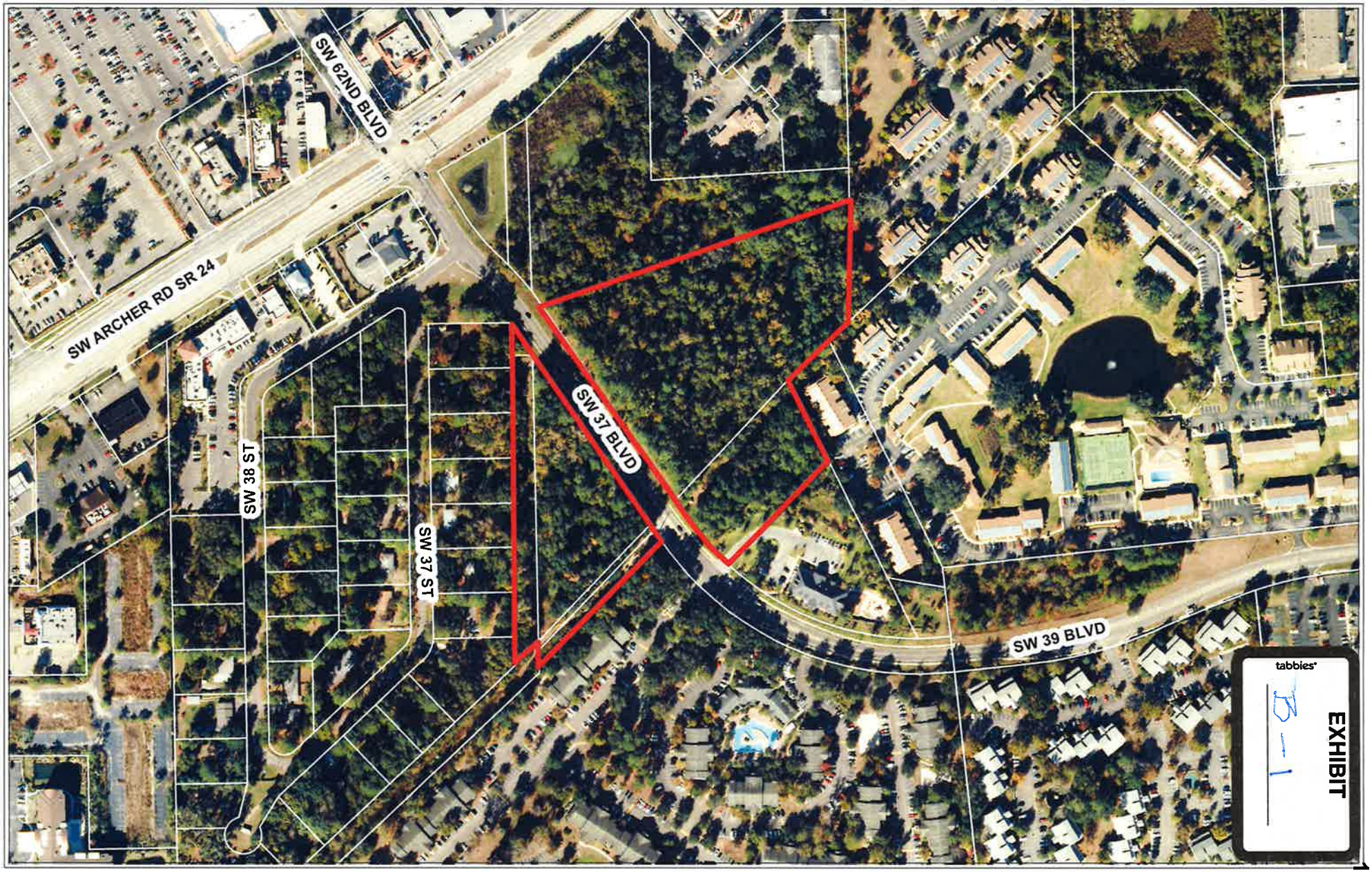
Appendix B Supplemental Documents



AERIAL PHOTOGRAPH

150049D

	Name	Petition Request	Petition Number
N W E S No Scale	eda engineers-surveyors-planners, inc., agent for Prairie View Trust and the City of Gainesville (GRU)	Amend the City of Gainesville Future Land Use Map from Commercial (C) and Residential-Medium Density: 8-30 units/acre (RM) to Mixed-Use Low-Intensity: 8-30 units/acre (MUL)	PB-15-29 LUC

Land Use Designations

RM	Residential Medium-Density (8-30 du/acre)
MUL	Mixed-Use Low-Intensity (8-30 du/acre)
C	Commercial
IND	Industrial
CON	Conservation
PF	Public Facilities
PUD	Planned Use District

EXISTING LAND USE

150049D

	Name	Petition Request	Petition Number
N W E S No Scale	eda engineers-surveyors-planners, inc., agent for Prairie View Trust and the City of Gainesville (GRU)	Amend the City of Gainesville Future Land Use Map from Commercial (C) and Residential Medium-Density: 8-30 units/ acre (RM) to Mixed-Use Low-Intensity: 8-30 units/acre (MUL)	PB-15-29 LUC

Land Use Designations

RM	Residential Medium-Density (8-30 du/acre)
MUL	Mixed-Use Low-Intensity (8-30 du/acre)
C	Commercial
IND	Industrial
CON	Conservation
PF	Public Facilities
PUD	Planned Use District

