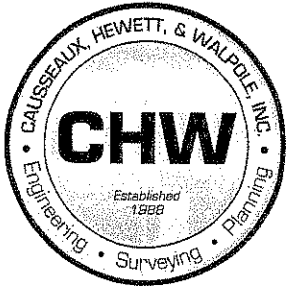


LEGISLATIVE #

110667C

January 24, 2012

Information submitted by Applicant



Focused on Excellence
Delivered with Integrity

January 24, 2012

Lawrence Calderon
City of Gainesville
Planning & Zoning Department
PO Box 490, Room 12
Gainesville, FL 32602



110667C

Ref: Grace Marketplace Design Plat
DB-11-145SUB

Dear Lawrence:

Please find attached the following items for the above referenced project.

- Two (2) sets of the Design Plat
- One (1) copy of ECD Mitigation Plan
- Two (2) sets of Surveys
- One (1) Compliance Report

We are submitting these documents along with this letter to address the comments received from the Technical Review Committee.

1. Please provide a survey sheet without the additional topo data. Please have survey dated, signed and sealed.
 - **This has been provided to the Planning Department. Additional copies are available upon request.**
2. Please provide a minimum of two sets of the full design plat, including the survey at a format of 11 x 17.
 - **See attached.**
3. Please provide a list of intended easements; several are shown on the plat and need to be finalized at the time of Final Plat.
 - **All easements required to support the proposed development of the 3 lot subdivision have been received by Mr. Sam Bridges, the City Land Rights Coordinator. One additional easement is required to provide coverage for a future gravity sewer main extension to the west. The executed and recorded easements will be provided prior to approval of the Final Plat.**

6011 NW 1st Place
Gainesville, Florida 32607

Phone: (352) 331-1976
Fax: (352) 331-2476
www.chw-inc.com

DB-11-145 SUB
Grace Market Place
Design Plat

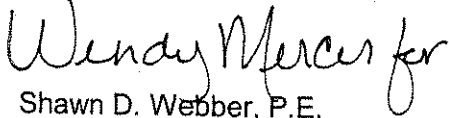
4. Show development standards for each lot on the design Plat.
 - **The development standards for the current zoning of each lot is provided on the Cover Sheet, Note 6.**
5. Show the zoning and land use for lots within the subdivision and of abutting properties.
 - **The zoning and land use is shown on the Design Plat plan.**
6. No information is provided on existing trees and those proposed to be removed. Are there heritage trees on the property?
 - **There is one known heritage oak tree within the right-of-way along the south edge of the transition from the 100' to 60' right-of-way width. This tree is declining and must be removed to provide for the construction of the roadway. All existing trees impacted by the roadway improvements will be reviewed at the time of Construction Plan review and any required mitigation will be provided.**
7. Please identify the stormwater management systems specifically related to improvements directly related to the subdivision.
 - **Two stormwater management systems are provided to accommodate stormwater runoff from the roadway improvements. These are shown on the Design Plat. Future development of the lots will require additional stormwater management systems on each respective lot to accomodate stormwater runoff.**
8. Please ensure that all parties with an interest in the property intended as right-of-way must authorize the petition.
 - **Signed applications have been provided for all property owners with interest in the right-of-way.**
9. Roads proposed to access the development will impact wetland areas. You must demonstrate compliance with the Avoidance Minimization requirement necessary to impact wetlands. While this may have been done on the prior petition, it is necessary to address this requirement before the DRB on December 8, 2011.
 - **An environmental analysis is provided by Environmental Consulting and Design, Inc. A summary of the environmental conditions and the proposed development is provided in the attached Mitigation Plan dated November 2011. The Design Plat and associated Roadway Construction Plans and Mitigation Plan have been provided to the Mr. John Hendrix, the City Environmental Coordinator to ensure compliance with the City's Avoidance and Minimization policies. Mr. Hendrix has confirmed that the Design Plat meets these policies. The Construction Plans will be reviewed and approved as a separate application submittal following the Design Plat approval. Additional**

