



Department of Doing  
 Planning Division  
 PO Box 490, Station 11  
 Gainesville, FL 32602-0490

306 N.E. 6<sup>th</sup> Avenue  
 P: (352) 334-5022  
 P: (352) 334-5023  
 F: (352) 334-2648

<b>TO:</b>	City Plan Board	<b>Item #:</b> 1
<b>FROM:</b>	Department of Doing, Planning Division	<b>Date:</b> 5/25/17

<b>SUBJECT:</b>	Petition PB-17-01 ZON, JOLA, Inc., agent for Congregation B'nai Israel, Inc. Rezone property from MU-1: 8-30 units/acre Mixed Use Low Intensity to PS: Public Services and Operations District. Located at 1145 E. University Avenue.	
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**RECOMMENDATION**

Staff recommends approval of Petition PB-17-01 ZON.

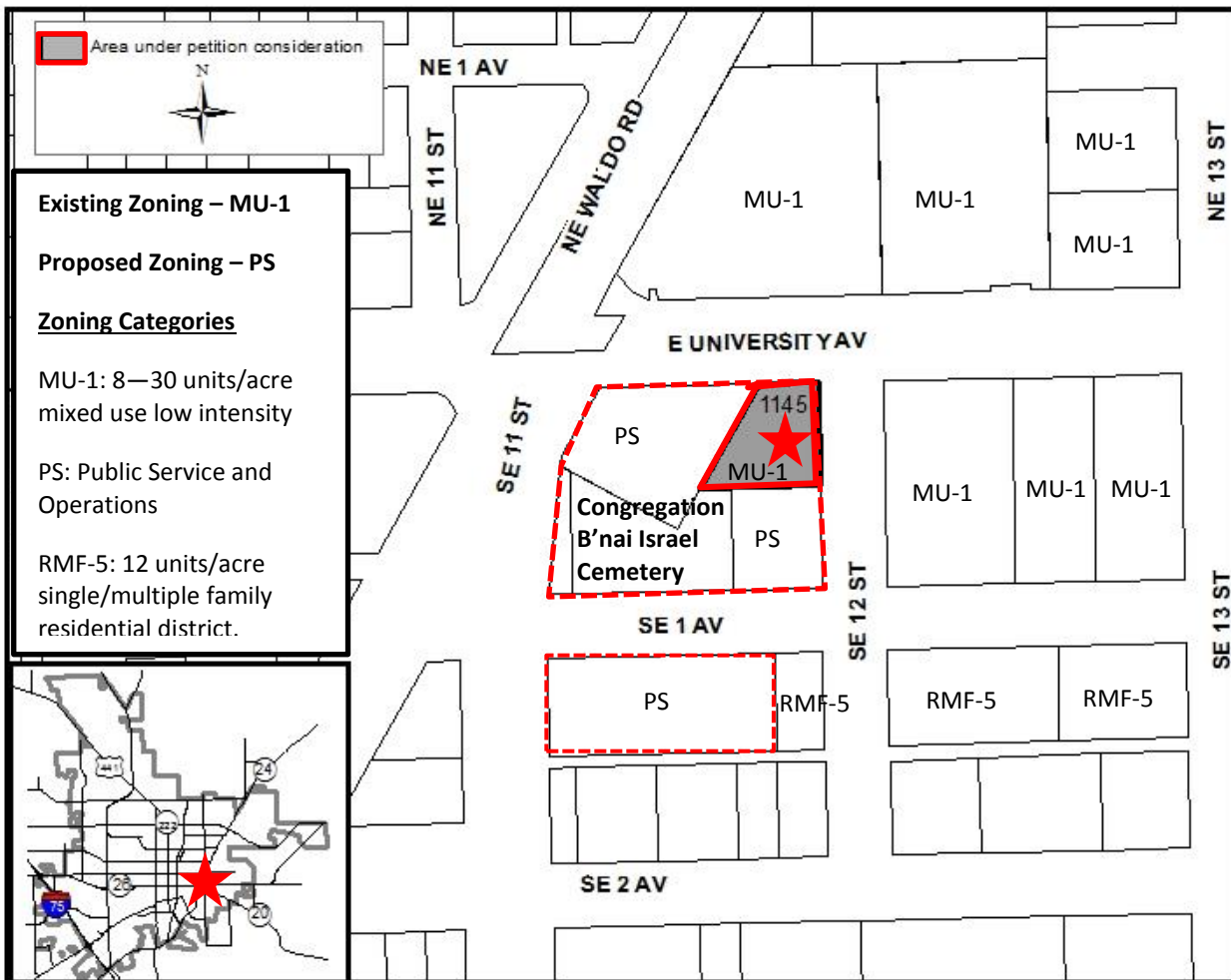


Figure 1 Proposed parcel to be rezoned showing existing land uses

**PETITION SUMMARY**

<b>PETITION DESCRIPTION</b>	Rezone property from MU-1: Mixed Use Low Intensity to PS: Public Services and Operations District to accommodate expansion of the abutting cemetery
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Address/ Parcel ID: 1145 E University Avenue (11562-000-000)  
 Total Acreage: 0.25 Acres  
 Land Use: MUL (Mixed Use – Low)  
 Existing Zoning: MU-1 (Mixed Use Low Intensity)  
 Proposed Zoning: PS (Public Services and Operations District)  
 Special Features: EZ (Enterprise Zone), SEGRI (Southeast Gainesville Renaissance Initiative)  
 Agent/ Applicant: JOLA Incorporated  
 Property Owner: Congregation B’nai Israel

**ABUTTING PROPERTY CHARACTERISTICS**

	Land Use Designation	Zoning	Existing Use
<b>North</b>	MUL (Mixed Use – Low)	MU-1	Retail
<b>South</b>	PF: Public and Institutional Facilities	PS: Public Service and Operations	Cemetery
<b>East</b>	MU-1 (Mixed Use Low Intensity)	MU-1	Mixed (Retail and Personal Services)
<b>West</b>	PF: Public and Institutional Facilities	PS: Public Service and Operations	Cemetery

**DESCRIPTION**

Petition PB-17-01 ZON addresses a request by JOLA Incorporated agent for the Congregation B’nai Israel to rezone a property they own abutting the B’nai Israel Cemetery, from MU-1 to PS to accommodate the future expansion of the cemetery. The property is the only parcel within the block with an MU-1 zoning, all other parcels have PS zoning. The parcel was occupied by a building which has been demolished leaving it currently vacant.

The B’nai Israel Cemetery is believed to be the oldest Jewish cemetery in Florida. It was founded in 1872 and has the only Holocaust Memorial in Gainesville. It has since been expanded toward the south. The applicant anticipates a need to expand the cemetery in future. The proposed rezoning will allow the cemetery to expand toward the east to include the entire block.

**BASIS FOR RECOMMENDATION**

The City of Gainesville Land Development Code in Section 30-347.3 provides a basis for recommendations for zoning and future land use changes. These include the character of the surrounding district; the need for the change; impact on level of service standards; and promotion of goals, objectives and policies of the comprehensive plan. (See Exhibit D - Section 30-347.3 of Land Development Code). The recommendation of staff to rezone the 0.25 acre parcel is based on the factors listed below.

### **Consistency with the Comprehensive Plan**

The proposed zoning to PS is consistent with the future land use designation of MUL (Mixed Use Low Intensity) as stated in the Comprehensive Plan. In addition the proposed rezoning will allow a use that will have minimal or no impact on the levels of service established in the Comprehensive Plan.

### **Consistency with the Land Development Code**

Petition PB-17-01 ZON is consistent with the objectives of the PS district in the Land Development Code, (Sec. 30-75) specifically to *“allow, through the rezoning process, public review of specific utility, recreation and public facility uses to ensure locations compatible with surrounding activities.”* (See Exhibit: Section 30-75 of the City of Gainesville Land Development Code)

The Land Development Code requires properties to be rezoned to accommodate uses allowed in the PS district. The proposed use of the parcel as a cemetery is only permitted in the PS district. The rezone is therefore necessary to align the proposed use with the Land Development Code and is consistent with past petitions to rezone parcels to PS Zoning districts to accommodate cemeteries.

### **External Compatibility**

The proposed PS rezoning is compatible with the zoning of bordering parcels which are currently zoned PS. The MU-1 zoned parcel is isolated from other properties, by roadways and the existing cemetery. The proposed rezoning will eliminate the only MU-1 zoning within the block and make it consistent with the zoning designations of other parcels and use within the block. Additionally the proposed zoning is compatible with the surrounding zoning and will allow a contiguous extension of the existing cemetery use.