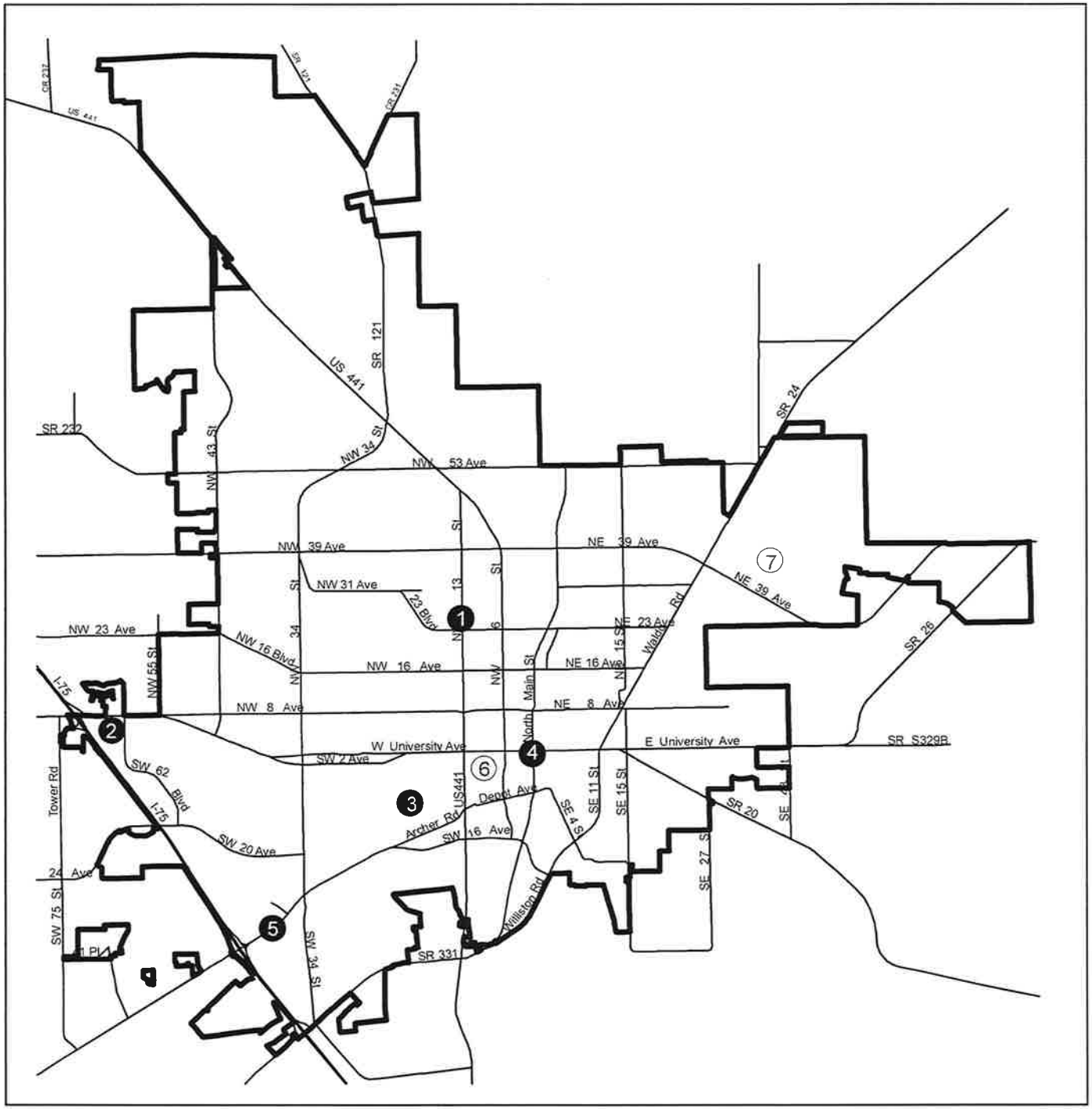
Area under petition consideration

Division line between two land use categories

PROPOSED LAND USE

150049D

	Name	Petition Request	Petition Number
N W E S No Scale	eda engineers-surveyors-planners, inc., agent for Prairie View Trust and the City of Gainesville (GRU)	Amend the City of Gainesville Future Land Use Map from Commercial (C) and Residential Medium-Density: 8-30 units/acre (RM) to Mixed-Use Low-Intensity: 8-30 units/acre (MUL)	PB-15-29 LUC



TRANSPORTATION MOBILITY ELEMENT

Major Trip Generators & Attractors

Legend

(#) Existing Major Trip Generators & Attractors

1. North 13th Street Commercial/Mixed Use Area
2. Oaks Mall/North Florida Regional Hospital
3. University of Florida/Shands/VA Hospital
4. Downtown MU-H Area & Santa Fe College Downtown Campus
5. Butler Plaza Area

(#) Proposed Major Trip Generators & Attractors

6. Innovation Square
7. Airport/Plan East Gainesville Employment Center

City Limits

City of Gainesville
Gainesville, Florida

Prepared by
Planning and Development Services
November 2012

0 1 2 Miles

N

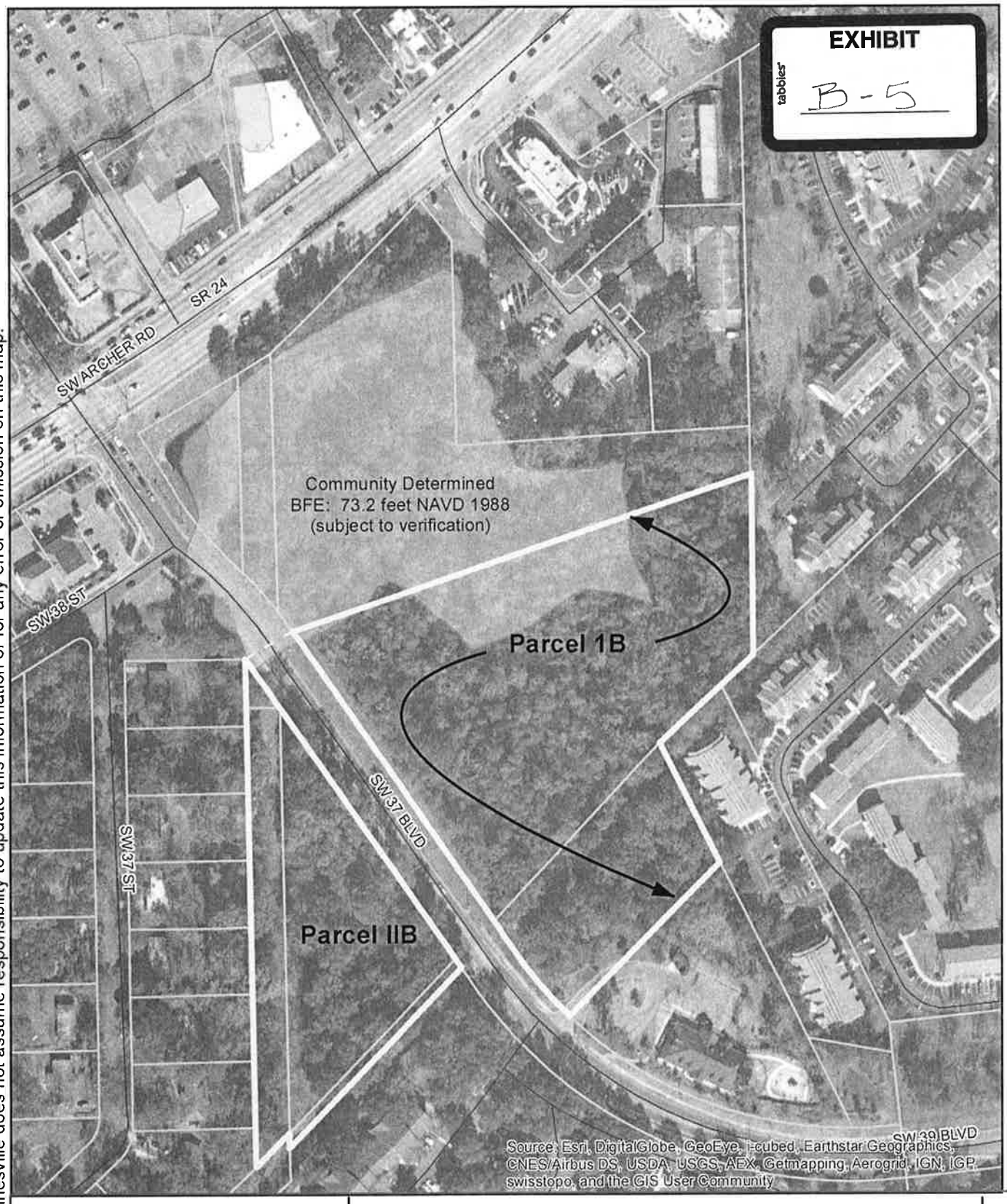
tabbies

EXHIBIT B-4

150049D

150049D

PB-15-29/ PB-15-30 FEMA Special Flood Hazard Area (SFHA)



PB-15-29_30_Parcels

- A
- AE
- AO
- X
- X500

N

1 inch = 200 feet

Contour Data: NAVD 1988 Datum

This map is for informational purposes only. Do not rely on this map for accuracy of dimensions, size, or location. The City of Gainesville does not assume responsibility to update this information or for any error or omission on this map.

CITY OF GAINESVILLE **INTEROFFICE COMMUNICATION**

TO: **Dean Mimms, AICP, Lead Planner**

Planning and Development Services Department

FROM: **John Hendrix, Environmental Coordinator**

SUBJECT: **Petitions PB-15-29 LUC and PB-15-30 ZON,**

9.9 Acre Property Located on SW 37th Boulevard, South of Archer Road.

DATE: **May 13, 2015**

The subject petitions for a proposed change in land use and zoning for three adjoining parcels (Parcel 07240-046-000, Parcel 06812-012-000, and part of Parcel 06809-000-000) have been reviewed for considerations relating to any environmental resources present on or immediately adjacent which might be regulated by City Land Development Code 30-300 *Surface Waters and Wetlands*, or 30-310 *Natural and Archaeological Resources*. The parcels are located on both sides of SW 37th Boulevard, with Parcel 06809-000-000 (portion in petition – 6.89 acres) split by 37th Boulevard, and with Parcel 07240-046-000 (2.28 acres) on the east side, and Parcel 06812-012-000 (0.74 acre – Gainesville Regional Utilities ROW ownership) on the west side. The petitions propose a land use change from Commercial (Parcels 06809-000-000 and 06812-012-000) and Residential Medium Density (Parcel 07240-046-000) to Mixed Use Low for both, a total 9.9 acre property. Rezoning is proposed from General Business (BUS) (Parcels 06809-000-000 and 06812-012-000) and Multi-Family Medium Density Residential (RMF-8) (Parcel 07240-046-000) to Mixed-Use Low Intensity District 1 (MU-1).