10. The new water and sanitary sewer alignment will be crossing property which is not owned by the applicant. Please provide authorization to traverse those properties or appropriate easements.
- **See response to Item 3 above.**
11. Please ensure that all aspects of the approval associated with the proposed lift station are shown and addressed.
- **The proposed lift station location is shown on the Design Plat. The design and approvals will be provided with the Construction Plan submittal.**
12. GRU expressed some concerns about the lift station to that it will not be moved. Please make sure that this facility can be permitted in the proposed location and that all wetland issues have been addressed.
- **The location of the lift station is included in the environmental analysis provided by the Mitigation Plan.**
13. There is a concern about the length of the road, in excess of 1000 feet, without an emergency access; we need to address alternate options. The road to the Fleet project is shown but there are no connections.
- **This has been previously addressed by the Fire Marshall. The Fire Marshall has approved the current roadway layout without a secondary emergency access.**
14. Roads providing access to the subject parcels must be public right-of-way and must have sidewalks.
- **The proposed roadways will be dedicated as public right-of-way with approval of the Final Plat. A sidewalk is provided from NW 53rd Avenue to Lot 2. The extension of the sidewalk to Lot 3 would cause increased wetland impacts to the most desirable onsite wetlands. The City's Land Development Code Sec 30-338(6)a allows for an exemption from sidewalk requirements for Industrial zoned property.**
15. This is the second time on the list of comments. Please address the requirements below:
Per the code, the design plat must address the following factors:
- a. Conformance with the officially adopted Comprehensive Plan.
 - b. Conformity with the City's Official Roadway Map;
 - c. Conformity with the city's Existing Zoning Requirements
- Please address as necessary.
- **See the attached supporting information addressing these requirements.**

We trust this application package will be sufficient for your review. If you have any questions, please call our office.

Sincerely,

Causseaux, Hewett, & Walpole, Inc.



Shawn D. Webber, P.E.

Project Manager

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**DESIGN PLAT FOR GRACE MARKETPLACE
COMPLIANCE REPORT**

Property Owner(s): ADC Development & Investment Group, LLC
P.O. Box 238
Lake Butler, FL 33054

Prepared For: The City of Gainesville
P.O. Box 490
Gainesville, FL 32602

Gainesville / Alachua County Office on Homelessness
703 NE 1st Street
Gainesville, FL 32601

Prepared By: Causseaux, Hewett, and Walpole, Inc.
Gerry Dedenbach, AICP, LEED® AP
Director of Planning and GIS Services
6011 NW 1st Place
Gainesville, FL 32607
(352) 331-1976

Date: January 24, 2012



**Grace Marketplace Subdivision
Compliance Report**

1) City of Gainesville Comprehensive Plan Consistency Analysis

This analysis identifies specific City of Gainesville Comprehensive Plan Goals, Objectives, and Policies that are consistent with and/or implemented by the Grace Marketplace Subdivision. The comprehensive plan goals, objectives, and policies are provided below in **bold** font, while consistency statements are provided in normal font.

Future Land Use Element

Policy 3.1.1 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.

No identified creeks are present on or adjacent to the project site.

b. Wetlands: Developments containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority.

Roadway and development areas have been located to avoid impacts to existing wetland areas. The proposed system avoids new wetland impacts to previously unaffected areas and where impacts are unavoidable, minimizes adverse impacts to wetland function. The proposed road and right-of-ways replace current unpaved roads/trails used for several decades and result in only wetland edge impacts. Unavoidable minor wetland impacts result from the construction of stormwater ponds.

An environmental analysis and Mitigation Plan has been prepared and submitted to City staff to off-set the minor wetland impacts. The wetland function of the proposed mitigation area will be increased through a combination of wetland enhancement and preservation.

c. Lakes: Developments containing or adjacent to a natural lake (or lakes) must not adversely impact the condition of the lake. Dredge and fill shall be prohibited. Development shall be prohibited within 75 feet of the landward extent of a lake.

No lakes are located on the project site.

d. Wellfields: Developments must be consistent with Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element.

The project site is located within the Secondary and Tertiary Wellfield protection zones. The Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element requires that proposed development be in compliance with the Alachua County Murphree Wellfield Protection Code (ACMWPC). The ACMWPC regulates the use of hazardous materials within the wellfield protection zones. The use of hazardous materials is not proposed as part of the Grace Marketplace Subdivision. Future development of the lots will comply with the wellfield protection zone requirements.

e. Major Natural Groundwater Recharge Areas: Developments within this area must be consistent with Policies 2.3.3 and 2.3.5 of the Conservation, Open Space and Groundwater Recharge Element.

The proposed project site is not located within a Major Natural Groundwater Recharge Area. The Grace Marketplace Subdivision will be served by GRU potable water and sewer and will not utilize septic tanks.

f. Upland Areas: Developments within an area identified as Upland must submit an ecological inventory of the parcel. Based on the inventory, development may be allowed on up to the maximum of 75 percent of the parcel.

The project site is not identified as Uplands by the City of Gainesville.