### **Significant Change of Surrounding Character**

The area around the parcel has undergone a significant change in character. Zoning change petitions from MU-1 to PS were approved for abutting parcels within the block between 1996 and 2006. Half of the block south of the cemetery was also rezoned from RMF-5 to PS during that period. The character of the block as well as the adjacent property to the south along SE 1<sup>st</sup> Avenue has changed significantly making the property suitable for rezoning. (See Exhibit A, Site Zoning Map)

### **Impact on Level of Service (LOS) Standards**

The proposed rezoning and use will have very minimal impact on adjacent properties in terms of noise, traffic, and other utilities. The proposed use will have little or no impact on LOS on adjoining streets; on the contrary it may reduce trips from the previous use which was a daycare center. The parcel is also served by RTS bus service.

The area to the north and east of the property has a large stock of MU-1 zoned parcels to serve nearby residential areas, rezoning will therefore have minimal impacts on the stock of MU-1 zoned properties.

### **Enterprise Zone/ SEGRI**

The parcel under consideration is located in the Enterprise Zone which was established by Resolution No. R-95-6 in 1995 to encourage activities to *“decrease levels of poverty, unemployment, physical deterioration, and economic disinvestment in accordance with Chapter 3, Division 4 of the Gainesville Code of Ordinances and F.S.*

Ch. 290.” Rezoning the property to PS will allow the applicant to make improvements to the site which advances the City of Gainesville’s goal of decreasing physical deterioration in the Enterprise Zone. The parcel is also located in the SEGRI Special Area Plan overlay district. The proposed rezoning is not in conflict with the objectives and standards of SEGRI.

**PERMITTED USES**

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Section 30-75(c) of the Land Development Code requires ordinances that establish PS zoning to specify uses allowed by right in the ordinance that assigns PS Zoning to a property. The applicant plans to use the property to expand the existing cemetery. Staff recommends that cemeteries and other uses accessory to the proposed cemetery use, be permitted by right if the parcel is rezoned. Development on the parcel will also have to follow all other requirements a stated in Section 30-75 of the Land Development Code

**CONCLUSION**

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The proposed change of zoning for the quarter acre lot abutting the B’nai Israel Cemetery from MU-1 to PS is a suitable response to the changed character of the vicinity and promotes the City of Gainesville’s future land use goal to redevelop areas within the city, as needed. The proposed rezoning will make the use on the parcel more compatible with the rest of the block.

**RECOMMENDATION**

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Staff recommends approval of Petition PB-17-01 ZON to rezone the 0.25 acre parcel at 1145 E University Avenue from MU-1 to PS zoning.

**APPENDICES**

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Exhibit A: Site Existing and Proposed Zoning Map

Exhibit B: Site Photos

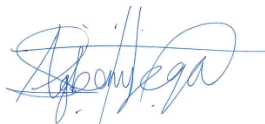
Exhibit C: Rezoning Application and Neighborhood Workshop

Exhibit D: Section 30-347.3, and Section 30-75 of the City of Gainesville Land Development Code

Respectfully,



Andrew Persons, Principal Planner



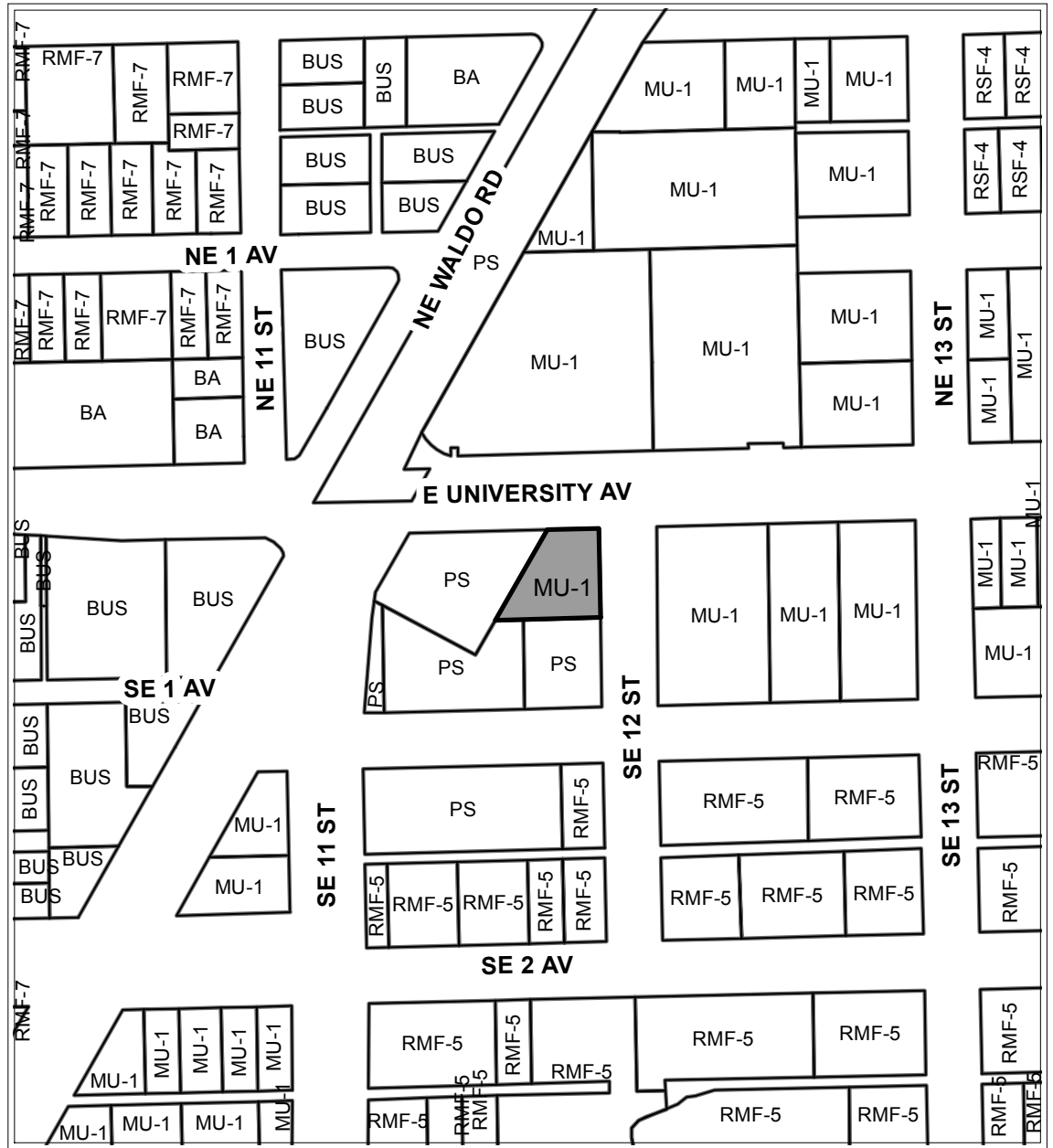
Prepared and Submitted by: Florence Buaku, Planner



**EXHIBIT A**

**City of Gainesville  
Zoning Districts**

- RSF-4 8 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- BUS General Business
- BA Automotive-Oriented Business
- MU-1 8-30 units/acre Mixed-Use Low Intensity
- PS Public Services and Operations