Petition Parcel Location and Planning Parcel Configuration

The subject property is situated on SW 37th Boulevard just south of Archer Road across (south) from the Butler commercial area, east of Interstate I-75. The 6.89 acre eastern part of Parcel 06809-000-000) is the southern part of the existing full Parcel 06809, which is approximately 12.65 acres of total area. The northern approximately six (6) acres of Parcel 06809, which is not included in the petition area, is an area of lower elevation which closely abuts Archer Road.

This 6-acre area, which is covered largely by wetlands and floodplain, is not included in the subject petition, but is considered part of the "Planning Parcel" for purposes of regulatory compliance under *Division 4. Regulated Natural and Archaeological Resources* (Sec 30-310) of the City Land Development Code. Although not a part of the petition area, this "excepted" 6-acres area is included as part of the natural resource base of the contiguously owned property of the petitioner which is required to be evaluated in the petition review. Thus, this additional 6-acre area has been included in the *Natural Areas Resource Assessment of Prairie View Trust Parcels*, dated May 3, 2015, performed by Ecosystem Research Corporation (ERC), for the petitioner, in accordance with a Methodology Agreement signed May 6, 2015, between the petitioner and the City Manager designee, pursuant to the provisions of the Sec 30-310(g). Mapping of the Planning Parcel / NAR Resource Assessment Area (RAA) is shown on Figure 2 of the ERC report (see attachment. Thus, for purposes of defining the scope of the environmental review under the Natural and Archaeological Resources regulations, the Planning Parcel/RAA consists of the petition area plus the "excepted" north area (approximately 6 acres), for a total study area of approximately 14.93 acres.

General Description

The petition area is an undeveloped, forested parcel surrounded by commercial development along Archer Road on the north, a small single-family residential neighborhood on the west, and apartment development on the south and southeast. Southwest 37th Boulevard splits the property, as mentioned above. A stormwater basin which collects runoff from 37th Boulevard and adjacent areas is situated adjacent to the northwest edge of the property, at the intersection of 37th Boulevard and Archer Road. Within the petition area, the property generally slopes from approximately +100 ft. MSL on the south to + 75 ft. MSL on the north, and down to + 68 ft. MSL in the lowest area of the "excepted" north area, within the wetland/floodplain depression mentioned in the previous paragraph. Surface water drainage enters the property east of 37th Boulevard from apartment development on adjacent land to the south and southeast. Under normal conditions, variable ephemeral flows enter the site from stormwater systems of adjacent apartment developments, depending on storm event characteristics and antecedent rainfall conditions. Onsite seepage from forested slopes is a minor contribution which supports an intermittent flow condition during wetter parts of the year. The combined drainage into the eastern area spreads and meanders down the slope through a poorly defined flow-way ranging up to approximately 100 feet in width. This flow-way area, identified in Figure 26 of the ERC resources assessment report as *Wetland Area 4. Intermittent Stream*, is approximately 0.6 acres in size.

At the northern boundary of the petition area, surface waters of the Wetland 4 flow-way exit the petition area and enter a depressional wetland complex of approximately 3.5 acres. This wetland group is depicted on Figure 26 of the ERC report as Wetlands 1, 2, and 3. The majority of these depressional wetlands are not within the petition area, but are north of the boundary inside the 6-acre "excepted" area of the "Planning Parcel," mentioned above. The entire surface water/wetland resource represented by this small watershed is essentially contained within this forested parcel, although additional upland drainage from the forested petition area west of 37th Boulevard and adjacent offsite single-family residential property contributes a separate input to Wetlands 2 and 3 via a culvert connection beneath 37th Boulevard near Archer Road.

Hydrologically, this remnant natural surface water system (Wetlands 1-4) functions for the most part as a closed basin system, receiving intermittent inflows during rainy periods, with sustained ponded conditions for extended periods in the lower elevations, followed by gradual drying via evapotranspiration and some undetermined recharge to groundwater in the northern depressions during dry periods. A discharge structure does exist at the north rim of the wetland system which receives high stage flood discharge when the natural system is full, and this flow is conveyed to the north through the underground pipe and stormwater systems of the Butler commercial area, ultimately to Hogtown Creek. While the Wetland 4 flow-way is limited in functional value, it does provide relatively natural conveyance of surface waters through a forested corridor, and is not atypical of historical, predevelopment conditions in the stream-to-sink watersheds of western Gainesville. Wetlands 1-3, on the other hand, are seasonally ponded depressions with mature, diverse forest cover (including old black gum and water-elm trees), and lush shrub vegetation and marsh openings, which provide high quality wetland function and wildlife habitat, including feeding habitat for listed wading bird species. The southern margin of Wetland 2 of this depressional wetland group lies within the petition area.

Surface Waters / Wetlands

Regulated surface waters/wetlands are present within and adjacent to the petition area on the east side of SW 37th Boulevard, as described above. The delineation and survey of the wetland boundaries of the wetlands of the property have been provided by the petitioner, and reviewed and preliminarily approved by City staff. The Wetland 4 flow-way and the southern margin of Wetland 3 fall within the 6.89 acre eastern part of Parcel 06809-000-000, for a combined total wetland acreage inside the petition area of 0.579 acres. Wetland 3 is described in the ERC report as a natural marsh with a forested wetland periphery. Successional mesic pine-mixed hardwood forests are present on uplands of Parcel 06809 (which were historically cleared for agricultural use) rising on each side of the Wetland 4 flow-way, and these uplands are separated

by the Wetland 4 flow-way. Access to the uplands on the east side of the flow-way for development will be difficult to achieve without impact to this wetland area, as the only option for access appears to be from the west side.

Section 30-300 specifically requires that any development which may be proposed on the petition area must avoid impacts to wetlands, which includes meeting an average 50-foot buffer/setback from the wetland jurisdictional boundary. Any unavoidable wetland impacts associated with a development project which may be approved through the City development review process would be required to be minimized and compensated through mitigation which offsets functional loss and meets other applicable criteria for mitigation.

Natural and Archaeological Resources

Natural and archaeological resources regulated pursuant to Land Development Code 30-310 are known to be present on the Planning Parcel area, which includes the petition area as described above. Based on this information, a Basic and Level 1 resources assessment survey was performed by ERC for the Planning Parcel as described above, resulting in the above described RAA report submitted with the subject petition application. The RAA survey meets the scope and definition required by the methodology agreement between petitioner and City staff, and the assessment report provides a basis for considerations and recommendations for protection of the regulated resources, ie. listed species. Specifically, three listed wading bird species and two listed plant species are known to occur in or use the wetland ponds and surrounding habitat, primarily within the adjacent 6-acre "excepted" area to the north. No other natural or archaeological resources regulated under 30-310 were found on or immediately adjacent to the Planning Parcel.

Section 30-310.2 provides alternatives for protection/management of the regulated resource to avoid or otherwise mitigate impact to the listed species and habitat. In conjunction with other environmental protection measures, such as setbacks/buffers for surface waters and wetlands, no more than 25% of the upland part of the planning parcel may be required to be set aside for protection of all regulated natural and archaeological resources. The first future development application/activity which is proposed within the Planning Parcel area of this petition, under the existing or the proposed land use and zoning, regardless of ownership, will cause the requirement for compliance with the NAR for protection of the regulated resources, ie. the listed species and habitats, which have been identified in the petitioner's RAA report, or as may be amended through updated future RAA surveys or revisions to state or federal wildlife agency listing

regulations. In order to proceed with any future development on any portion of the planning parcel, the applicant must demonstrate that developing the project on the parcel does not result in lesser protection of the regulated resources than would otherwise be required if the entire Planning Parcel were considered as part of the development proposal.

Conclusion

With acknowledgement of the constraints presented by the regulated environmental and natural resources described above through consultation with the petitioner/land owner during this review process, and with assurance of the resource protection which would be afforded through full compliance with City Land Development Code 30-300 and 30-310, environmental staff has no objection to approval of the subject petitions for changes in land use and zoning.

Attachment: *Natural Areas Resource Assessment of Prairie View Trust Parcels Designated for Land Use/Zoning Change*, Ecosystem Research Corporation (ERC), May 3, 2015.