Policy 3.1.4 The City shall protect floodplain areas through existing land development regulations that:

a. Prohibit development within the flood channel or floodplain without a city permit;

All development will be consistent with the City of Gainesville Land Development Code (LDC) regulations regarding development within the floodplain. All necessary permits will be acquired for development within the floodplain.

b. Prohibit filling in the flood channel by junk, trash, garbage, or offal;

No flood channel will be filled in as a result of the Grace Marketplace Subdivision.

c. Prohibit permanent structures in the flood channel, except for those necessary for flood control, streets, bridges, sanitary sewer lift stations, and utility lines;

No prohibited permanent structures are proposed within the flood channel.

d. Prohibit the storage of buoyant, flammable, explosive, toxic or otherwise

potentially harmful material in the flood channel;

The storage of harmful materials within a flood channel is not proposed.

e. Prohibit development within the floodplain that would reduce the capacity of the floodplain;

Development within the floodplain will be consistent with the City's LDC and will not reduce the capacity of the floodplain.

f. Prohibit development that would exacerbate post-development soil erosion, create stagnant water, or cause irreversible harmful impact on flora and fauna;

The site will be designed and developed in accordance with the adopted Planned Development conditions of approval and the City's LDC to ensure that soil erosion is not enhanced and that non-invasive flora and fauna are not permanently impacted in an irreversible, harmful manner as a result of this project. Stormwater management facilities will also be designed in accordance with City of Gainesville and St. Johns River Water Management District requirements to ensure unnecessary stagnant water is not created on this site.

g. Limit flood channel uses to agriculture, conservation, recreation, lawns, yards, gardens, and parking areas; and

No prohibited uses are proposed within a flood channel.

h. Limit floodplain uses to any launching areas for boats and structures to at least one foot above the 100-year flood elevation in addition to those allowed in the flood channel.

No launching areas for boats are proposed within the floodplain. Any proposed permanent structures within the floodplain will be at least one foot above the 100-year flood elevation.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling and other ancillary uses, and, when designed sensitively, retail, office, service, and residential uses, when such non-industrial uses are no more than 25 percent of industrial area, or when part of a Brownfield redevelopment effort. Land development regulations shall determine the appropriate scale of uses and consider the externalities of such uses. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less and requiring buildings to face the street.

The Grace Marketplace Subdivision consists of two Industrial zoned lots (Lot 1 and 3) and one Planned Development zoned lot (Lot 2).

The Planned Development zoning allows retail, office, service, and residential uses, all of which are explicitly allowed within the Industrial land use category when they are “designed sensitively” and are no more than 25% of the industrial area. Lot 2 was approved as a Planned Development zoning district. LDC Section 30-21 identifies the intent of the PD zoning district and allows for sensitive and unique design features that conform to all aspects of the comprehensive plan.

The 9.78 acre Lot 2 Planned Development area represents less than 25% of the overall 65 acre parcel that was subdivided for rezoning purposes. City staff has also stated that the residential, office, retail, and service uses within Industrial land use categories throughout the City is less than 25%. Therefore, the proposed uses are consistent with the 25% limitation whichever way it is interpreted.

Policy 4.7.1 Chapter 30, City of Gainesville Code of Ordinances shall implement the Future Land Use categories created by this Plan as indicated on the table labeled “Future Land Use Categories and Corresponding/Implementing Zoning Districts.” All development shall be regulated by the provisions of these zoning districts.

| Land Use Categories | Zoning Districts |
|---------------------|--------------------------|
| Industrial | I-1, I-2, W, PD, CON, PS |

PD is a permitted zoning district within the Industrial land use category, and is therefore consistent with the comprehensive plan.

Objective 4.5 The City’s land development regulations shall continue to provide standards and guidelines that will regulate signage, subdivision of land, vehicle parking, designation of open spaces, drainage and stormwater management, and on-site traffic flow.

The Design Plat submitted for approval demonstrates consistency with the City’s regulations governing subdivision of land. Prior to site development, a Preliminary and Final Site Plan will be submitted demonstrating compliance with the City’s LDC requirements that regulate signage, parking, traffic flow, open space, drainage, and stormwater management.

Conservation, Open Space, & Groundwater Recharge Element

Polciy 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.

No identified creeks are present on or adjacent to the project site.

b. Wetlands: Developments 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:

1. Establish criteria that are at least consistent with the relevant criteria of Section 373.414(1), F.S. for determining whether the project is clearly in the public interest.

