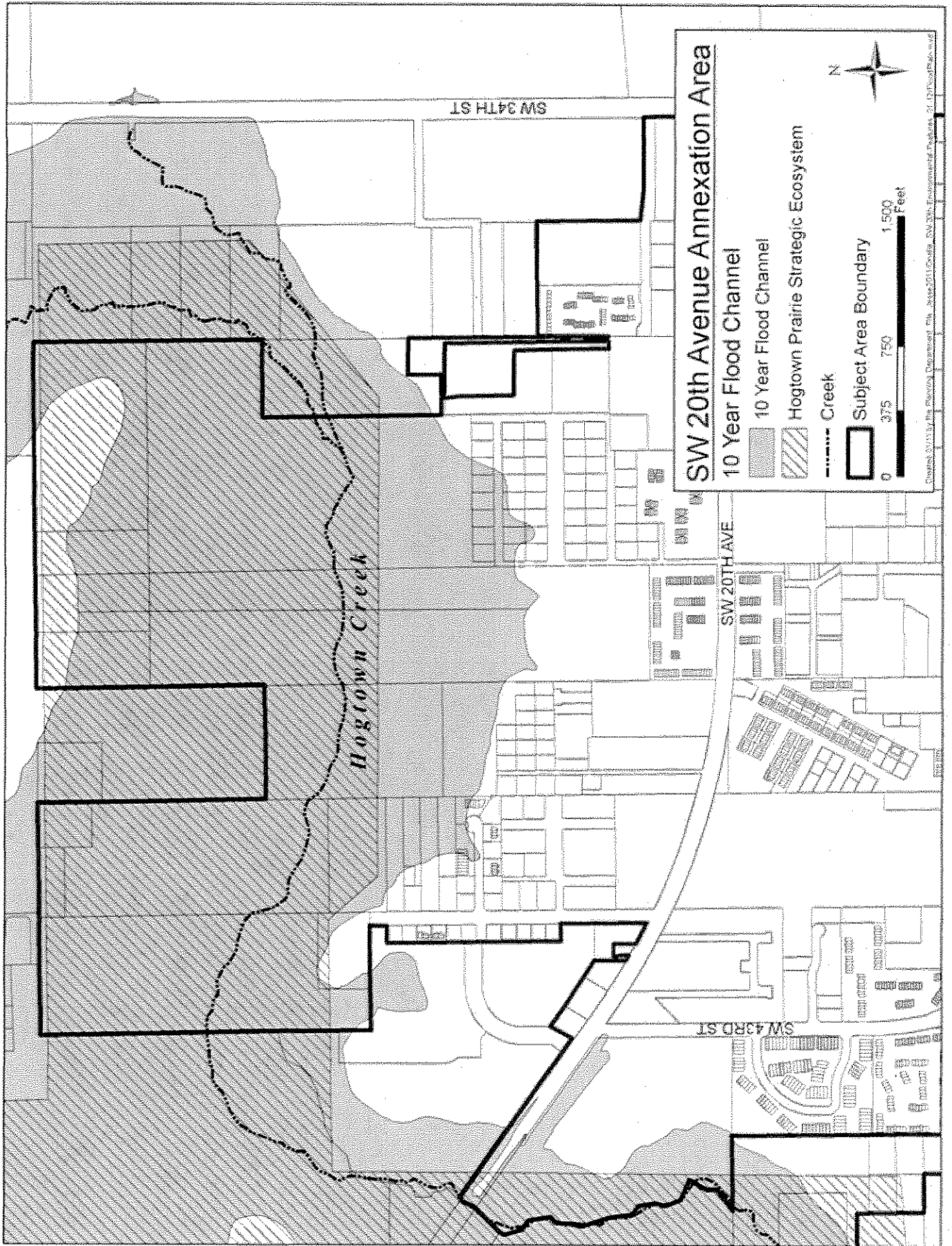
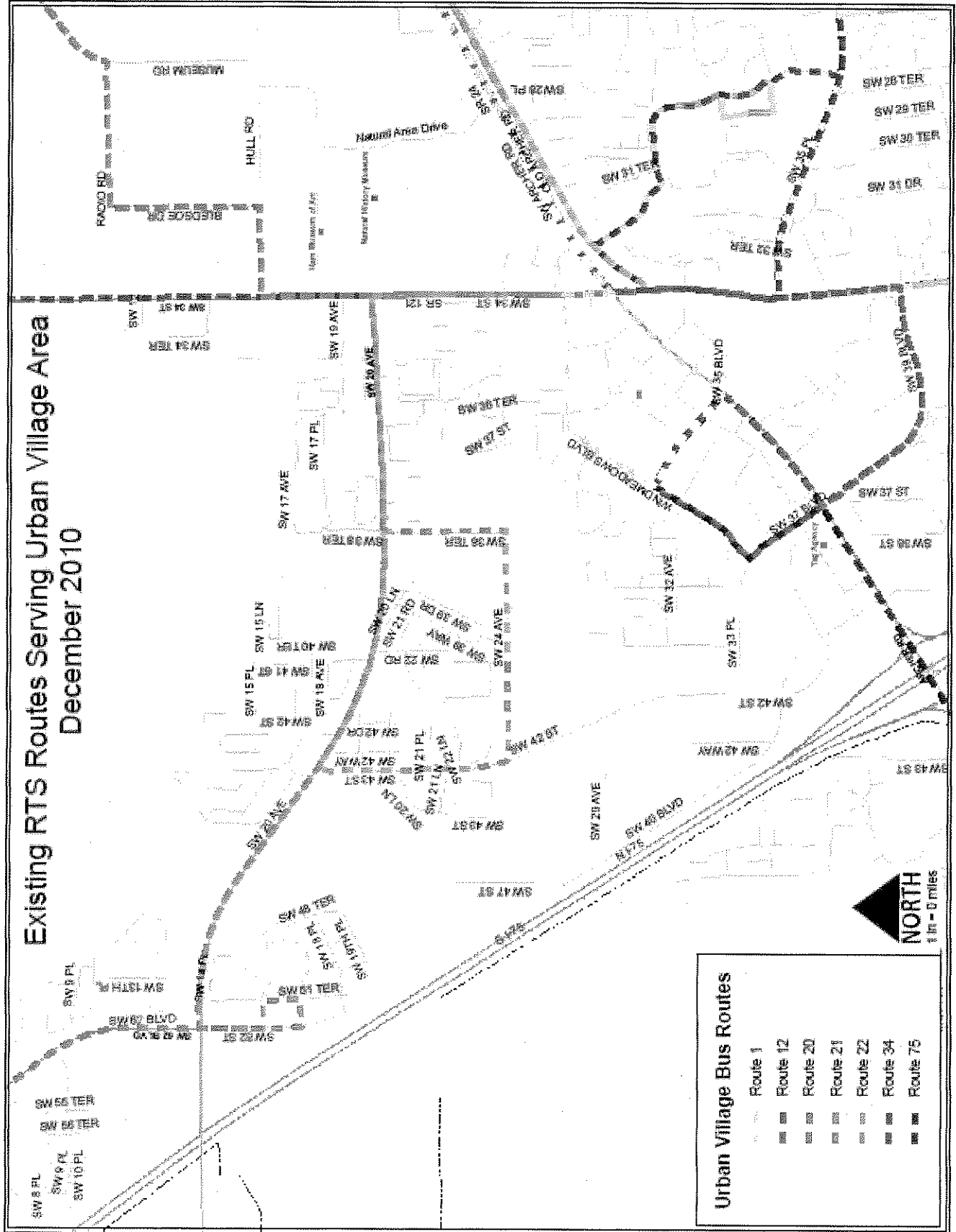