150049D

5/3/2015

Natural Areas Resource Assessment of Prairie View Trust Parcels Designated for Land Use/Zoning Change

Small Scale Comprehensive Plan Amendment and Zoning Change

Peter M. Wallace
ECOSYSTEM RESEARCH CORPORATION
2906 NW 142 AVENUE
GAINESVILLE, FL 32609

150049D

Natural Areas Resource Assessment of the Prairie View Trust Parcels

06809-000-000 (11.71 ac), 07240-046-000 (1.45 ac),
06797-031-000 (0.59 ac), and 06812-012-001 (0.37 ac)

Alachua County, Florida

Prepared for

Prairie View Trust
% Dink Henderson
3501 South Main Street
Gainesville, FL 32601

Prepared by

Ecosystem Research Corporation
2906 NW 142 Avenue
Gainesville, FL 32609

May 3, 2015

Contents

List of Figures

1.0 Introduction and Physical Site Description

Ecosystem Research Corporation (ERC) was contracted by Prairie View Trust to perform a Natural Areas Resource Assessment of parcels designated for a Small Scale Comprehensive Plan Amendment and Zoning Change. Currently, amendments to the Land Use and Zoning are requested and an application for these amendments is being proposed for lands owned by Prairie View Trust and Gainesville Regional Utilities (GRU). The proposed Zoning and Land Use Change is requested for a portion of the total land holdings within the Resource Assessment Area (RAA).

The RAA boundary is shown on **Figure 1** in relation to local and regional access roads. The Project Site is located in southwest Gainesville within Section 14, Township 10 South, Range 19 East. Access to the RAA is provided via SW 37th Boulevard and SW Archer Road (Figure 1).

The Planning Parcel for the project is equivalent to the RAA and consists of five (5) County tax parcels, which total ±14.93 acres (**Figure 2**). The RAA (14.93 ac) and Project Site (9.91 ac) boundaries are shown on **Figure 3**. The Project Site is defined as the area for which the Land Use and Zoning Change are requested. The RAA is described geographically within the Arredondo USGS quadrangle map (**Figure 4**). The proposed Development Site and Planning Parcel is contained within the following parcels described with associated acreages, as follows:

Tax Parcel Number	Ownership	Acreage[1]
06809-000-000	Prairie View Trust	11.71
07240-046-000	Prairie View Trust	1.45
06797-031-000	Prairie View Trust	0.59
06812-012-001	Prairie View Trust	0.37
Subtotal		14.12
06812-012-000	Gainesville Regional Utilities	0.81
TOTAL		**14.93**

[1] NOTE: The Alachua County tax parcel database parcel boundaries conflict with the actual, on ground parcel survey performed for this project. The RAA boundaries shown on Figures 1, 2, and 3 include several other parcels as shown in the County tax parcel database. A listing of the parcels and acreages that are shown within the RAA are included in **Attachment 1** for review. For the purposes of this report, all data are based on GIS Shapefiles provided by EDA.

The applicants are as follows:

Prairie View Trust
% Dink Henderson
3501 South Main Street
Gainesville, FL 32601

Gainesville Regional Utilities
301 SE 4th Avenue
Gainesville, FL 32601

Eng Denman & Associates, Inc. (EDA) is the agent for Prairie View Trust and Gainesville Regional Utilities, who also owns lands within the proposed Land Use and Zoning Change boundary.

2.0 Natural Area Resource Assessment Methodology

2.1 Field Survey

ERC performed a Level 1 Review (as specifically described in Section 30-310(e)(2)) of the entire Planning Parcel, which includes all parcels owned and/or controlled by the applicant located within and adjacent to the proposed development parcel. For this project, the RAA is equal to the total extent of all contiguous parcels owned by the applicant. The review was conducted within the ±14.93-acre area shown in Figures 1, 2, and 3. The Level 1 Review was performed consistent with the requirements as described in Section 30-310(e)(1). Within the RAA, the following activities were conducted.

1. Review and description of wetland resources with mapping of wetland jurisdiction lines based on state methodologies;
2. Survey for presence of listed species;
3. Database review for reported listed species occurrence;
4. Delineation of listed species habitats;
5. Delineation of significant natural communities; and
6. Description of Regulated Creeks and other Flow-ways.

The Natural Area Resource Assessment was conducted by Ecosystem Research Corporation (ERC). The Planning Parcel was delineated based on the occurrence of contiguous parcels owned by the applicants that will be directly affected by the proposed activity. The Natural Areas Resource Assessment report details the results of past and current field surveys conducted within the RAA.

A field survey of the Project Site was performed 12 September 2005, 16 September 2005, 19 August 2010, 10 May 2011, 17 May 2011, 13 October 2014, 15 October 2014, 17 October 2014, 20 October 2014, and 17 April 2015 to evaluate the general ecological

condition of the area and determine if any listed plant or animal species or other environmental constraints were present within the boundaries of the Project Site or immediately adjacent parcels. The surveys were performed by Peter M. Wallace, MS (Authorized Gopher Tortoise Agent #GTA-14-00037) and Robert A. Garren, MS (Authorized Gopher Tortoise Agent #GTA-09-00057B) of Ecosystem Research Corporation. A survey of the Project Site was performed by repeatedly traversing the site with a series of pedestrian transects. Observations regarding plant species composition were recorded at 919 locations within the Project Site and adjacent areas. At each location, plant species, plant habitat type, observations of animal occurrences, and GPS position coordinates were recorded using a hand-held Garmin GPSMap76CSx unit. The site survey was specifically performed to assess the general ecological condition of the property, determine the existing plant community composition, and survey for the presence or occurrence of listed plant and animal species.

2.2 Review of Existing Published Database Resources

To complement the data obtained from the field survey, several existing GIS databases were queried to obtain available published site-specific GIS data for the site and surrounding areas. These databases include the following:

1. Natural Resources Conservation Service (NRCS) Soils
2. Federal Emergency Management Agency (FEMA)
3. Florida Fish and Wildlife Conservation Commission (FWC) Eagle Nest Locator
4. FWC Wading and Waterbird Rookery Nest Sites
5. Florida Natural Areas Inventory (FNAI) Element Occurrence Database
6. Wood Stork Regulated Buffers
7. Alachua County 2001 LiDAR Topography
8. Alachua County Strategic Ecosystems Overlay Database
9. Alachua County Aquifer Vulnerability Zones

The field survey and data review assessment performed for the project specifically addresses the requirements of the City of Gainesville Land Development Code, as defined in **Section 30-310**.

3.0 Results of Data Review

3.1 Published Geographic and Hydrologic Data Review

3.1.1 Soils

The NRCS soil survey map for the RAA and surrounding area is shown on **Figure 5**. Based on the NRCS map, there are four (4) soil mapping units described for the Project Site and RAA. The RAA consists almost predominantly of Blichton sand, 2 to 5 percent slopes with small areas of Millhopper sand, 0 to 5 percent slopes, Bivan sand, 2 to 5 percent slopes, and Lochloosa fine sand, 5 to 8 percent slopes. The characteristics of the soils that occur within the Project Site and RAA are briefly described, as follows:

Mapping Unit No.	Mapping Unit Name	Hydric	Drainage Class	Confining Layer
8	Millhopper sand, 0 to 5 percent slopes	No	Moderately well-drained	58–89"
32	Bivans sand, 2 to 5 percent slopes	No	Poorly drained	15–78"
72	Lochloosa fine sand, 2 to 5 percent slopes	No	Somewhat poorly drained	34–80"
74	Blichton sand, 2 to 5 percent slopes	No	Poorly drained	28–80"

All soils on site have a surficial clay confining layer that restricts the downward percolation of rainwater or storm waters that fall on the surface of the area within the RAA. Generally, the clay begins as high as 15 in. below the surface and extends throughout the limits of the soil profile depth of 78 to 89 in.

3.1.2 FEMA Flood Prone Areas

The FEMA Flood Prone Map for the Project Site is shown on **Figure 6**. The north end of the RAA is located within a FEMA flood prone zone mapped as "A." The mapped zone corresponds roughly to the limits of an onsite wetland located within this area. The "Zone A" as mapped does not include the drainage that extends from the northeast corner of parcel 07240-046-000 north to the mapped FEMA area. This drainage floods under all normal rain events (see Figure 14).