**EXISTING ZONING**

----- Division line between two zoning districts

Area  
under petition  
consideration



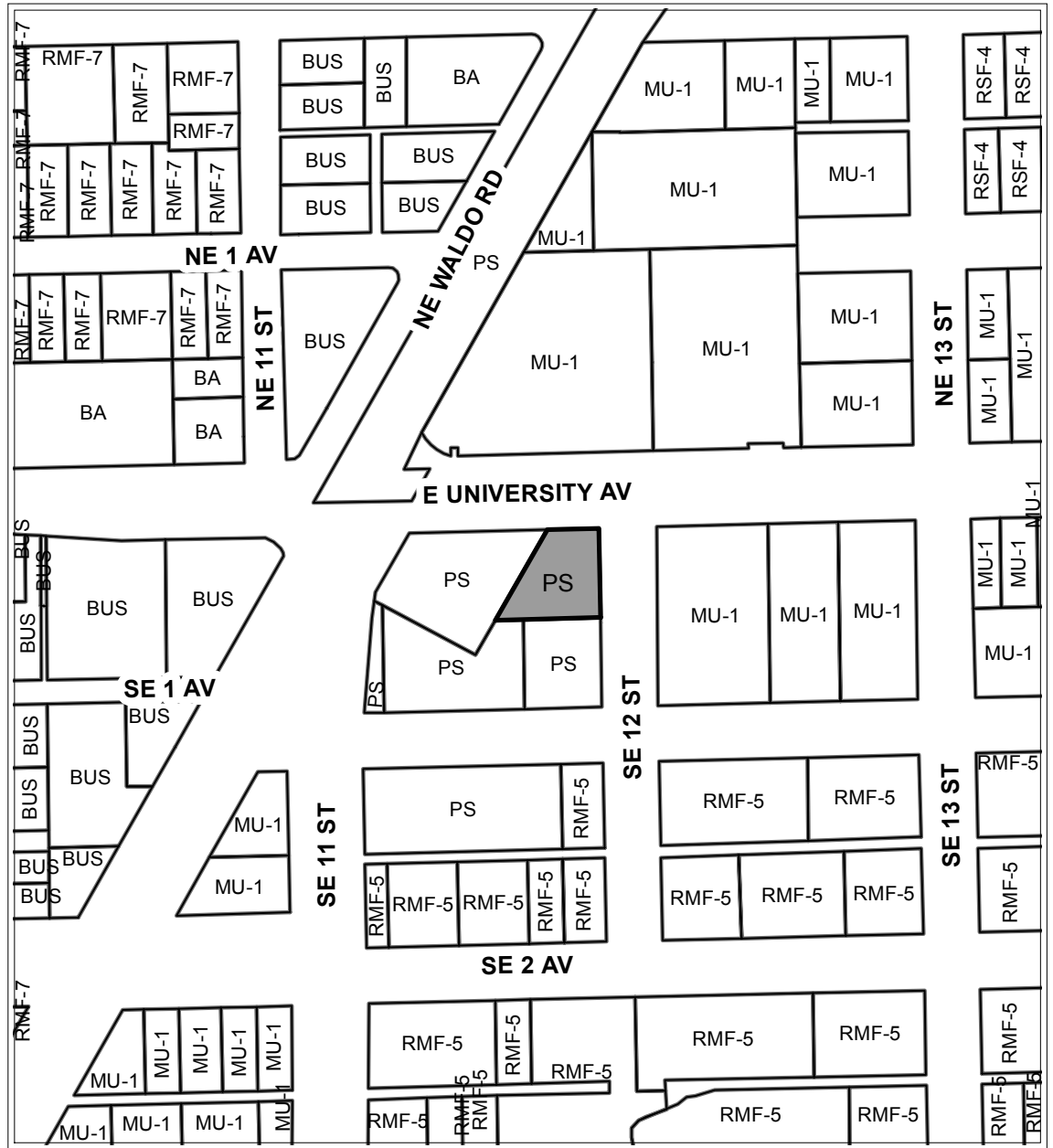
No Scale

Name	Petition Request	Petition Number
JOLA, Inc., agent for the Congregation B'nail Israel, Inc.	Rezone property from MU-1: 8-30 units/acre mixed-use low intensity to PS: Public Services and Operations district	PB-17-01 ZON

**EXHIBIT A**

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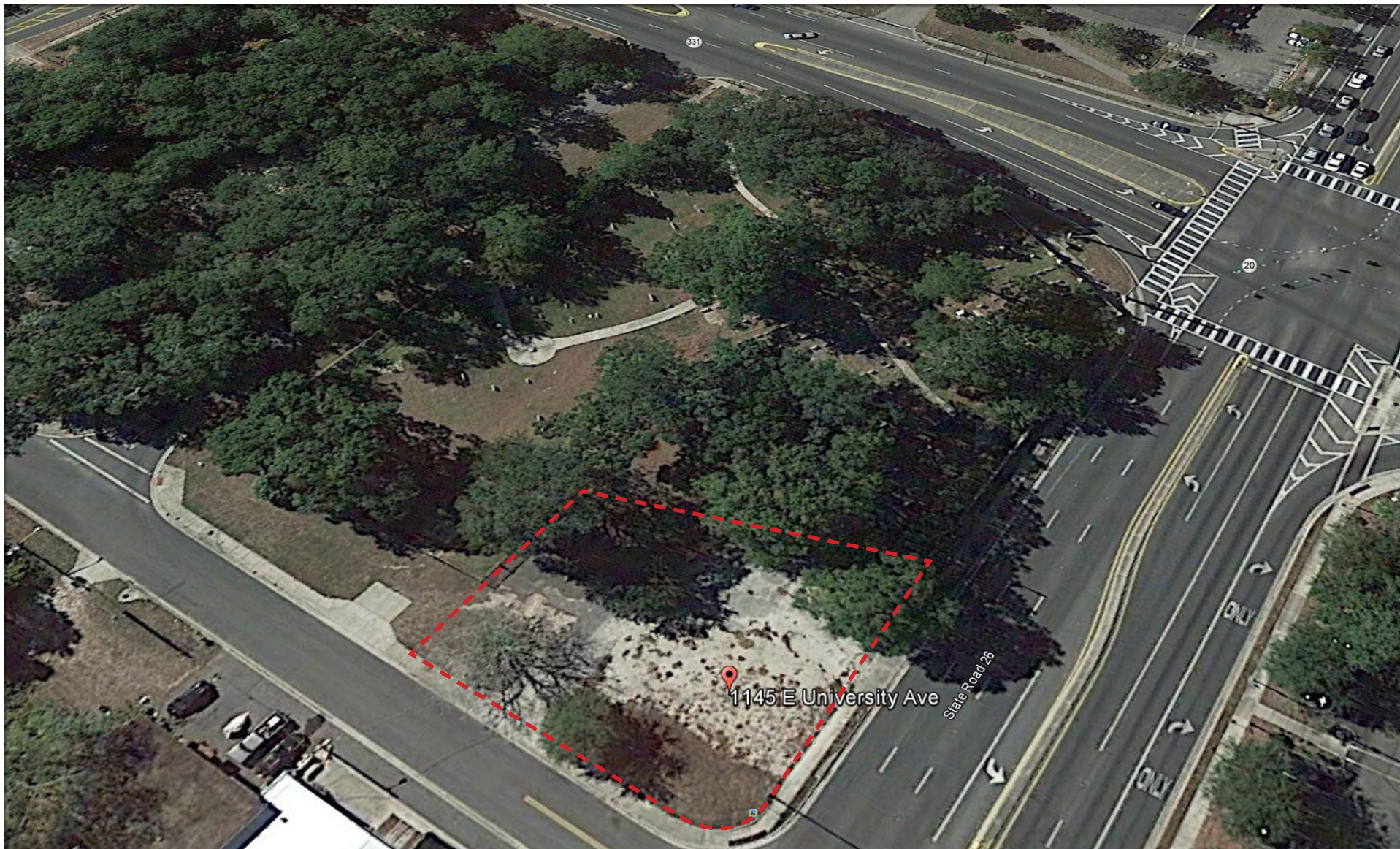
----- Division line between two zoning districts

Area  
under petition  
consideration



**PROPOSED ZONING**

	Name	Petition Request	Petition Number
 No Scale	JOLA, Inc., agent for the Congregation B'nail Israel, Inc.	Rezone property from MU-1: 8-30 units/acre mixed-use low intensity to PS: Public Services and Operations district	PB-17-01 ZON



Aerial view of petition site





View of petition site from the North Eastern corner at the intersection of SE 12th Street and University Avenue





View across SE 12th Street from petition site





View toward South-Western corner of petition site





View toward North-Western corner of petition site , showing the end of the existing cemetery wall





View across University Avenue from the petion site





**APPLICATION—CITY PLAN BOARD**  
*Planning & Development Services*

<b>OFFICE USE ONLY</b>	
Petition No. <u>PB-17-1 ZON</u>	Fee: \$ <u>3229.75</u>
1 <sup>st</sup> Step Mtg Date: _____	EZ Fee: \$ <u>(1614.88) E.O</u>
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 [ <input type="checkbox"/> ]	
Account No. 001-660-6680-1124 (Enterprise Zone) [ <input type="checkbox"/> ]	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) [ <input type="checkbox"/> ]	

Owner(s) of Record (please print)
Name: Congregation B'nai Israel, Inc.
Address: 3830 NW 16th Blvd Gainesville, Florida 32605
Phone: 376-1508 x103 Fax: _____
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different
Name: JOLA, Incorporated
Address: 323 Turkey Creek Alachua, Florida 32615
Phone: 352-219-5531 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 [ <input type="checkbox"/> ]	Zoning Map [ <input checked="" type="checkbox"/> ]	Master Flood Control Map [ <input type="checkbox"/> ]
Present designation: _____	Present designation: MU1	Other [ <input type="checkbox"/> ] Specify: _____
Requested designation: _____	Requested designation: PS	

**INFORMATION ON PROPERTY**

1. Street address: 1145 E. University Avenue, Gainesville, Florida
2. Map no(s): <u>4053</u>
3. Tax parcel no(s): 11562-000-000
4. Size of property: <u>0.25</u> acre(s)
<i>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.</i>

**Certified Cashier's Receipt:**

5. Legal description (attach as separate document, using the following guidelines):
- a. Submit on 8 1/2 x 11 in. sheet of paper, separate from any other information.
  - b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser's Office, etc.
  - c. Must correctly describe the property being submitted for the petition.
  - d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340'); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

6. **INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES** (NOTE: *All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.*)

A. What are the existing surrounding land uses?

North MU1

South PS

East MU1

West PS

B. Are there other properties or vacant buildings within 1/2 mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO  YES  If yes, please explain why the other properties cannot accommodate the proposed use?