Exhibit B-6 RTS Bus Routes





# Exhibit B-6 RTS Bus Routes

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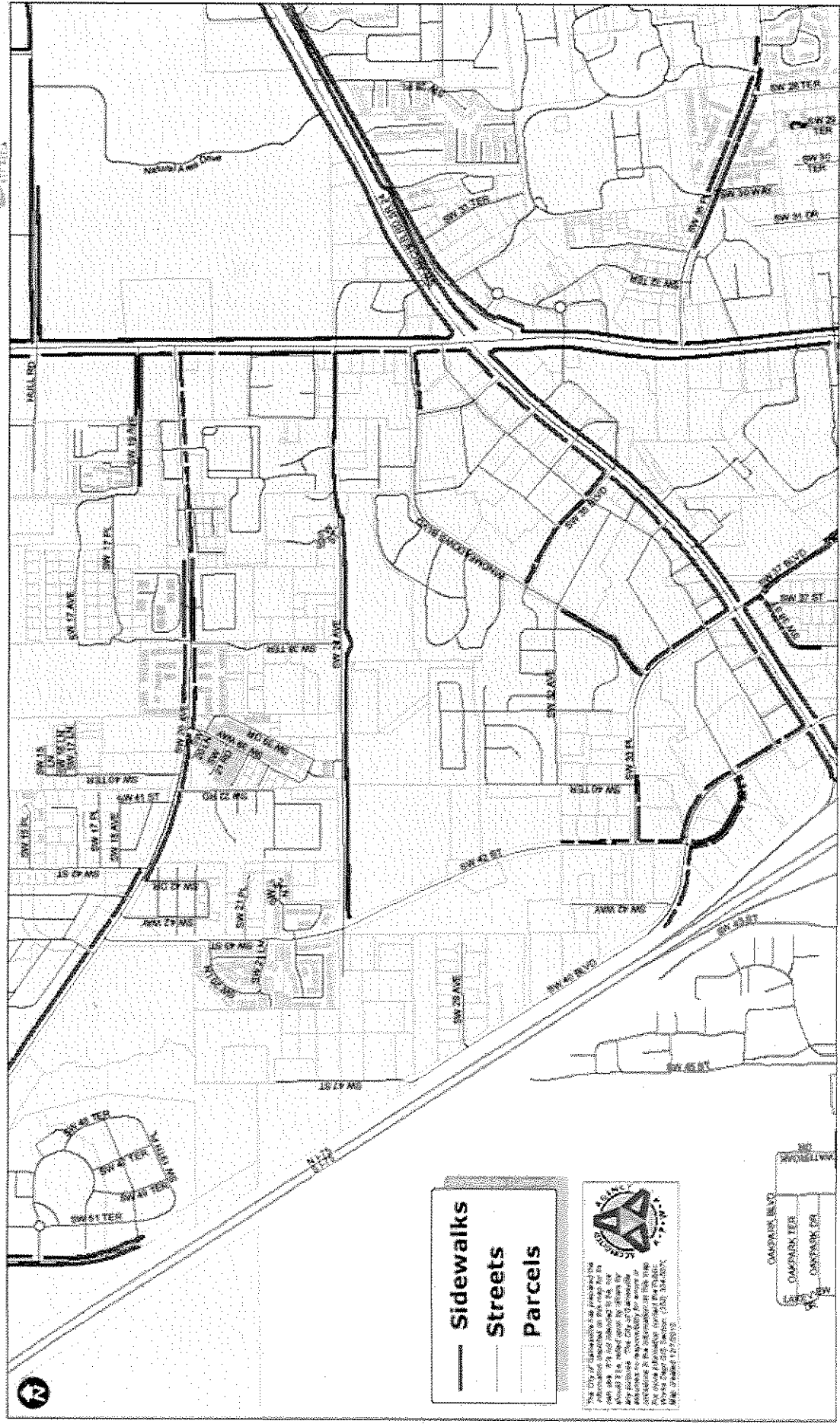
## RTS Bus Routes Servicing Proposed Urban Village Area

RTS - Weekday Bus Service					
Route	Route Description	Peak Headway (minutes)	Weekday Service Hours	Annual Ridership (Fiscal Year)	
1	Downtown to Butler Plaza via Archer Road	20	6:03a-10:58p	487,893	
12	McCarty to Butler Plaza	10	6:20a-2:58a	690,341	
20	McCarty to Oaks Mall via SW 20th Avenue	10	6:00a-1:58a	981,808	
21	McCarty to Cabana Beach	10	6:30a-6:25p	367,639	
22	McCarty to SW 43rd St @ SW 24th Avenue	25	6:50a-10:56a/1:55p-6:26p	63,525	
34	HUB to Lexington Crossing	20	6:45a-2:00a	461,130	
75	Oaks Mall to Butler Plaza via 75th Street	35	6:00a-8:16p	249,326	

RTS - Weekend Bus Service					
Route	Description	Saturday Headway (minutes)	Sunday Headway (minutes)	Service Hours (Sat;Sun)	
20	McCarty to Oaks Mall via SW 20th Avenue	30	see Rt. 401	7a-7:30pm ; n/a	
75	Oaks Mall to Butler Plaza via 75th Street	90	No Service	6:40am-5:10pm ; n/a	
401	Downtown to Oaks Mall	see Rt. 20	60	n/a ; 10am-5pm	
402	Downtown to Butler Plaza via Archer Road	30	60	7am-6pm, 10am-5pm	