3.1.3 LiDAR Topography

The Alachua County 2001 LiDAR topography map for the RAA and surrounding area is shown on **Figure 7**. Apparent on the LiDAR topo is (1) the wetland floodplain that is located across the northern section of the RAA, (2) the tributary that flows through the RAA from south to north, and (3) the sloping topography of the RAA and Project Site which grades significantly from south to north. Within the RAA, the topography ranges from 107 feet in the southwest corner to 68 feet within the wetland in the northeast corner

of the RAA. The Project Site, located within the southern area of the RAA, ranges in elevation from 107 feet to 72 feet.

3.2 Published Wetlands and Water Resources Databases

The National Wetlands Inventory (NWI) and Alachua County Composite Wetlands map is provided on **Figure 8**. The Alachua County mapping includes aerially mapped wetlands as well as the hydric soil occurrences distributed throughout the RAA. The extent of wetlands as shown on Figure 8 represents the general wetland extent as it occurs on site. The boundary is very close to that which has been delineated by ERC on site in the past in that is appears that the County has previously had access to the delineated wetland boundary. The onsite wetland boundary is not possible to delineate by LiDAR topography or aerial signatures. The NWI coverage underestimates the wetland extent that is present on the site.

3.3 Strategic Ecosystem Overlays

The Project Site does not lie within the boundaries of any Strategic Ecosystem Overlay.

3.4 Murphree Wellfield Protection Zone

Both the RAA and Project Site lie outside of the tertiary protection zone of the wellfield.

3.5 Review of Published Data for Listed Species

3.5.1 Summary Information Regarding Threatened & Endangered Species in Florida

There are several agencies that have been delegated the authority to protect and preserve the threatened and endangered flora and fauna that occur within the State of Florida. The United States Fish and Wildlife Service (USFWS) maintains a list of species afforded special protection by the ***Endangered Species Act of 1973 (16 U.S.C. 1531)***. The list is published in the ***List of Endangered and Threatened Wildlife and Plants, 50 CFR 17.11-12***. The Florida Fish and Wildlife Conservation Commission maintains a list of the protected animals occurring within the state by authority of the ***Florida Endangered and Threatened Species Act of 1977 (Section 372.072, Florida Statutes [FS])*** and ***Chapter 68A-27, Florida Administrative Code (FAC), Rules Relating to Endangered and Threatened Species***. The specific policy of the Florida Endangered and Threatened Species Act of 1977 is declared as follows:

> **Subsection 2: Declaration of Policy**—The Legislature recognizes that the State of Florida harbors a wide diversity of fish and wildlife and that it is the policy of this state to conserve and wisely manage these resources, with particular

> attention to those species defined by the Florida Fish and Wildlife Conservation Commission, the Department of Environmental Protection, or the U.S. Department of Interior, or successor agencies, as being endangered or threatened. As Florida has more endangered and threatened species than any other continental state, it is the intent of the Legislature to provide for research and management to conserve and protect these species as a natural resource.

The list of threatened and endangered animals protected by these laws is published in ***Section 68-27.003, .004, and .005, FAC***. The regulation of listed marine animals was historically delegated to the Florida Department of Natural Resources (FDNR); however, has since been reorganized into the Florida Department of Environmental Protection. The ***Preservation of Native Flora of Florida Act (Sections 581.185, 581.186 [in part] and 581.201, FS)*** passed in 1978 declares a public policy of the State of Florida with regard to native flora, as follows:

> **Subsection 1: Legislative Declaration**—The Legislature finds and declares that it shall be the public policy of this state to: provide recognition of those plant species native to the state that are endangered, threatened, or commercially exploited; protect the native flora from unlawful harvesting on both public and privately owned lands; provide an orderly and controlled procedure for restricted harvesting of native flora from the wild, thus preventing wanton exploitation or destruction of native plant populations; encourage the propagation of native species of flora; and provide the people of this state with the information necessary to legally harvest native plants so as to ultimately transplant those plants with the greatest possible chance of survival.

To this end, the Florida Department of Agriculture and Consumer Services (FDACS) regulates the threatened and endangered plant species occurring within the state. As specifically authorized by ***Chapter 5B-40, Preservation of Native Flora of Florida, FAC,*** the ***Regulated Plant Index*** is published in ***Section 5B-40.0055***. The Game Commission periodically releases a publication that summarizes animal species that are regulated by the Florida Fish and Wildlife Conservation Commission and the USFWS. The publication is titled *Florida's Endangered Species, Threatened Species, and Species of Special Concern*. The federal lists of plants and animals are published in ***50CFR 17.11-12*** and the list of Florida's federally listed plant species is also published by the Florida Division of Forestry.

Alachua County, by authority of ***Article 3, Significant Plant and Wildlife Habitat,*** and ***Article 4, Listed Plant and Animal Species Habitat***, of the Unified Land Development Code (ULDC) regulates development in habitats where listed species occur or could potentially occur. Provisions within Articles 3 and 4 allow the County to require that up

to 25% of the upland portion may be required to be protected and set aside as primary conservation areas. Areas protected under Articles 3 and 4 are designated as Conservation Management Areas and are further regulated via rules outlined in ***Article 17, Conservation Management Areas (ULDC)*** and potentially require that the property owner establish a conservation easement for the specific areas within the parcel. The owner is further responsible for development of a management plan and perpetual management of the area.

The City of Gainesville via provisions of ***Sections 30-310.1(c)(11) and 30-310.2(b)*** (2-August-2012) has adopted the County's template for listed species protection and provides protection of listed species and listed species habitats. Protective mechanisms include provision of Conservation Management Areas with associated management plans as described in ***Section 30-310.3(a–i)***, LDC. Neither the County's nor the City's land development codes describes the protections warranted for individual species or habitats. These protections are defined on a case-by-case basis often in cooperation with the responsible federal or state regulatory entity.

Several other lists of the endangered and threatened fauna and flora are maintained for the State of Florida. The Florida Natural Areas Inventory (FNAI) maintains a list that summarizes the status and distribution of both plant and animal species as well as natural communities occurring within the State of Florida. The FNAI is managed by The Nature Conservancy in cooperation with the Florida Department of Environmental Protection. The lists compiled by the FNAI contain many species that do not occur on the State or Federal lists. The FNAI list as compiled is not subjected to the time-consuming administrative process that is required for listing for State and Federal protection. Therefore, these lists often reflect the up-to-date true status of species that may be in immediate peril. The FNAI species that are not State or Federally listed are not given legal protection.

An inventory of the statewide distribution of potentially threatened and endangered species was initiated in 1973 by the Florida Committee on Rare and Endangered Plants and Animals (FCREPA). The group published a several-volume series that contains detailed descriptions, distributions, and academic evaluations of species considered to be in peril. The FCREPA list contains many species in addition to the State and Federal lists; however, these additional species are afforded no legal protection. The FCREPA series offers the best compiled review of the biology of the imperiled biota of Florida to date.

Beginning in 1986, revisions of the FCREPA volumes were initiated and continue to date.

To aid in review of the imperiled species that occur in Florida and the State and Federal Regulations that govern their management, the following publications are available:

- Endangered and Threatened Species Act of Florida, Chapter 372.072, FS
- Rules Relating to Endangered and Threatened Species, Chapter 68A-27, FAC
- The Preservation of Native Flora of Florida, Chapter 581.185, FS
- Preservation of Native Flora of Florida, Chapter 5B-40, FAC
- Florida Endangered Species, Threatened Species, and Species of Special Concern, January 2013

3.5.2 Results of Specific Listed Species Searches

The results obtained from query of the eagle nest locator database, water and wading bird breeding habitat database, and the River Styx Wood Stork Regulated Buffer is presented on **Figure 9**. The results indicate that no eagle nests or extant or historical wading bird or waterbird rookery sites occur within a one-mile radius of the Project Site boundaries. The Project Site lies within of the River Styx Wood Stork Regulated Buffer. The Wood Stork is a federally listed endangered species. With respect to the Wood Stork, there is suitable foraging wetland habitat that exists on the Project Site. Habitat that is perennially inundated onsite is found within the wetland located in the northern area of the RAA

The Element Occurrence locations of imperiled species as listed within the Florida Natural Areas Inventory (FNAI) Element Tracking Database are shown on **Figure 10**. There are no historical reported occurrences shown within the Project Site boundaries. The wetland within the northern section of the RAA provides suitable foraging habitat for a host of listed waterbird and wading bird species.

3.6 Review of Archaeological Resources

A Cultural Resource Assessment Survey of the Project Site has not been reviewed by ERC.