They are adjacent Public Service Cemetery property. We wish to add this property for cemetery use.



Explanation of how the proposed development will contribute to the community.

This property will extend and beautify the existing historic Jewish cemetery

G. What are the potential long-term economic benefits (wages, jobs & tax base)?

N/A

H. What impact will the proposed change have on level of service standards?

Roadways Reduction in Traffic Counts from previous use (nursery school)

Recreation Increase park space with Gainesville's only Holocaust Memorial

Water and Wastewater Reduction in Water and Wastewater use

Solid Waste Reduction to zero

Mass Transit Reduction in use

I. Is the location of the proposed site accessible by transit, bikeways or pedestrian facilities?

NO

YES  (please explain)

This property is on the current RTS bus route. The existing Waldo Road bike trail is nearby. The property is surrounded by existing sidewalks and roadways on all sides.

CERTIFICATION

EXHIBIT C

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:	Jenifer Petrescu
Address:	Congregation B'nai Israel, Inc. 3830 NW 16th Blvd Gainesville, Florida 32605
Phone:	376-1580 x103 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.

Owner/Agent Signature Jenifer Petrescu  
 2/6/17  
 Date

STATE OF FLORIDA  
COUNTY OF Alachua

Sworn to and subscribed before me this 6<sup>th</sup> day of February 20 17 by (Name)  
Jenifer Petrescu

Signature – Notary Public

Personally Known \_\_\_ OR Produced Identification  (Type) FLDLP3162426835110

TL—Applications—djw



Landscape Architects

**B'nai Israel Cemetery Expansion  
Zoning Map Change Request for  
Parcel # 11562-000-000**

**Neighborhood Meeting, March 22, 2017**

**Meeting Started:** 6:00 pm

**Community Participants:** 1

**Location:** Downtown Library, Study Room D at  
401 East University Avenue, Gainesville, FL 32601

**Attendees:** **Ralph Lowenstein, (RL)** 1705 NW 22<sup>nd</sup> Drive, Gainesville, FL  
32605

**Project Representative:**

**Landscape Architect:** Jackie Owens, (JO) JOLA

**Meeting Minutes:**

**Jackie Owens** began the meeting with a general explanation of the cemetery expansion and rezoning of parcel #11562-000-000 to Public Service (PS).

**Ralph Lowenstein** discussed security concerns at the cemetery as there have been recent events of vandalism, and asked **JO** to research options for a more secure gate. **RL** would also like **JO** to apply for a CRA Façade Improvement Grant for the wall addition on University Avenue.

**Meeting Adjourned:** 6:25 pm

Landscape Architects

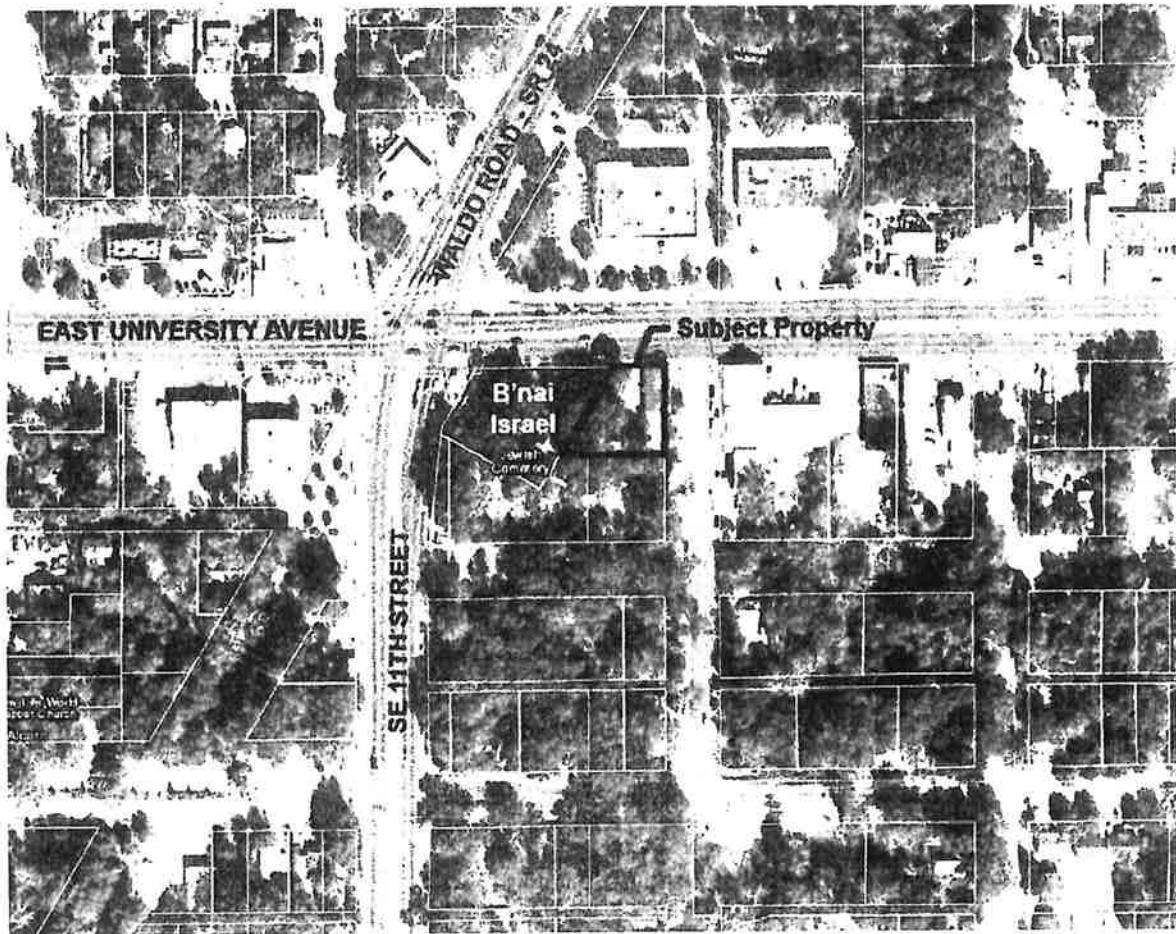
## Neighborhood Workshop Notice

For a proposed Zoning Map Change for a parcel at B'nai Israel Cemetery located at 1145 E. University Avenue, Gainesville, Florida.

Date: March 22, 2017  
Time: 6:00 pm  
Place: Alachua County Library, Study Room D, 401 E. Univ. Ave., Gainesville, FL  
Parcel #: 11562-000-000  
Contact: JOLA, Incorporated (352) 219-5531

A Neighborhood Workshop is planned to discuss a proposed Zoning Map Change from MU1 (Mixed Use – low intensity) to PS (Public Service – cemetery) for parcel # 11562-000-000 which is approximately 0.25 acres, located at 1145 E. University Avenue, Gainesville, Florida. This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposed project and to seek their comments.