Exhibit B-7 Sidewalks

Sidewalks in the Butler Plaza/SW 20th Avenue Area



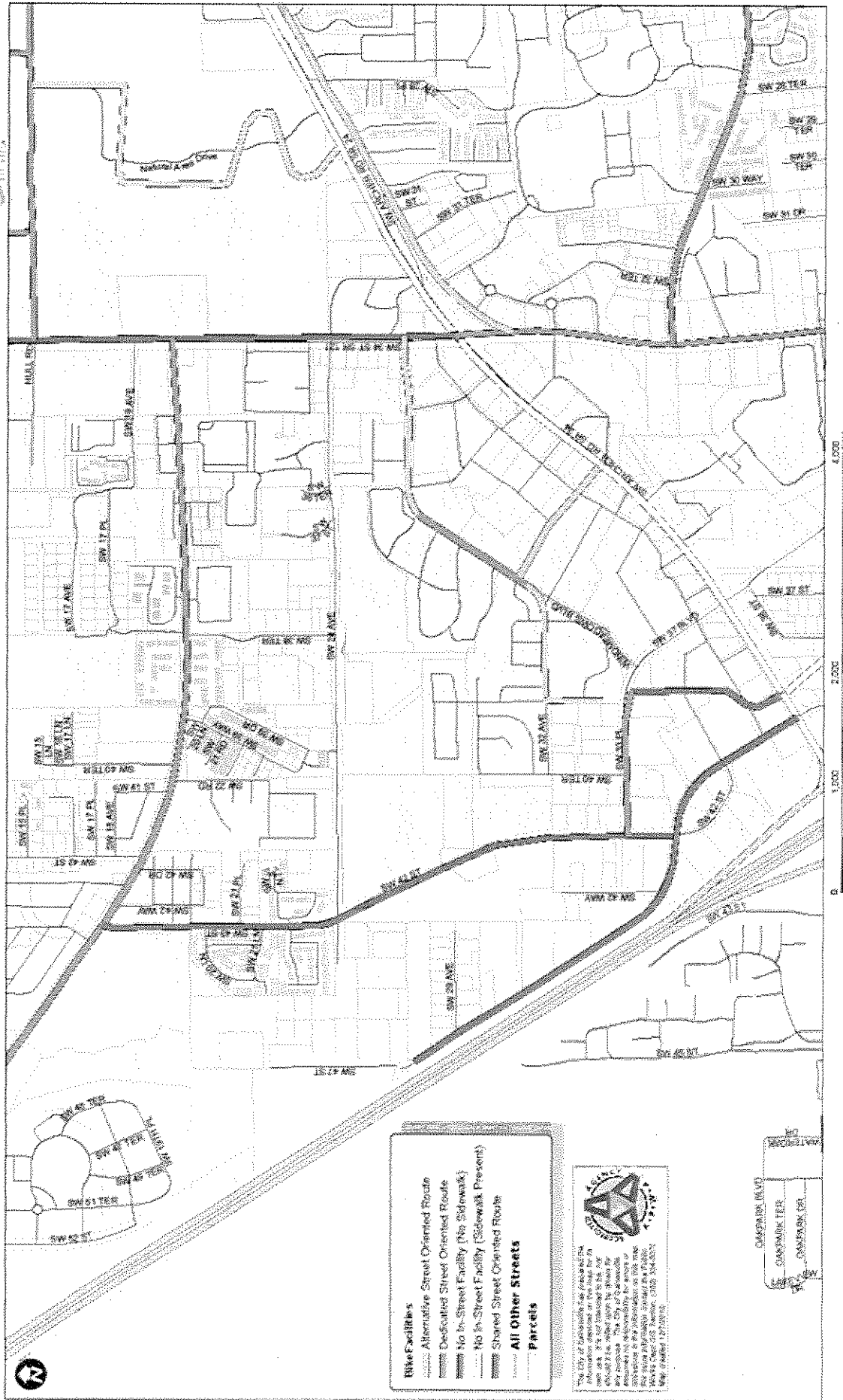
**Sidewalks**  
**Streets**  
**Parcels**