The proposed wetland mitigation program submitted as part of this design plat application is consistent with and enhances the intent of the City's LDC Sections 30-300 through 30-304. These surface water and wetland regulations ensure consistency with the relevant criteria of Section 373.414(1), F.S. The proposed development is not harmful to the water resources and will meet the City of Gainesville and St Johns River Water Management District water quality standards. The proposed development is not contrary to the public interest by establishing that the proposed activity will not adversely affect: the public health, safety, or welfare or property of others; the conservation of fish and wildlife, including endangered or threatened species, or their habitats; the navigation or the flow of water or cause harmful erosion or shoaling; the fishing or recreational values or marine productivity in the vicinity of the activity; significant historical and archaeological resources. In addition, the proposed development is permanent in nature and maintains through mitigation, the current condition and relative value of functions being performed by areas affected by the proposed activity.

The proposed mitigation will offset the adverse effects caused by the regulated activity. The Mitigation Plan will be reviewed and approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers prior to development of the site.

2. Establish mitigation ratios for wetland preservation, enhancement, restoration and creation. The mitigation ratios shall be at least 5:1 (acreage of mitigation area to impacted area) for impacts to natural wetlands or wetlands created as part of a mitigation project; and shall be at least 1:1 for impacts to created wetlands (e.g., livestock watering ponds, borrow pits, drainage ditches, etc.) that were not created as part of a mitigation project. Should there be irreconcilable differences between the mitigation required by the City and that required by the state (water management district or FDEP), then the mitigation requirements of the state will prevail where there are irreconcilable differences.

An environmental analysis and Mitigation Plan is provided by Environmental Consulting and Design, Inc. The Mitigation Plan must be approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers. Proposed mitigation includes enhancement and preservation of existing wetland areas.

3. Wetland creation is presumed to be the least desirable mitigation strategy.

No wetland creation is proposed.

4. Establish bonding, long-term monitoring and enforceable long-term maintenance requirements for wetland mitigation projects to ensure that all the negative impacts have been mitigated. Monitoring should be reviewed by the Alachua County Environmental Protection Department, the appropriate water management district, the University of Florida, or other appropriate monitoring agency or reviewing entity, with regulatory fees paid by the permitted applicant. The mitigation plan must be approved prior to the initiation of the project.

An environmental analysis and Mitigation Plan is provided by Environmental Consulting and Design, Inc. The Mitigation Plan must be approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers. Proposed mitigation includes enhancement and preservation of existing wetland areas. Monitoring and maintenance strategies are provided in the Mitigation Plan.

5. Require off-site mitigation to be performed within the same sub-basin and basin (the basins are depicted on the map entitled Wetland Mitigation Basins that is on file with the Community Development Department and is in the Data & Analysis section of this comprehensive plan element) in which the impact occurred, unless it is shown that mitigation outside the sub-basin is more appropriate. The order of preference for the location of the mitigated area(s) in relation to the impacted areas will be established in the land development regulations (LDRs).

The proposed mitigation is located on the subject property and within the same sub-basin and basin. No offsite mitigation is proposed.

6. Require that development shall not cause hydrological or wetland impacts off-site;

An environmental analysis and Mitigation Plan is provided by Environmental Consulting and Design, Inc. The development must be approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers. No offsite hydrological or wetland impacts will occur.

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. The criteria for buffer expansion will be developed in the land development regulations;

The project provides the required buffers to wetlands as required by the Land Development Regulations, St Johns Water Management District, and US Army Corps of Engineers..

8. Specify that the protections for wetlands shall be extended to all wetlands delineated in accordance with Section 62- 340, F.A.C., regardless of whether they are currently mapped by the City of Gainesville;

All onsite wetlands have been mapped and reviewed by the City, St Johns River Water Mangement District, and US Army Corps of Engineers.

9. Require review and approval of wetland mitigation projects by qualified professionals.

An environmental analysis and Mitigation Plan is provided by Environmental Consulting and Design, Inc. The wetland mitigation must be reviewed and approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers.

10. Outstanding Florida Waters, as listed in Section 62-302.700, F.A.C., shall have a minimum buffer of 200 feet. The City shall develop and implement land development regulations that establish appropriate setbacks for wetlands containing listed plant or animal species. Where these distance requirements preclude all economic development of a parcel, exceptions can be made upon approval by a majority of the city commission and with appropriate mitigation of wetland loss.

No Outstanding Florida Waters are located within 200 feet of the site.

11. Wetlands damaged on or subsequent to the effective date of this policy shall either be restored to their original function and condition prior to such damage, at the owner's expense or mitigated for, pursuant to the mitigation requirements of this comprehensive plan element.