The meeting will be held on Wednesday, March 22, 2017 at 6:00 p.m. at the Alachua County Library, Study Room D, located at 401 East University Avenue, Gainesville, Florida 32601



# The Gainesville Sun

Gainesville, FL  
 TEL: (866) 470-7133 • FAX: (863) 802-7825  
 FED ID#: 47-2464860

1 BILLING PERIOD		2 ADVERTISER / CLIENT NAME	
01/30/17 - 02/26/17		JOLA INCORPORATED	
23 TOTAL AMOUNT DUE		*UNAPPLIED AMOUNT	3 TERMS OF PAYMENT
0.00		NET 15 DAYS	
21 CURRENT AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS
.00	.00	.00	.00

**EXHIBIT C**

## ADVERTISING INVOICE and STATEMENT

24 INVOICE NUMBER	4 PAGE #	5 BILLING DATE	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER
31369845	1	02/26/17	752995	

8 8 - 4667

JOLA INCORPORATED  
 323 TURKEY CRK  
 ALACHUA FL 32615-9355



9 REMITTANCE ADDRESS

THE GAINESVILLE SUN  
 PO BOX 915007  
 ORLANDO FL 32891-5007

0931369845000000000008

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

SEE REVERSE SIDE FOR CREDIT CARD PAYMENT OPTIONS.

10 DATE	11 NEWSPAPER REFERENCE	12/13/14 DESCRIPTION - OTHER COMMENTS/CHARGES	15 SAU SIZE 16 BILLED UNITS	17 TIMES RUN 18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
01/29		BALANCE FORWARD				.00
02/22		RALPH LOWENSTEIN				-140.60
02/22	GH038107 LEGAL/RETAIL	PUBLIC NOTICE GNET/MKLG, GNV/FULL	2x21 41	1 35.15	140.60	140.60

### STATEMENT OF ACCOUNT AGING OF PAST DUE ACCOUNTS



21 CURRENT NET AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23 TOTAL AMOUNT DUE
.00	.00	.00	.00		.00

The Gainesville Sun

Questions on this Invoice call:  
 Tel: (866) 470-7133 Fax: (863) 802-7825



24 INVOICE NUMBER	25 BILLING PERIOD	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER	2 ADVERTISER / CLIENT NAME
31369845	01/30/17 - 02/26/17	752995		JOLA INCORPORATED





Orange Creek Restoration Area North Tract in Alachua County on Tuesday. Tropical storms last fall left the area now tinder-dry. An early spring this year adds to the wildfire danger as budding plants suck up moisture. [ANDREA CORNEJO/STAFF PHOTOGRAPHER]



Firefighter Zondervan helps control the fire conducted on Tuesday.



dead and dry vegetation from around their home, including leaves from roofs and gutters.

Burning for land clearing, forestry and agriculture requires a Forest Service permit and comes with setback regulations for proximity to roads.

HEALTH CARE

# Nursing homes fight repeal of key regulations

By Jim Saunders  
The News Service of Florida

Florida Health Care Association, which represents nursing homes across the state, said keeping the certificate-of-need process for nursing facilities has become a top priority heading into the session. During a press briefing Monday, they said repealing the regulations on building new nursing homes would lead to more empty beds in long-established facilities, affecting the operations of those homes.

TALLAHASSEE — For the past two years, Florida lawmakers have debated eliminating controversial regulations on building or expanding hospitals.

But as the 2017 legislative session prepares to start March 7, the debate about repealing what is known as the “certificate of need” regulatory process has expanded to include nursing homes and hospice facilities — and has touched off a new wave of lobbying by industry groups.

Officials with the

“We think eliminating CON would be extremely disruptive,” Bob Asztalos, the association’s chief lobbyist, said.

### Public Notice

A Neighborhood workshop is planned to discuss a proposed Zoning Map Change from MU1 to Public Service (PS) for cemetery use for parcel #11562-000-000 which is approximately 0.25 acres, located at 1145 E. University Avenue, Gainesville, Florida. This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposed project and to seek their comments. The meeting will be held on Wednesday, March 22, 2017 at 6:00 p.m. at the Alachua County Library, Study Room D located at 401 East University Avenue, Gainesville, Florida 32601.

Contact: JOLA, Incorporated  
Phone: 352-219-5531

GF-04038107

### Oelrich Construction, Inc. is soliciting bids for: VM Atrium Expansion

Construction Manager is requesting pricing for the following bid packages: 2B Demolition, 3A Concrete, 4A Masonry, 6C Casework, 6D General Trades, 8A Glass & Glazing, 8B Doors & hardware, 9A Gypsum Board Assemblies, 9B Flooring, 9C Acoustical Ceilings, 9D Painting & Wallcovering, 10A Specialties, 15A Mechanical, 15B Plumbing, 15C Fire Protection, 16A Electrical.

All prospective bidders must prequalify in order to submit a bid. Please contact Oelrich Construction, Inc. at 352-745-7877 or send an email to mweaver@oelrichconstruction.com to obtain a prequalification form, bid manual and drawings. All Bid information will be available at our website, Oelrichconstruction.com.

All bids are due by Tuesday, February 28, 2017 by 3:00pm.  
275 NW 137th Drive  
Suite A  
Jonesville, FL 32669





**APPLICATION FOR ENVIRONMENTAL REVIEW**

<b>OFFICE USE ONLY</b>	
Petition No. _____	Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-4063	

**CHECK ONE:**

Basic       Level 1       Level 2      Submittal:  1st  2nd  3rd

Basic Environmental Review – Submit general environmental assessment with application.  
 Level 1 Environmental Review – Submit environmental studies with application.  
 Level 2 Environmental Review – Submit mitigation and/or management plan.  
 (Review fees are set in accordance with the most current fee schedule. The environmental review fee includes a maximum of three reviews within 2 years per project.)

Owner(s) of Record (please print)	Applicant(s)/Agent(s) (please print)
Name: Congregation B'nai Israel, Inc.	Name: JOLA, Incorporated
Address: 3830 NW 16th Blvd	Address: 323 Turkey Creek
Gainesville, Florida 32605	Alachua, Florida 32615
E-mail: rlowenstein@jou.ufl.edu	E-mail: jowens@jola-inc.com
Phone: 376-1508      Fax:	Phone: 352-219-5531 Fax:
<i>(If additional owners, please include on back)</i>	

PROJECT INFORMATION	
<b>Project Name</b>	B'nai Israel Cemetery Expansion 2016
<b>Check all regulated resources that apply to this development application:</b>	
Regulated Surface Waters & Wetlands (LDC 30-300)	<input type="checkbox"/> Surface Waters and/or Wetlands
Regulated Parks & Conservation Areas (LDC 30-307)	<input type="checkbox"/> Nature Park and Public Conservation/Preservation Areas District
Regulated Natural & Archaeological Resources (LDC 30-310)	<input type="checkbox"/> Floridan Aquifer High Recharge Area
	<input type="checkbox"/> Significant Natural Communities
	<input type="checkbox"/> Listed Species
	<input type="checkbox"/> Strategic Ecosystems
	<input type="checkbox"/> Significant Archaeological Resources
	<input type="checkbox"/> Significant Geological Resource Features

I certify that the above statements are correct and true to the best of my knowledge.

  
 Applicant's signature      Ralph Lowenstein

February 6, 2017  
 Date

**Certified Cashier's Receipt:**

Current Planning  
 Planning Counter—158

Phone: 352-334-5023

Thomas Center B  
 306 NE 6<sup>th</sup> Avenue

B'nai Israel Cemetery Lot Legal Description parcel# 11562-000-000

LAND DESCRIPTION: (OFFICIAL RECORDS BOOK 2194, PAGE 2868)

PARCEL ONE:

LOTS ONE (1), TWO (2) AND THREE (3) OF BLOCK TWENTY-SEVEN (27) OF NEW GAINESVILLE, A SUBDIVISION IN SECTION FOUR (4), TOWNSHIP TEN (10) SOUTH, RANGE TWENTY (20) EAST, AS PER PLAT RECORDED IN PLAT BOOK "A", PAGE SIXTY-FIVE, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

AND ALSO BEGIN AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 27, NEW GAINESVILLE; THENCE SOUTH 7 1/2 FEET TO THE CENTER LINE OF AN ALLEY; THENCE WEST ON SAID CENTER LINE OF ALLEY TO THE EASTERLY BOUNDARY OF JEWISH CEMETERY; THENCE NORTHEASTERLY ON SAID LINE TO THE SOUTH LINE OF LOT 3, BLOCK 27, NEW GAINESVILLE; THENCE EAST TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