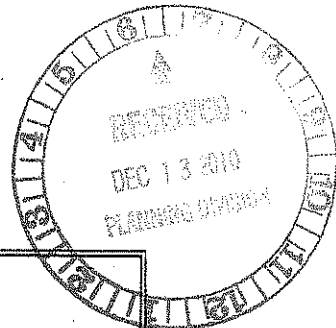
Exhibit B-8 Bicycle Facilities

Bike Facilities in the Butler Plaza/SW 20th Avenue Area

GAINESVILLE



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APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY
Petition No. PB-10-136 ZON Fee: \$
1st Step Mtg Date: EZ Fee: \$
Tax Map No. Receipt No.
Account No. 001-670-6710-3401 [ ]
Account No. 001-670-6710-1124 (Enterprise Zone) [ ]
Account No. 001-670-6710-1125 (Enterprise Zone Credit [ ]

Owner(s) of Record (please print)
Name: Multiple
Address:
Phone: Fax:
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different
Name: City of Gainesville
Address: PO Box 490 Station 11
Gainesville, FL 32602
Phone: 352-5023 Fax:

Note: It is recommended that anyone intending to file a petition for amendments to the future land use map or zoning map atlas, meet with the Department of Community Development prior to filing the petition in order to discuss the proposed amendment and petition process. Failure to answer all questions will result in the application being returned to the applicant.

REQUEST

Check applicable request(s) below:

Future Land Use Map [X] Zoning Map [X] Master Flood Control Map [ ]
Present designation: Multiple-Ac Present designation: Multiple-Ac Other [ ] Specify:
Requested designation: Multiple Requested designation: Multiple

INFORMATION ON PROPERTY

1. Street address: MANY
2. Map no(s): 4143 - 4144 - 4145 4243 4343 4344 - 4345 4444 - 4445
3. Tax parcel no(s): MANY
4. Size of property: 2.91 acre(s)

All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.

Certified Cashier's Receipt:

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets

N/A - Annexation

Noise and lighting

D. Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?

NO \_\_\_

YES X

(If yes, please explain below)

Conservation land use & zoning proposed for parcels in flood channel

E. Does this request involve either or both of the following?

a. Property in a historic district or property containing historic structures?

NO X

YES \_\_\_

b. Property with archaeological resources deemed significant by the State?

NO X

YES \_\_\_

F. Which of the following best describes the type of development pattern your development will promote? (please explain the impact of the proposed change on the community):

Redevelopment X

Urban Infill \_\_\_

Activity Center X

Urban Fringe X

Strip Commercial X

Traditional Neighborhood \_\_\_

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 3 and 5 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).

Owner of Record	
Name:	(annexation)
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

To meet with staff to discuss the proposal, please call (352) 334-5022 or 334-5023 for an appointment.

Sutton  
Owner/Agent Signature

12/1/2010  
Date

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by (Name)  
\_\_\_\_\_

\_\_\_\_\_  
Signature - Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_ (Type) \_\_\_\_\_