No wetlands have been damaged subsequent to the effective date of this policy.

c. Lakes: Developments containing or adjacent to a natural lake (or lakes) must not adversely impact the condition of the lake. Dredge and fill shall be prohibited. Development shall be prohibited within 75 feet of the landward extent of a lake.

No lakes are present within 75 feet of the site.

d. Wellfields: Development must be consistent with Policies 2.3.2 and 2.3.3 of this Element.

The project site is located within the Secondary and Tertiary Wellfield protection zones. The Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element requires that proposed development be in compliance with the Alachua County Murphree Wellfield Protection Code (ACMWPC). The ACMWPC regulates the use of hazardous materials within the wellfield protection zones. The use of hazardous materials is not proposed as part of the Grace Marketplace Subdivision. Future development of the lots will comply with the wellfield protection zone requirements.

e. Major Natural Groundwater Recharge Areas: Developments within this area must be consistent with Policies 2.3.3 and 2.3.5 of the Conservation, Open Space and Groundwater Recharge Element.

The proposed project site is not located within a Major Natural Groundwater Recharge Area. The Grace Marketplace Subdivision will be served by GRU potable water and sewer and will not utilize septic tanks.

f. Upland Areas: Developments within an area identified as Upland must submit an ecological inventory of the parcel. Based on the inventory, development may be allowed on up to the maximum of 75 percent of the parcel.

The project site is not identified as Uplands by the City of Gainesville.

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;

All development will be consistent with the City of Gainesville Land Development Code (LDC) regulations regarding development within the floodplain. All necessary permits will be acquired for development within the floodplain.

b. Prohibit filling in the flood channel by junk, trash, garbage, or offal;

No flood channel will be filled in as a result of the Grace Marketplace Subdivision.

c. Prohibit permanent structures in the flood channel, except for those necessary for flood control, streets, bridges, sanitary sewer lift stations, and utility lines;

No prohibited permanent structures are proposed within the flood channel.

d. Prohibit the storage of buoyant, flammable, explosive, toxic or otherwise potentially harmful material in the flood channel;

The storage of harmful materials within a flood channel is not proposed.

e. Prohibit development within the floodplain that would reduce the capacity of the floodplain;

Development within the floodplain will be consistent with the City's LDC and will not reduce the capacity of the floodplain.

f. Prohibit development that would exacerbate post-development soil erosion, create stagnant water, or cause irreversible harmful impact on flora and fauna;

The site will be designed and developed in accordance with the adopted Planned Development conditions of approval and the City's LDC to ensure that soil erosion is not enhanced and that non-invasive flora and fauna are not permanently impacted in an irreversible, harmful manner as a result of this project. Stormwater management facilities will also be designed in accordance with City of Gainesville and St. Johns River Water Management District requirements to ensure unnecessary stagnant water is not created on this site.

g. Limit flood channel uses to agriculture, conservation, recreation, lawns, yards, gardens, and parking areas; and

No prohibited uses are proposed within a flood channel.

h. Limit floodplain uses to any launching areas for boats and structures to at least one foot above the 100-year flood elevation in addition to those allowed in the flood channel.

No launching areas for boats are proposed within the floodplain. Any proposed permanent structures within the floodplain will be at least one foot above the 100-year flood elevation.

Policy 1.6.2 The City shall continue to comply with adopted Land Development Regulations that restrict activities known to adversely affect water quality within the Murphree Wellfield Protection Zones.

The project site is located within the Secondary and Tertiary Wellfield protection zones. The proposed development will be in compliance with the Alachua County Murphree Wellfield Protection Code (ACMWPC). The ACMWPC regulates the use of hazardous materials within the wellfield protection zones. The use of hazardous materials is not proposed as part of the Grace Marketplace Subdivision. Future development of the lots will comply with the wellfield protection zone requirements.

Policy 1.6.3 The City shall continue to comply with adopted Land Development Regulations that regulate erosion and sedimentation both during and after

construction.

The proposed development will meet best management practices for erosion and sediment control during construction according to City of Gainesville Land Development Regulations, St Johns River Water Management, and Florida Department of Environmental Protection requirements.

Policy 1.6.5 Stormwater management facilities shall be inspected during construction and periodically after construction to determine that proper construction, operation and maintenance are ongoing.

The proposed stormwater management facilities will be inspected during construction and an Operation and Maintenance Entity will be established according to City of Gainesville Land Development Regulations, St Johns River Water Management, and Florida Department of Environmental Protection requirements.

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