1. SURVEY BASED ON MONUMENTATION FOUND AND ACCEPTED AND ON "NEW GAINESVILLE" AS RECORDED IN PLAT BOOK "A" PAGE 65 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.
2. BEARINGS ARE BASED ON AN ASSUMED CALL OF SOUTH 89°54'40" WEST FOR THE CENTERLINE OF AN ALLEY AND THE SOUTH LINE OF THIS PROPERTY.
3. DESCRIPTION OF RECORD AS PER OFFICIAL RECORDS BOOK 2194, PAGE 2868.
4. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS SIGNED AND SEALED BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.
5. UNLESS NOTED, NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED FOR THIS SURVEY.
6. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
7. ONLY ABOVE GROUND UTILITIES WERE LOCATED FOR THIS SURVEY.
8. NORTH ARROW IS BASED ON BEARING STRUCTURE.
9. CERTIFICATION IS NOT TRANSFERABLE.
10. THE PURPOSE OF THIS SURVEY IS TO SHOW BOUNDARY INFORMATION AND IMPROVEMENTS. IT IS NOT TO BE USED FOR ARCHITECTURAL, ENGINEERING, DESIGN OR CONSTRUCTION PURPOSES.
11. THIS SURVEY COMPLIES WITH THE FLORIDA MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

FLOOD ZONE:

IT IS THE OPINION OF THIS LAND SURVEYOR BASED ON AN INTERPRETATION OF F.I.R.M. PANEL No. 318 OF 640, COMMUNITY PANEL No. "125107 0318 D" THAT THIS PROPERTY IS LOCATED IN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), MAP EFFECTIVE DATE JUNE 16, 2006.

# BOUNDARY SURVEY

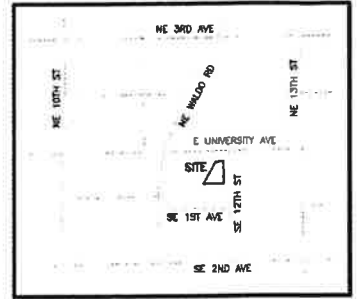
## TAX PARCEL #11562-000-000

### 1145 EAST UNIVERSITY AVENUE

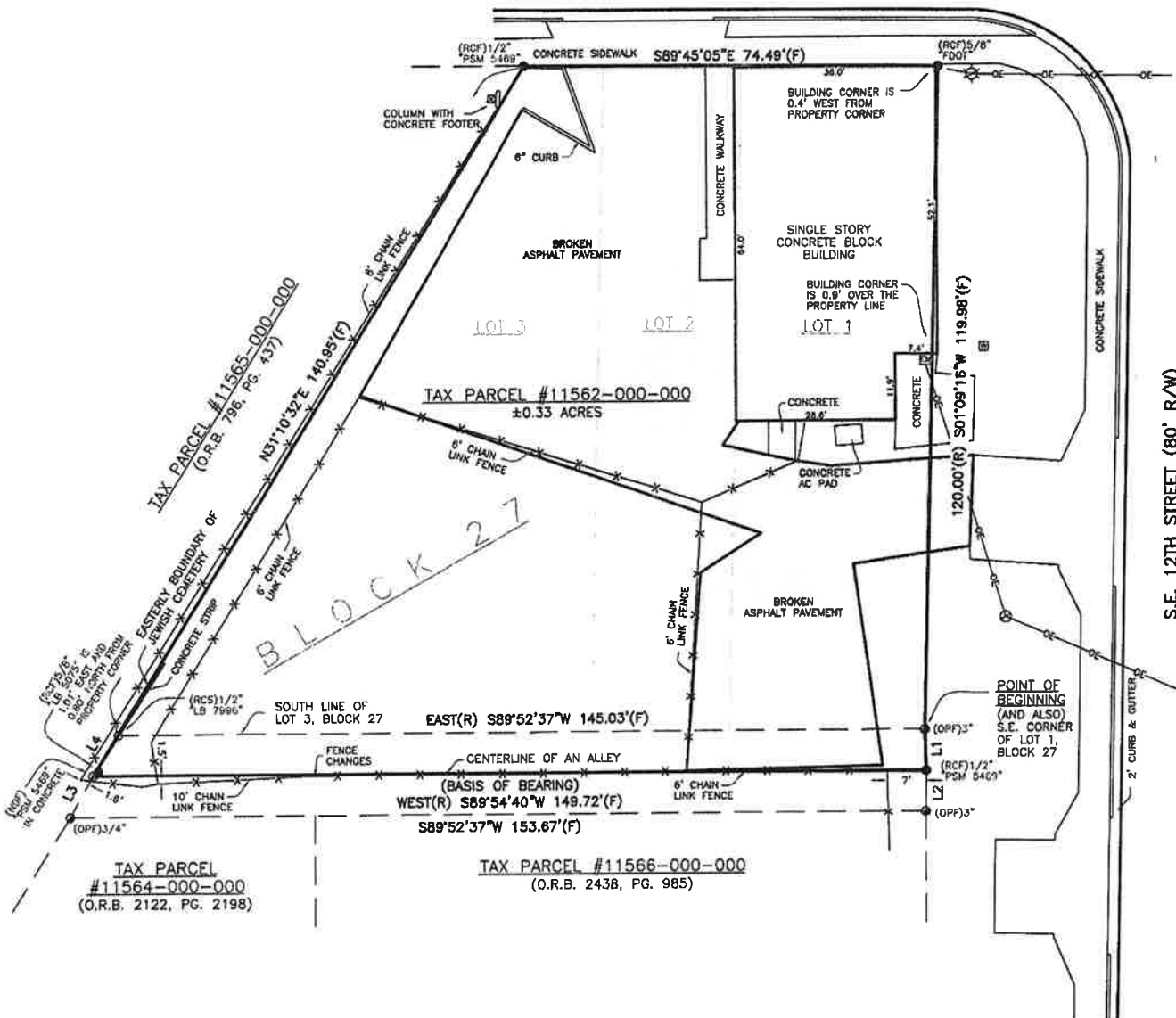
#### GAINESVILLE, FL

SECTION 04, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA

LOCATION MAP: NOT TO SCALE



EAST UNIVERSITY AVENUE – STATE ROAD No. 26 (100' R/W)



**CERTIFY SURVEY TO:**  
 CONGREGATION B'NAI ISRAEL, INC.  
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
 FLORIDA CITIZENS BANK  
 ROBERT A. STERN, P.A.

SCALE: 1=20

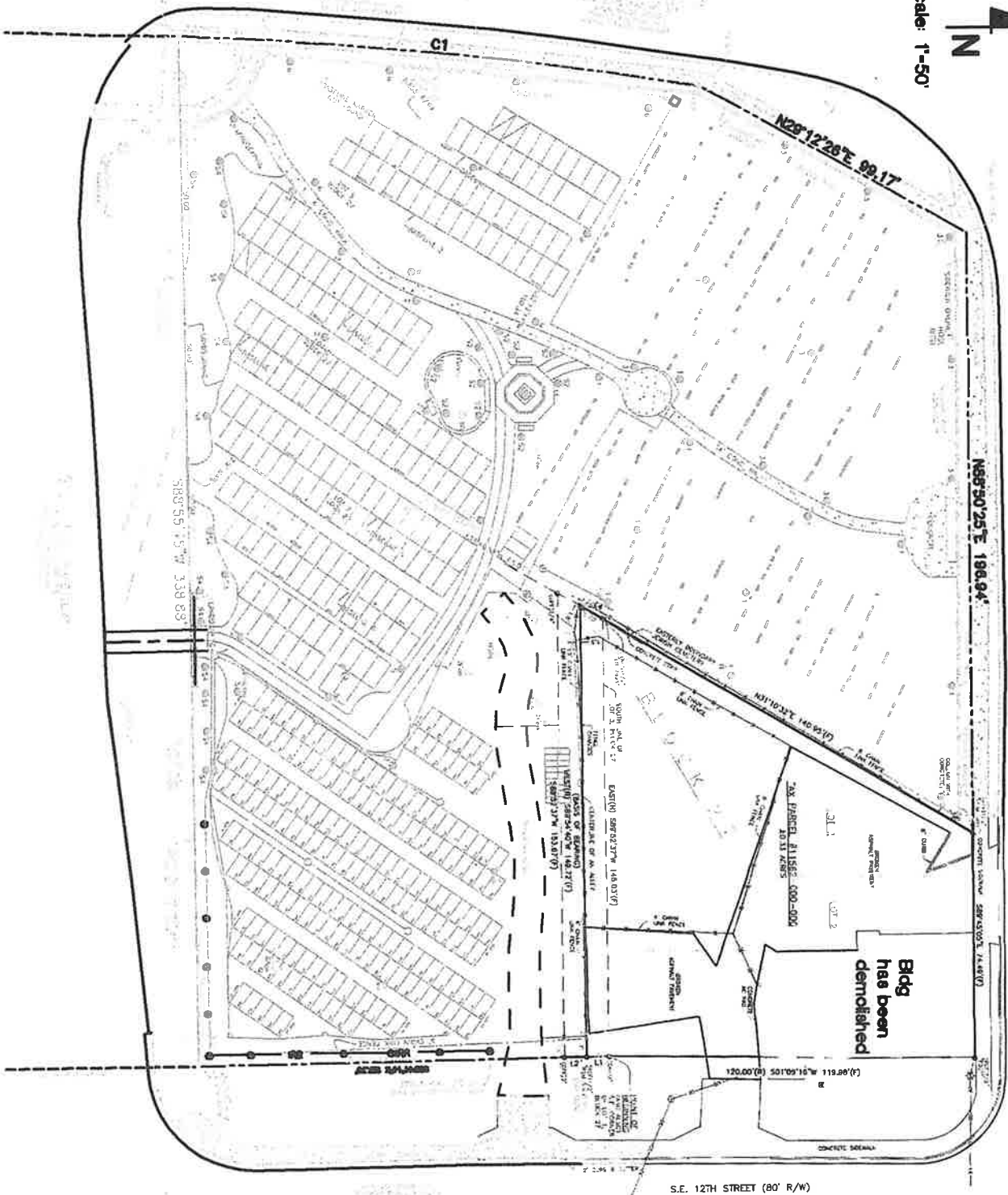
B'nai Israel Current Survey/Conditions: March 30, 2017