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Parcel Number	GIS_acres	Owner_iname	Owner_fname	LU existing	ZON existing	LU proposed	ZON proposed
<Null>	0.879	<Null>	<Null>	AC/IND	AC/MS	BI	BI
<Null>	3.536	<Null>	<Null>	AC/COMM	AC/BH	BI	BI
06684-001-000	6.381	KAMLAH	AL F	AC/LOW	AC/R-2a	Res Low	RMF-5
06684-001-000	5.758	KAMLAH	AL F	AC/MED-HI	AC/R-2a	Res Low	RMF-5
06687-001-000	2.095	Turlington	Dale E Trustee	AC/MED-HI	AC/R-2a	RM	RMF-7
06687-002-000	1.878	Harris	EE Life Estate	AC/MED-HI	AC/R-2a	RM	RMF-7
06711-002-000	0.673	University of Florida		AC/HIGH	AC/R-3	ED	ED
06714-000-000	1.017	KING	BEATRICE	AC/HIGH	AC/R-3	Res Low	RMF-5
06715-000-000	16.466	BEVILLE	JACK L	AC/LOW	AC/A	Conservation	CON
06715-001-000	3.781	ENG	RALPH E	AC/LOW	AC/A	Conservation	CON
06715-002-000	44.948	SPE CREEKSIDE AT BEVILLE RUN,	LLC	AC/LOW	AC/A	Conservation	CON
06723-000-000	5.037	ENG	R E	AC/LOW	AC/A	Conservation	CON
06724-002-000	4.976	BURCH	ERNEST W JR	AC/LOW	AC/A	Conservation	CON
06738-000-000	15.481	STRICKLAND	GERTRUDE D TRUSTEE	AC/LOW	AC/A	Conservation	CON
06740-027-000	5.488	BANKS JR & MCKIBBIN JR		AC/HIGH	AC/PD	Conservation	CON
06743-000-000	1.396	ADAIR	DENNIS	AC/LOW	AC/A	Conservation	CON
06743-001-000	4.996	WONG & WU H/W		AC/LOW	AC/A	Conservation	CON
06743-004-000	22.131	GASSET & GASSET CO-TRUSTEES		AC/LOW	AC/A	Conservation	CON
06743-005-000	1.818	ROBERTSON	MABEL TRUSTEE	AC/LOW	AC/A	Conservation	CON
06745-000-000	26.965	TAHA	FAWZI	AC/LOW	AC/A	Conservation	CON
06745-001-000	3.043	EAST NEWPORT BAPTIST CHURCH		AC/INST	AC/A	PF	PS
06800-000-000	2.566	I-75 & ARCHER ROAD NE QUADRANT	OWNERS ASSOCIATION INC	AC/COMM	AC/BH	BI	BI
06800-001-000	3.762	PALMETTO HOSPITALITY OF	GAINESVILLE II LLC	AC/TENT	AC/BH	BI	BI
06800-001-002	2.014	ATKINS COMMERCE CENTER LTD		AC/TENT	AC/BH	BI	BI
06800-001-004	2.299	ATKINS COMMERCE CENTER LTD		AC/TENT	AC/BH	BI	BI
06800-004-000	1.263	FRANCHISE REALTY		AC/TENT	AC/BH	BI	BI
06800-005-000	5.667	JOHNS BLUFF LODGING LLC &	MILLEDGE AVE LLC & REGA	AC/TENT	AC/BH	BI	BI
06800-008-000	0.241	Butler Enterprises		AC/COMM	AC/BH	BI	BI
06800-009-000	0.623	GILSON	GLEN W III	AC/IND	AC/MP	BI	BI
06800-010-000	8.809	DAYTON HUDSON CORPORATION		687 AC/COMM	AC/BH	Commercial	BUS