3.7 Hazardous Waste Storage Facilities

The location of hazardous materials storage facilities that are monitored by Alachua County are shown on **Figure 11**. There are no storage facilities within the RAA or Project Site. There are numerous facilities associated with other commercial venues located along Archer Road and SW 34th Street surrounding the RAA.

3.8 Historic Structures Database

The historic structures located in the vicinity of the RAA are shown on **Figure 12**. There are numerous mapped structures occurring west of the RAA, however, none are present within the RAA or immediately adjacent to the RAA.

4.0 Results of Field Verification of Existing Natural Resources

4.1 Field Survey Procedure

The Project Site and surrounding RAA were surveyed 12 September 2005, 16 September 2005, 19 August 2010, 10 May 2011, 17 May 2011, 13 October 2014, 15 October 2014, 17 October 2014, 20 October 2014, and 17 April 2015 to determine the extent of Regulated Natural Resources occurring within the RAA. The areas where site-specific data were recorded are shown on a 2014 aerial photograph in relation to the RAA and Project Site boundaries on **Figure 13**. The GPS icons shown reflect the vegetation, land use, or listed species occurrences on the site that were evaluated at 919 locations within the RAA.

4.2 Wetland and Surface Waters

The boundaries of wetlands and surface waters occurring within the RAA were determined by ERC and all boundaries were recorded with GPS coordinates (**Figure 14**). In addition, the wetland boundary was delineated with sequentially numbered flags and stakes that were also located by professional survey. The flagged boundary and wetland and surface water boundaries are shown on a 2014 aerial photograph on Figure 14. The wetland survey is provided as Attachment 2.

There are two (2) surface water boundaries shown on Figure 14. The current surface water boundary reflects the high water rainfall events that have occurred since May 2012. The historical surface water boundary reflects the boundary that was delineated previously on two (2) separate occasions from 2005 to 2010. The current expanded wetland area contains canopy cover that includes white ash (*Fraxinus americana* L.), winged elm (*Ulmus alata* Michx.), and live oak (*Quercus virginiana* Mill.), which are typical upland species; however, due to high recent storm water flows into the area from offsite areas they have become included within the expanded extent of the flow-way or surface water boundary. The onsite wetland and associated flow-way have been subjected to significant historical perturbations. To provide a review of historical impacts, historical aerial photographs are provided, as follows:

Figure Number(s)	Flight Year
15	1937
16	1949
17	1955
18	1961
19	1968
20	1971
21	1974
22	1984
23	2000
24	2005
25	2011

In general, the aerial photos show that the wetland can be divided into eight (8) general areas for discussion purposes as shown on **Figure 26**. Currently the wetland is composed of the following components:

1. Excavated wetland area
2. Mixed hardwood swamp
3. Natural marsh
4. Intermittent stream
5. Existing and historical offsite flow-ways
6. Historical influent offsite flow-way
7. Historical excavated ditch flow-way
8. Overland flow-way

Although the historical aerials are inconclusive, it appears from the aerials and is supported in part by on-ground evidence that Area 1 was at least partially excavated. The area may have been excavated in an intermittently wet/dry historical area to provide water for cattle or it may have been excavated in part for fill for Archer Road or land development lying to the east. However, the surface water feature shown in this location on the 1937, 1949, and 1956 aerials is totally inconsistent with the appearance of other natural wetlands in surrounding areas in the vicinity of the RAA.

Upstream of Area 1 lies a Mixed Hardwood Swamp (Area 2) to the southwest and a Natural Marsh (Area 3) lying to the southeast (Figure 26). Currently flow between the areas occurs in both flow-ways (Areas 7 and 8) shown on Figure 26. Historically flow

into the marsh (Area 3) originated from offsite areas (Area 6) through the intermittent stream shown on Area 4. The Area 6 portion of the stream was demolished circa 1984 (Figure 22) by construction activities within the watershed area. The flow-way occurring in Area 6 is visible on all aerials from 1937 to 1974. The stream channel occurring within Area 4 is only definitive on the 1937 aerial (Figure 15) under high magnification. Construction within Area 6 resulted in construction of a series of pipes and storm basins that created in a single point stormwater discharge at the southern end of Area 4 (Figure 26). Since this time, flow to this area has increased in both frequency and duration with all upstream storm flows now entering the onsite wetland from this single point source.

Historically, flow from the offsite stream in Areas 5 and 6 probably terminated in the Mixed Hardwood Swamp (Area 2) and Natural Marsh (Area 3), respectively, with flow from these areas only occurring during high rainfall events. Flow may have occurred from Area 3 through both Areas 7 and 8; however, flow through Area 7 was probably the preferred route. There is a ditch currently in this area that was excavated probably to move waters downhill more rapidly. The flow-way existing in Area 8 is very difficult to see under no-flow or low flow conditions with an extensive cover of saw palmetto (*Serenoa repens* [Bartr.] Small) and dwarf palmetto (*Sabal minor* [Jacq.] Pers.) being present. Within Area 2 occurs a Mixed Hardwood Swamp dominated by swamp black gum (*Nyssa sylvatica* Marsh. var. *biflora* [Walt.] Sarg.), red maple (*Acer rubrum* L.), sweetgum (*Liquidambar styraciflua* L.), and planer-tree (*Planera aquatica* Walt. ex J. F. Gmel.). This is different than what is found in Area 1, which is primarily common buttonbush (*Cephalanthus occidentalis* L.) and coastal-plain willow (*Salix caroliniana* Michx.). In many of the earlier historical photos, this area is devoid of emergent vegetation. The major inflow to Area 2 historically appears to have been via a stream located within Area 5. This stream now flows into a storm basin located west of SW 37th Boulevard then to Area 2 via a culvert located under SW 37th Boulevard. A set of culverts exist in this area; however, without plans, it is difficult to tell if the water goes to Area 2 or to a storm basin adjacent to Archer Road.

There is no evidence that the Area 5 flow-way was excavated on the aerial photographs so the origin of this flow-way appears to be natural. In addition, there are some remnant Hydric Hammock areas located east of Area 5 that extend into the RAA. However, there is currently no hydrologic connection due to the severance of the habitat by construction of GRU's utility corridor in this area within parcel 06812-012-000 (see Figure 2). The wetland and flow-ways as described are currently intact surface water and wetland

systems; however, they have been substantially altered through historical disturbances. Currently, the major inflow to the wetlands is treated and un-treated stormwater flows. To provide for further historical review, the 1949 and 1956 historical aerials overlain with the 2001 Alachua County LiDAR topography are provided as **Figures 27 and 28**.

4.3 Observations of Listed Species

During the field survey observation of listed species were observed within the upland and wetland habitats. Within the RAA were several populations of Florida milkweed (*Matelea floridana* [Vail] Woodson) and one population of Angularfruit milkvine (*Gonolobus suberosus* [L.] R. Br.). Florida milkweed is listed as endangered by the State and as G2 and S2 by FNAI. Angularfruit milkvine is not listed by FNAI but is listed as threatened by the State. The differentiation of these two species on the site has been made with certain assumptions and those assumptions should be noted. It is very difficult to identify these species without flowers. Only one individual on site identified as Florida milkweed was seen in flower. However, based on experience in the area, angularfruit milkvine is a more robust, hairy leafed vine that prefers well-drained habitats. Florida milkweed tends to be less robust with leaves that are not densely hairy and tends to prefer more mesic to hydric habitats. The names given to these species on site are given to differentiate the phenotypes in relation to onsite habitat. Positive identification can only be performed at the time of flowering. Regardless, populations of the plants exist on site. However, within this area of Alachua County these plants are not rare and can be found almost on any site with a forested canopy habitat.

Wetland areas 1, 2, and 3 are frequently visited by a host of wading and waterbird species that may be transitory inhabitants of the area, to include:

- Wood Storks
- Great Egrets
- Great Blue Herons
- Little Blue Herons
- White Ibis
- Glossy Ibis
- Wood Ducks
- Green Heron
- Black-crowned Night Herons

4.4 Delineation of Significant Natural Ecological Communities

There are no Significant Natural Upland Communities remaining within the RAA. The most natural upland habitats occur within the wetland buffers (see Figure 13). Review of the aerial photographs provided show that all upland habitats on site were historically cleared for pasture. There are no upland habitats that would require a Conservation

Management Area set-aside as described within Section 30-310 of the City Land Development Code. All upland habitats are historical Mesic Hammock and Sandhill habitats that currently have a groundcover dominated by a host of exotic species.