Scale: 1"=50'

EAST UNIVERSITY AVENUE - STATE ROAD No. 28 (100' R/W)

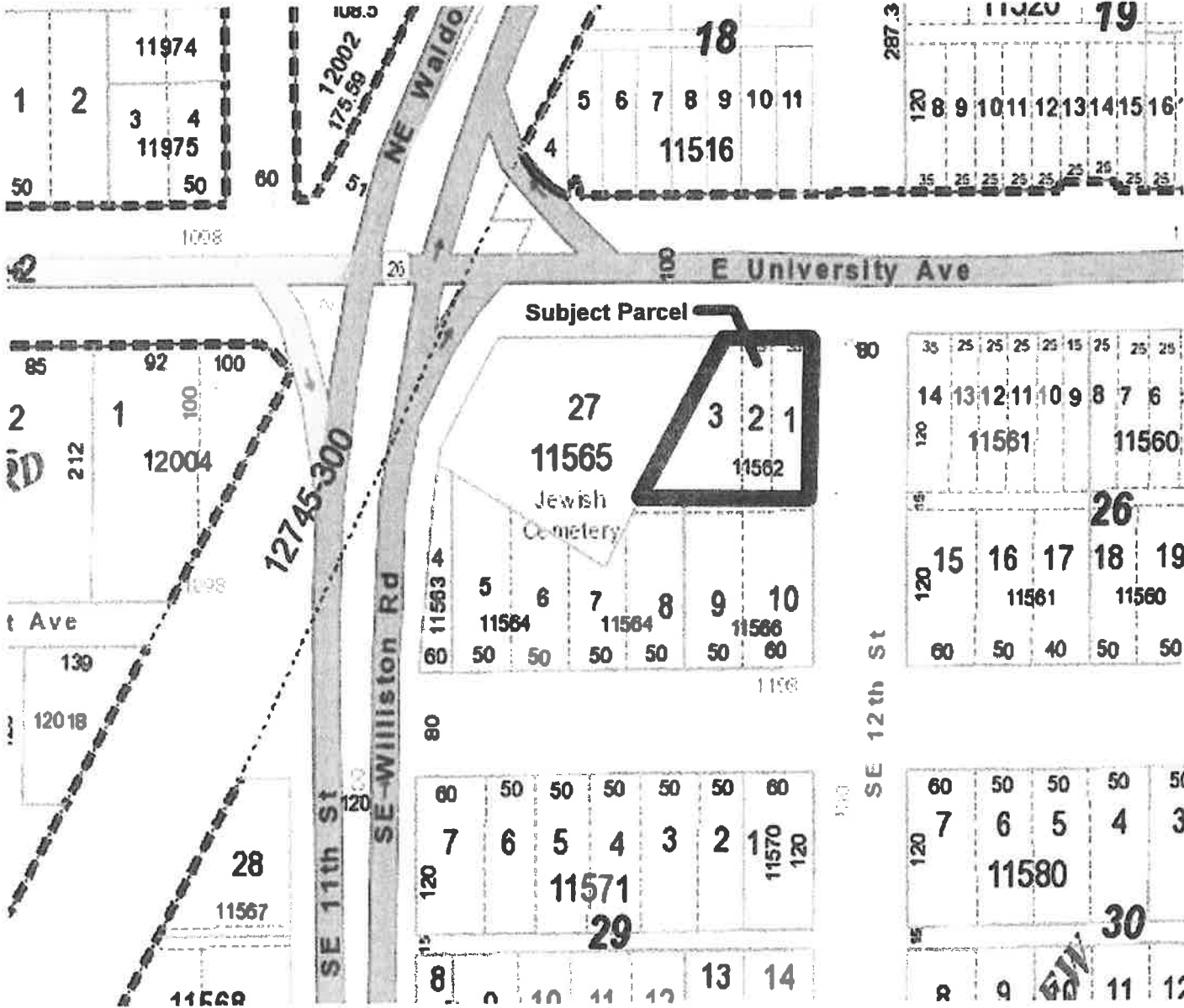


Scale: 1"=50'



S.E. 12TH STREET (80' R/W)

B'nai Israel Cemetery  
Tax Parcel Map  
March 31, 2017





PROPERTY OWNER AFFIDAVIT

Owner Name: Congregation B'nai Israel, Inc.			
Address: 3830 NW 16th Blvd. Gainesville, Florida 32605		Phone: 352-376-1508 ext. 103	
Agent Name: Jackie Owens, JOLA, Inc.			
Address: 323 Turkey Creek Alachua, Florida 32615		Phone: 352-219-5531	
Parcel No.: 11562-000-000			
Acreage: 0.25	S: 04	T: 10	R: 20 SE

Requested Action:  
Zoning Map Change

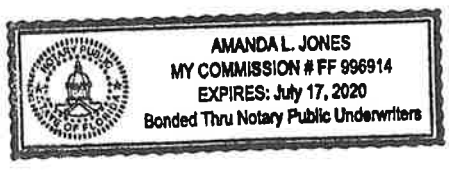
I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature [Signature]  
Printed name: Jenifer Petrescu

Date: 2/6/17

The foregoing affidavit is acknowledged before me this 6<sup>th</sup> day of February, 2017, by Jenifer Petrescu, who is/are personally known to me, or who has/have produced FLDL P316242683510 as identification.

NOTARY SEAL [Signature]  
Signature of Notary Public, State of Florida





Sec. 30-347.3. - Basis for recommendations by city plan board on proposed changes or amendments.

- (a) *Zoning ordinance changes.* In reviewing and formulating recommendations to the city commission on requested or proposed changes in the zoning ordinances that are quasi-judicial in nature, the city plan board shall consider and evaluate the changes in relation to all pertinent factors, including the following:
  - (1) The character of the district and its peculiar suitability for particular uses;
  - (2) Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city;
  - (3) The applicable portions of any current city plans and programs such as land use, trafficways, recreation, schools, neighborhoods, stormwater management and housing;
  - (4) The needs of the city for land areas for specific purposes to serve population and economic activities;
  - (5) Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning;
  - (6) The goals, objectives and policies of the comprehensive plan; and
  - (7) The facts, testimony and reports presented to the city plan board at public hearings.
- (b) *Future land use map changes.* In reviewing and formulating recommendations to the city commission on requested or proposed changes to the future land use map that are quasi-judicial in nature, the city plan board shall consider and evaluate the changes in relation to all pertinent factors, including the following:
  - (1) The goals, objectives and policies of the comprehensive plan.
  - (2) An analysis, by planning and development services staff, of the need for the additional land based on the projected population of the city and the availability of property designated for the land use being requested by the petitioner.
  - (3) The location of the site in relation to adjacent uses and other similar uses.
  - (4) The potential impact of the proposed use on adopted level of service standards.
  - (5) The following criteria shall be used when considering the expansion and creation of additional mixed use low, medium or high intensity areas. All other nonresidential areas shall be evaluated in terms of their location to activity centers and commercial corridors.