06800-011-000	0.624	BULLARD & RYALS ET UX		AC/IND	AC/MP	BI	BI
06800-012-000	0.553	DCB PROPERTIES LC		AC/IND	AC/MP	BI	BI
06800-013-000	0.999	GRAVES	ERIC J	AC/IND	AC/MP	BI	BI
06800-014-000	2.043	W2007 EQUITY INNS REALTY LLC		AC/TENT	AC/BH	BI	BI
06800-015-000	0.596	ATKINS COMMERCE CENTER LTD		AC/TENT	AC/BH	BI	BI
06800-016-000	0.631	ATKINS COMMERCE CENTER LTD		AC/TENT	AC/BH	BI	BI
06800-017-000	4.130	SOUTH WEST SELF STORAGE INC		AC/IND	AC/MP	BI	BI
06800-018-000	0.596	CALDWELL TRUST COMPANY TRUSTEE		AC/IND	AC/MP	BI	BI
06800-019-000	0.650	ATKINS COMMERCE CENTER LTD		AC/TENT	AC/BH	BI	BI
06800-020-000	2.391	R-ROOF I LLC		AC/TENT	AC/BH	BI	BI
06800-021-000	2.269	BRE/ESA P PORTFOLIO LLC		AC/TENT	AC/BH	BI	BI
06800-022-000	1.336	PAPAZIAN	DOROTHY	AC/TENT	AC/BH	BI	BI
06800-024-000	2.697	SOUTHWEST BUSINESS PARK INC		AC/IND	AC/MS	BI	BI
06800-025-000	0.890	EMORY GROUP LTD LIABILITY	CO (THE)	AC/IND	AC/MP	BI	BI
06800-026-000	1.827	PARNASOS PROPERTIES N V CORP		AC/TENT	AC/BH	BI	BI
06800-027-000	0.725	SCRUBBS INC		AC/IND	AC/MP	BI	BI
06800-028-000	1.019	PATEL	SUMANT P	AC/TENT	AC/BH	BI	BI
06800-029-000	2.554	MCKIBBON LAND HOLDINGS LLC		AC/COMM	AC/BH	BI	BI
06800-030-000	0.952	PATEL	SUMANT P	AC/TENT	AC/BH	BI	BI
06800-031-000	1.905	MHG OF GAINESVILLE FLORIDA	#3 LLC	AC/COMM	AC/BH	BI	BI
06801-006-000	0.791	FOERST & MOSELEY & TABOR &	WEIHE	AC/OFF/R	AC/R-1C	BI	BI
06801-007-000	1.062	LU & ZHENG		AC/OFF/R	AC/MP	BI	BI
06803-001-000	0.703	TPK ENTERPRISES LLLP		AC/COMM	AC/BH	Commercial	BUS
06803-001-001	0.226	TPK ENTERPRISES LLLP		AC/COMM	AC/BH	Commercial	BUS
06803-002-000	0.824	ALLISON	V L TRUSTEE	AC/COMM	AC/BH	Commercial	BUS
06803-004-000	0.386	MBB INC		AC/COMM	AC/MS	Commercial	BUS
06810-001-004	3.528	AUTO CRAFT INVESTMENTS INC		AC/IND	AC/BH	BI	BI
06810-001-005	0.210	PATEL	J S	AC/COMM	AC/BH	Commercial	BUS
06810-001-006	1.850	GAINESVILLE STATE BANK		AC/COMM	AC/BH	Commercial	BUS
06810-001-007	0.424	CAPTAIN D #375		AC/COMM	AC/BH	Commercial	BUS
06810-001-015	0.170	GAINESVILLE STATE BANK		AC/COMM	AC/BH	Commercial	BUS
06810-001-020	1.182	OLIVE GARDEN		AC/COMM	AC/BH	Commercial	BUS
06810-002-002	0.248	BROWN	THOMAS N TRUSTEE	AC/COMM	AC/MS	Commercial	BUS
06814-000-000	5.958	IMS 2707 LLC		AC/IND	AC/MS	BI	BI
06814-001-000	0.643	PEREZ	JOSE	AC/IND	AC/MS	BI	BI