5.0 Summary

In summary, the site contains Regulated Natural Resources to include:

- Wetlands
- Wetland buffers
- Floodplains
- Flow-ways

There are NO Significant Ecological Upland Communities remaining on the site.

Figure 1. Project location map of the Resource Assessment Area in relation to local access roadways.

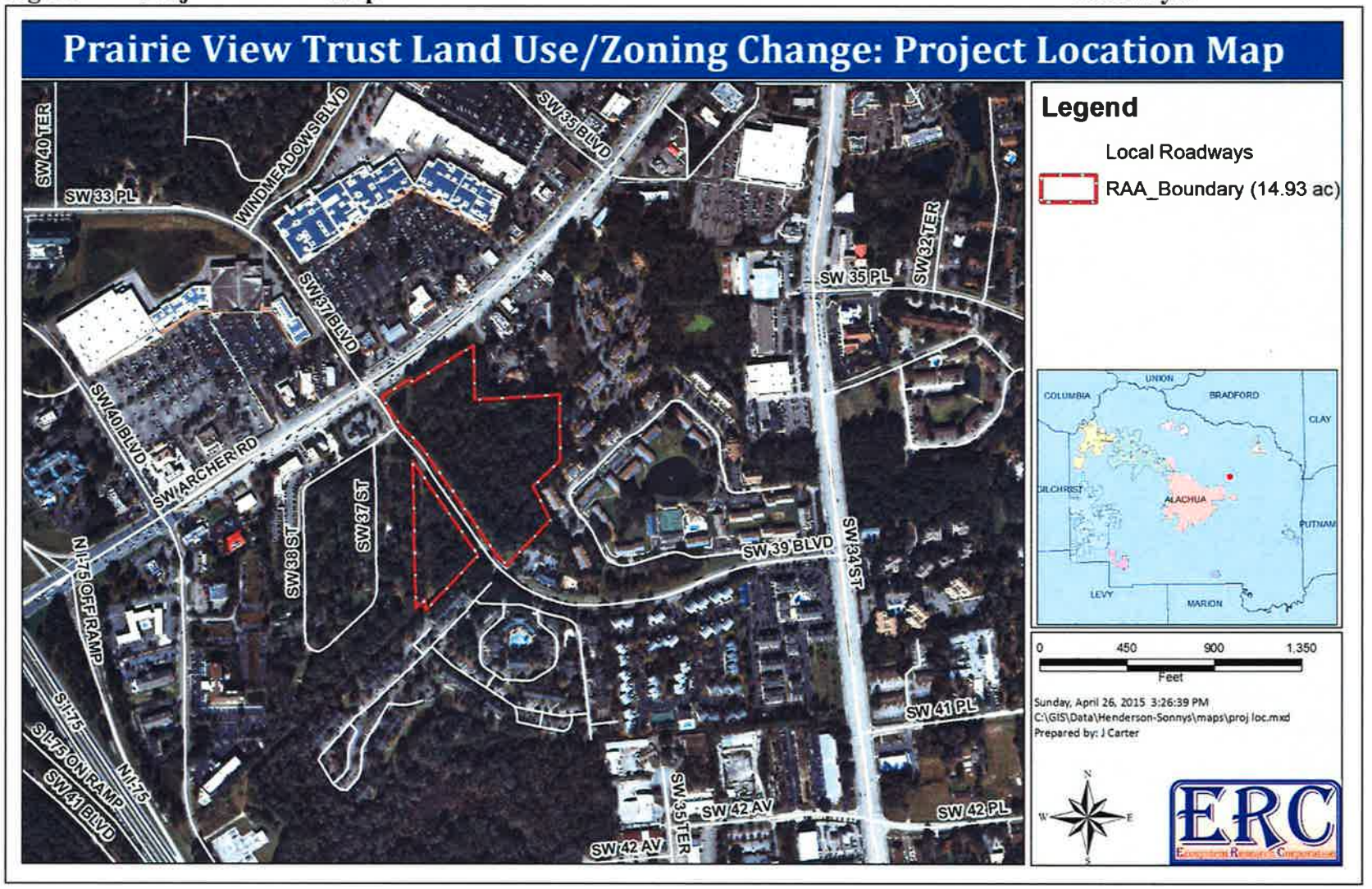


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Figure 2. Parcel location map for the Resource Assessment Area.

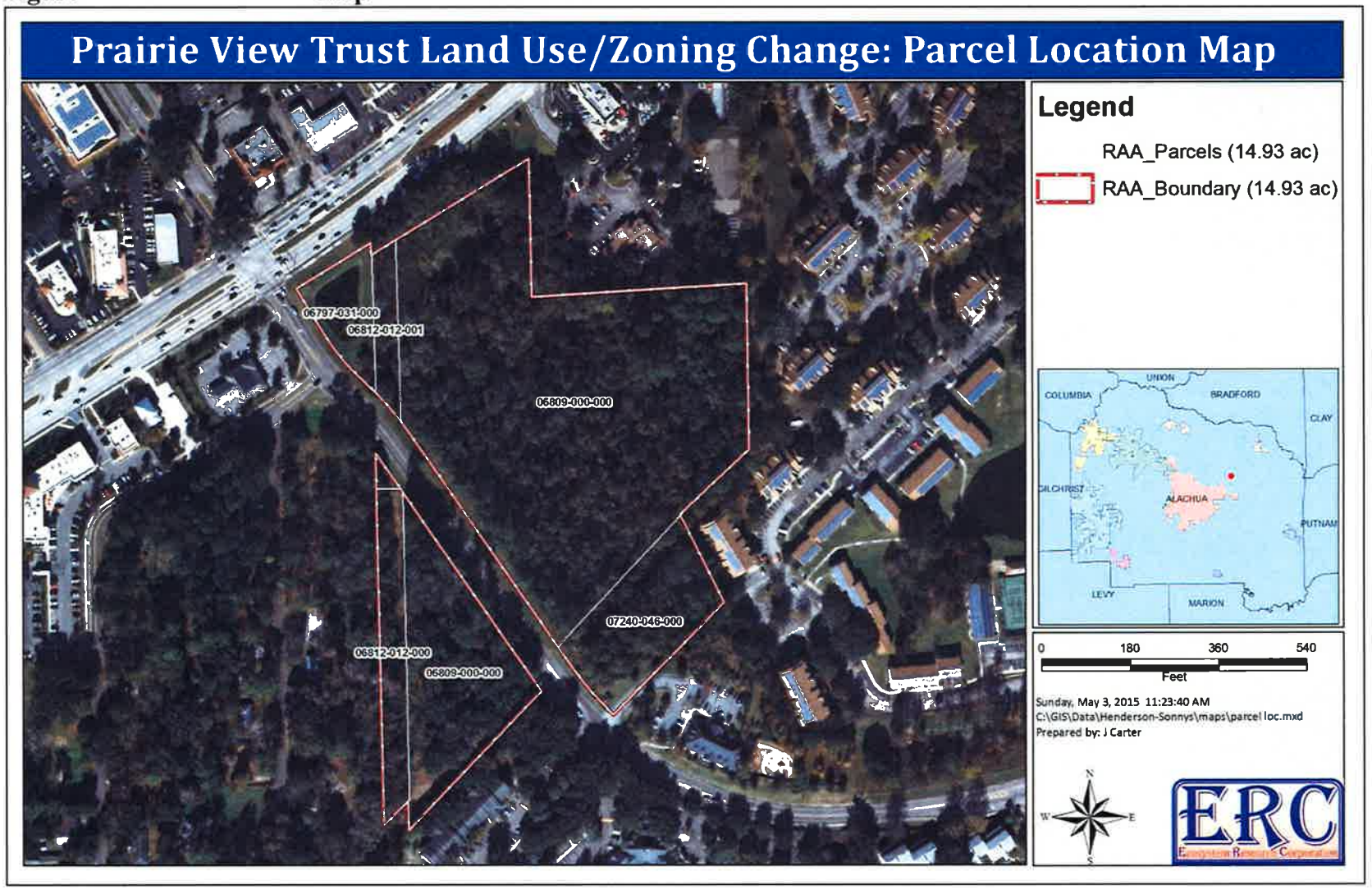

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Figure 3. Area of proposed Land Use and Zoning Change.