Characteristic	Mixed Use Low Intensity	Mixed Use Medium Intensity	Mixed Use High Intensity
Minimum radius	0.5 miles	2 miles	15 miles
Maximum radius	1.25 miles	5 miles	Justified by a market study
Minimum population	2,000	20,000	150,000
Maximum population	10,000	60,000	Justified by a

			market study
<sup>1</sup> Percentage of market population	80%	60% or justified by a market study	Justified by a market study
<sup>2</sup> Mass transit access	Not applicable	Yes	Yes

<sup>1</sup> The percentage of the market population which must currently reside within the designated radii for the particular category, or which is projected to be accommodated over the next three years using building construction permits and occupancy data.

<sup>2</sup> As defined in the comprehensive plan.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3955, § 6, 2-14-94; Ord. No. 98-274, § 3, 11-23-98)

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## Sec. 30-75. - Public services and operations district (PS).

- (a) *Purpose.* The PS district is established for the purpose of identifying and providing suitable locations for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. This district may be isolated and surrounded by any other zoning district compatible with the intended use of the facility.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Accommodate utilities, recreation and public facilities, at appropriate locations, necessary to serve the public;
  - (2) Ensure public awareness of the location of existing or potential utilities, recreation and public facilities;
  - (3) Allow, through the rezoning process, public review of specific utility, recreation and public facility uses to ensure locations compatible with surrounding activities; and
  - (4) Ensure, by requiring development plan review where necessary, that such uses are designed to minimize negative impacts on surrounding properties.
- (c) *Uses permitted by right.* The uses(s) permitted by right shall be specified in the ordinance that assigns PS zoning to a property and may include, but shall not be limited to, the uses that are listed as follows. However, food trucks shall be permitted by right on all property with PS zoning when accessory to a permitted principal use and in accordance with article VI.
- (1) Libraries and information centers (GN-823).
  - (2) U.S. Postal Service (MG-43).
  - (3) Museums, art galleries and botanical and zoological gardens (MG-84).
  - (4) Public administration (Div. J).
  - (5) Local and suburban transit and interurban highway passenger transportation (MG-41).
  - (6) Public golf courses (IN-7992).
  - (7) Commercial sports (GN-794).
  - (8) Pipelines, except natural gas (MG-46).
  - (9) Electric, gas and sanitary services (MG-49).
  - (10) Amusement parks (IN-7996).
  - (11) Membership sports and recreation clubs (IN-7997).
  - (12) Amusement and recreation services, not elsewhere classified (IN-7999), excluding simulated gambling establishments.
  - (13) Cemeteries.
  - (14) Public service vehicles, in accordance with article VI.
  - (15) Any other use specified in the ordinance rezoning property to this classification.
  - (16) Any use customarily incidental to any permitted principal use.

## EXHIBIT D

- (17) Public lands designated for open space or conservation.
  - (18) Activity-based private recreational or open space lands which have had development rights conveyed to the public, or for which a covenant of at least ten-years' duration is executed ensuring that only open space outdoor recreation or park uses shall be permitted in accordance with F.S. § 193.501.
  - (19) Activity-based public parks and recreational facilities as defined by the comprehensive plan.
  - (20) Golf driving ranges.
  - (21) Pitch-n-putt golf.
  - (22) Utility lines.
  - (23) Water conservation areas, water reservoirs and control structures, drainage wells and water wells.
  - (24) Transmitter towers in accordance with article VI.
  - (25) Camps and recreational vehicle parks (GN-703).
  - (26) Places of religious assembly, in accordance with article VI.
- (d) *Uses by special use permit.*
- (1) Food distribution center for the needy in accordance with article VI.
  - (2) Residences for destitute people in accordance with article VI.
- (e) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:
- (1) Office and administrative activities:
    - a. Minimum lot area: 10,000 square feet.
    - b. Minimum lot width at minimum building front yard setback: 100 feet.
    - c. Minimum yard setbacks:
      1. Front: Ten feet.
      2. Side, street: Ten feet.
      3. Side, interior: Zero feet.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 20 feet or the 60-degree angle of light obstruction, whichever is greater.
      4. Rear: Zero feet.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Twenty feet or 60-degree angle of light obstruction, whichever is greater.
  - (2) All intensive recreation uses (fairgrounds, stadia, community assembly buildings, performing arts halls, arenas, etc.):
    - a. Minimum lot size: One acre.

b. Minimum yard setbacks:

1. Front: Twenty-five feet.
2. Side, interior: Twenty feet.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.

3. Side, street: Twenty feet.
4. Rear: Zero feet.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.

(3) All other uses: As specified in the rezoning ordinance.

(f) *Additional requirements.*

(1) *General conditions.* All structures and uses within this district shall also comply with the applicable requirements and conditions of article IX.

(2) *Development plan approval.* Preliminary and final development plan approval in accordance with article VII shall be required for all development. In addition to the review criteria listed in article VII, the following criteria shall also apply:

a. *Site suitability.*

1. The site shall be suitable to the use proposed. Adequate land area should be provided for the current development, as well as any anticipated expansion.
2. The site shall be adequately served by water and wastewater facilities.
3. Transportation facilities available to the site shall be appropriate to the use. Large scale uses or those generating large volumes of traffic should be located on arterial or major collector streets as shown in the comprehensive plan.
4. The site shall be suitable for the use proposed without hazard to persons or property from the probability of flooding, soil erosion or other hazards.

b. *Site design.*

1. Building scale and massing shall relate to that of adjacent buildings to the extent practical.
2. Public developments shall be exemplary in their use of signage and landscaping and in the preservation of existing trees.
3. Pedestrian areas shall be separated from vehicular areas wherever possible. Traffic circulation should be safe, convenient and designed according to sound engineering practices.
4. The design of the site and facilities shall promote energy conservation through proper solar access, shading and other measures, where appropriate.

5. Appropriate access for emergency vehicles, garbage trucks and other service vehicles shall be provided.
  6. All site elements shall be designed to protect natural and community resources, such as wildlife habitats, historic structures and ecologically sensitive areas.
- c. *External compatibility.*
1. Buffering and screening of public service facilities shall be provided commensurate with the facility's degree of impact and incompatibility with surrounding developments.
  2. Electrical transformers and other utility equipment shall be screened from public view.
  3. Site illumination and public address systems, particularly for recreation areas, shall be designed so as to create no interference with the privacy of adjoining properties.
  4. Adverse impacts on adjacent properties, such as noise, smoke, glare and odor, shall be mitigated through site design. Where necessary, building construction methods or mechanical equipment should also be utilized to mitigate these adverse impacts.
- (3) *Parking.* Any development within any PS district shall comply with the parking requirements as set forth in article IX.
- (4) *Landscaping.* Any development within any PS district shall comply with the landscaping requirements is set forth in article VIII.
- (5) *Street signs.* In order to receive and maintain a valid certificate of occupancy within all PS districts, the sign requirements shall be complied with as set forth in article IX.
- (6) *Flood control.* Prior to the issuance of a building permit in any PS district, the provisions of the flood control ordinance, article VIII, shall be complied with where applicable.
- (7) *Preliminary development plan in conjunction with rezoning.*
- a. *Intent.* A preliminary development plan is intended to help further the purpose of this district by providing the plan board and city commission with additional information on site-specific conditions which will assist the city plan board and city commission in their decision-making process relating to the accommodation of the proposed use(s) at appropriate locations necessary to serve the public; the assurance of public awareness of the proposed location of potential public facilities, utilities and recreation; and the assurance that the conditions placed upon the rezoning are designed to minimize any potential negative impacts on surrounding properties.
  - b. *Approval process.* The plan board shall recommend to the city commission whether a preliminary development plan is required before the property is rezoned or the uses permitted on the property are changed. The city commission may require such development plan, or those specific items or portions of a preliminary development plan that the city commission deems necessary, to be included as part of any petition to rezone property to this classification or to change the permitted uses on the property if the newly permitted use has not been previously approved. Should the city commission deem such a plan is needed in order to judge

**EXHIBIT D**

whether the proposed use can be accommodated on the site without detriment to the health, safety and general welfare of surrounding properties the development plan shall meet the requirements of article VII.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 13, 3-14-94; Ord. No. 060587, § 1, 6-25-07; Ord. No. 070619, § 8, 3-24-08; Ord. No. 140130, § 14, 9-4-14; Ord. No. 140190, § 18, 4-16-15)