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06814-002-000	0.442	PEREZ	JOSE	AC/IND	AC/MS	BI	BI
06814-003-000	0.460	BAILEY & BAILEY		AC/IND	AC/MS	BI	BI
06814-004-000	0.461	BAILEY & BAILEY		AC/IND	AC/MS	BI	BI
06814-005-000	0.461	IMS 5 LLC		AC/IND	AC/MS	BI	BI
06814-006-000	0.461	IMS 6 LLC		AC/IND	AC/MS	BI	BI
06814-007-000	0.461	IMS 7 LLC		AC/IND	AC/MS	BI	BI
06814-008-000	0.461	IMS 8 LLC		AC/IND	AC/MS	BI	BI
06814-009-000	0.465	IMS 9 LLC		AC/IND	AC/MS	BI	BI
06814-010-000	0.536	IMS 10 LLC		AC/IND	AC/MS	BI	BI
06814-011-000	0.754	GRESHAM	W M	AC/IND	AC/MS	BI	BI
06814-012-000	0.561	IMS 12 & 13 LLC		AC/IND	AC/MS	BI	BI
06814-013-000	0.371	IMS 12 & 13 LLC		AC/IND	AC/MS	BI	BI
06814-014-000	0.815	IMS 14 & 15 LLC		AC/IND	AC/MS	BI	BI
06814-016-000	0.762	PEREZ	JOSE	AC/IND	AC/MS	BI	BI
06816-000-000	1.585	DIX PETERSON PROPERTIES INC		AC/IND	AC/MS	BI	BI
06816-001-000	2.881	ROWLAND	W E JR	AC/IND	AC/MS	BI	BI
06816-002-000	2.104	EVERETT	C G	AC/IND	AC/MS	BI	BI
06816-003-000	2.688	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06816-003-002	0.795	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06816-004-000	0.514	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06816-004-001	2.403	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06816-005-000	1.578	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06816-006-000	2.906	ALACHUA COUNTY		AC/IND	AC/MS	PF	PS
06820-001-000	3.582	KAMLAH	AL F	AC/IND	AC/MS	BI	BI
06825-000-000	2.572	PASSIVE PROPERTIES LLC		AC/IND	AC/MS	BI	BI
06829-000-000	0.228	KAMLAH	AL F	AC/IND	AC/MS	BI	BI

284.885