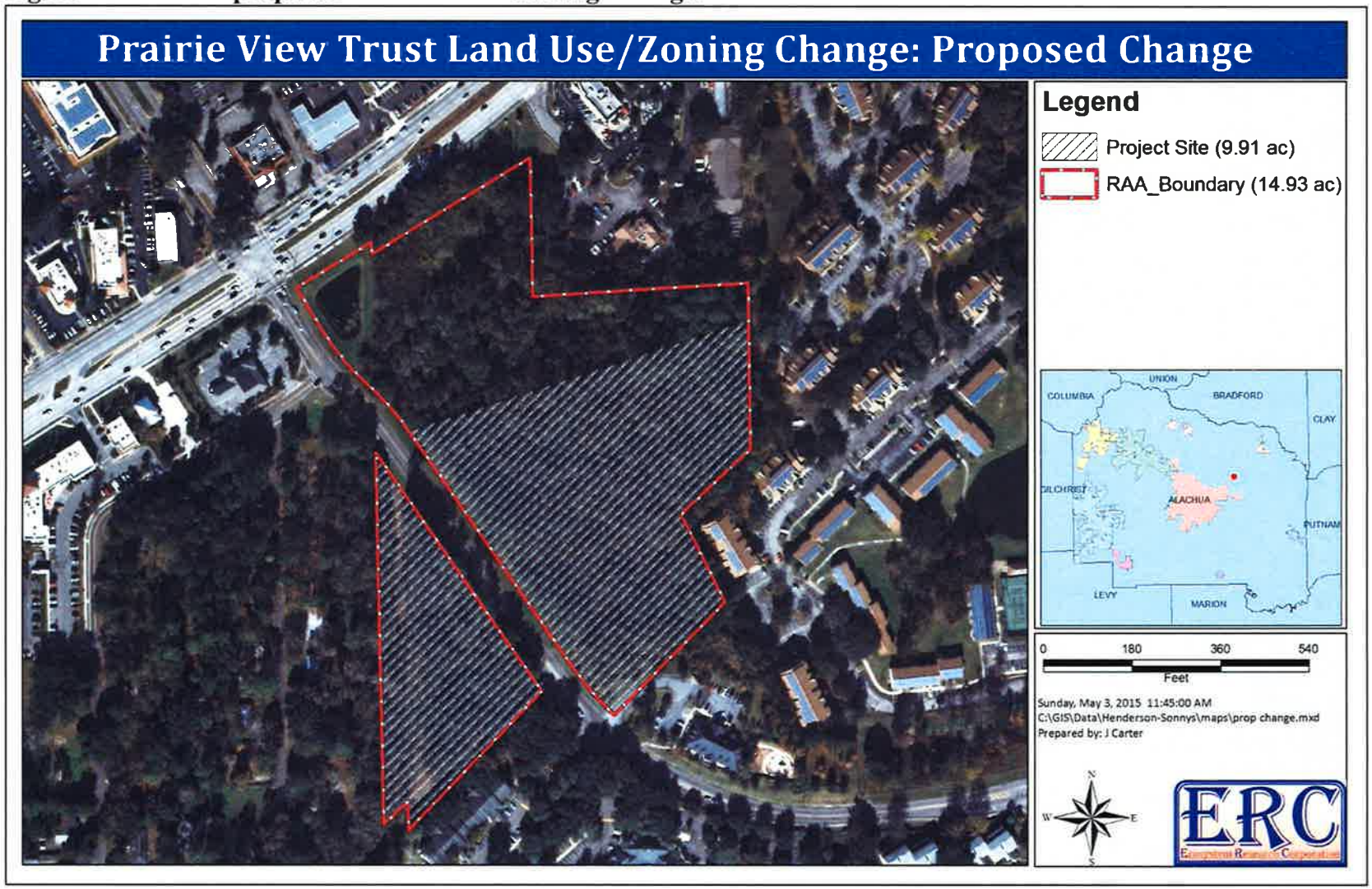

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Figure 4. USGS Arredondo quadrangle map showing the Resource Assessment Area and surrounding areas.

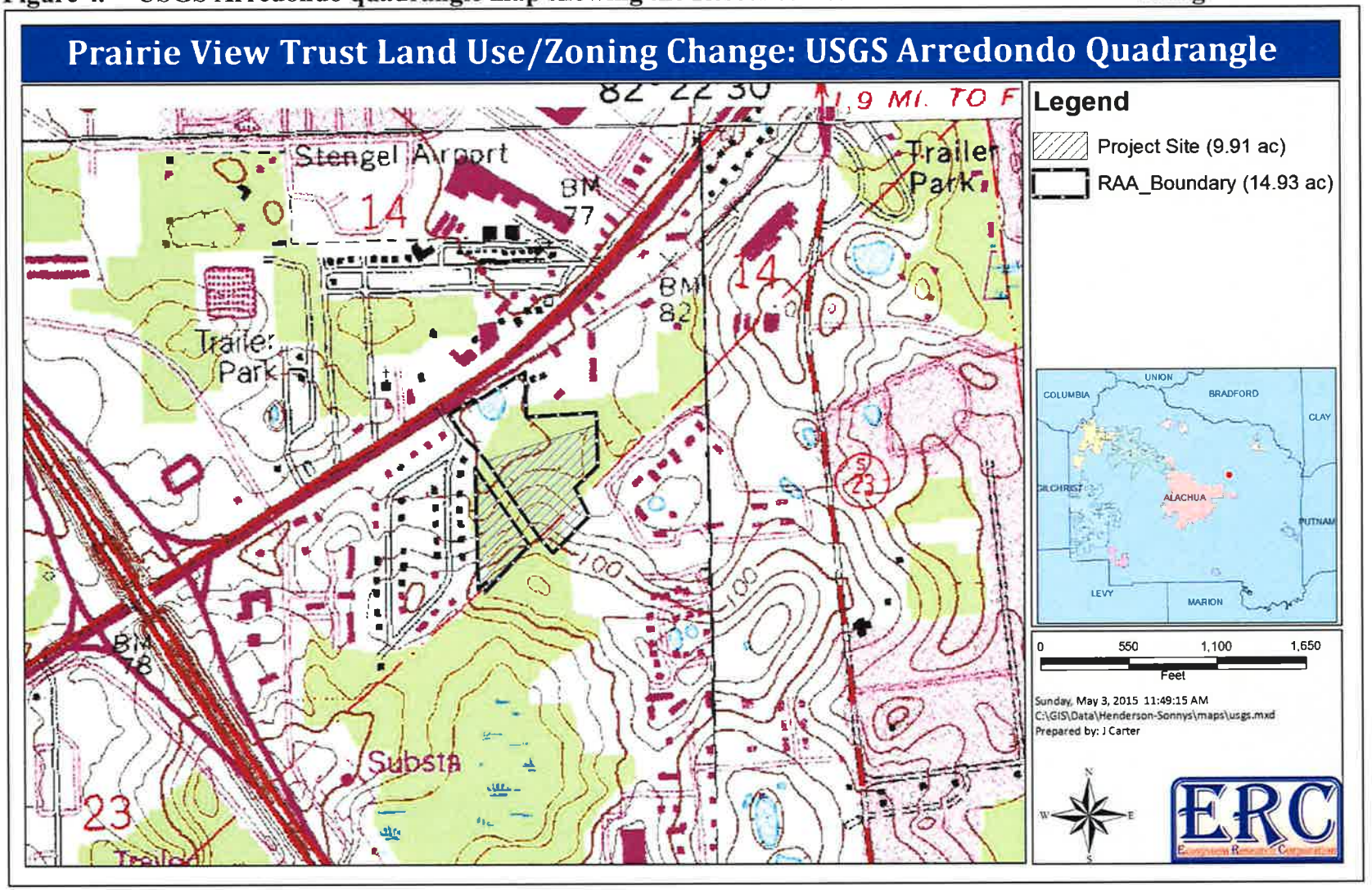

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Figure 5. NRCS soils map of the Resource Assessment Area and immediately surrounding area.

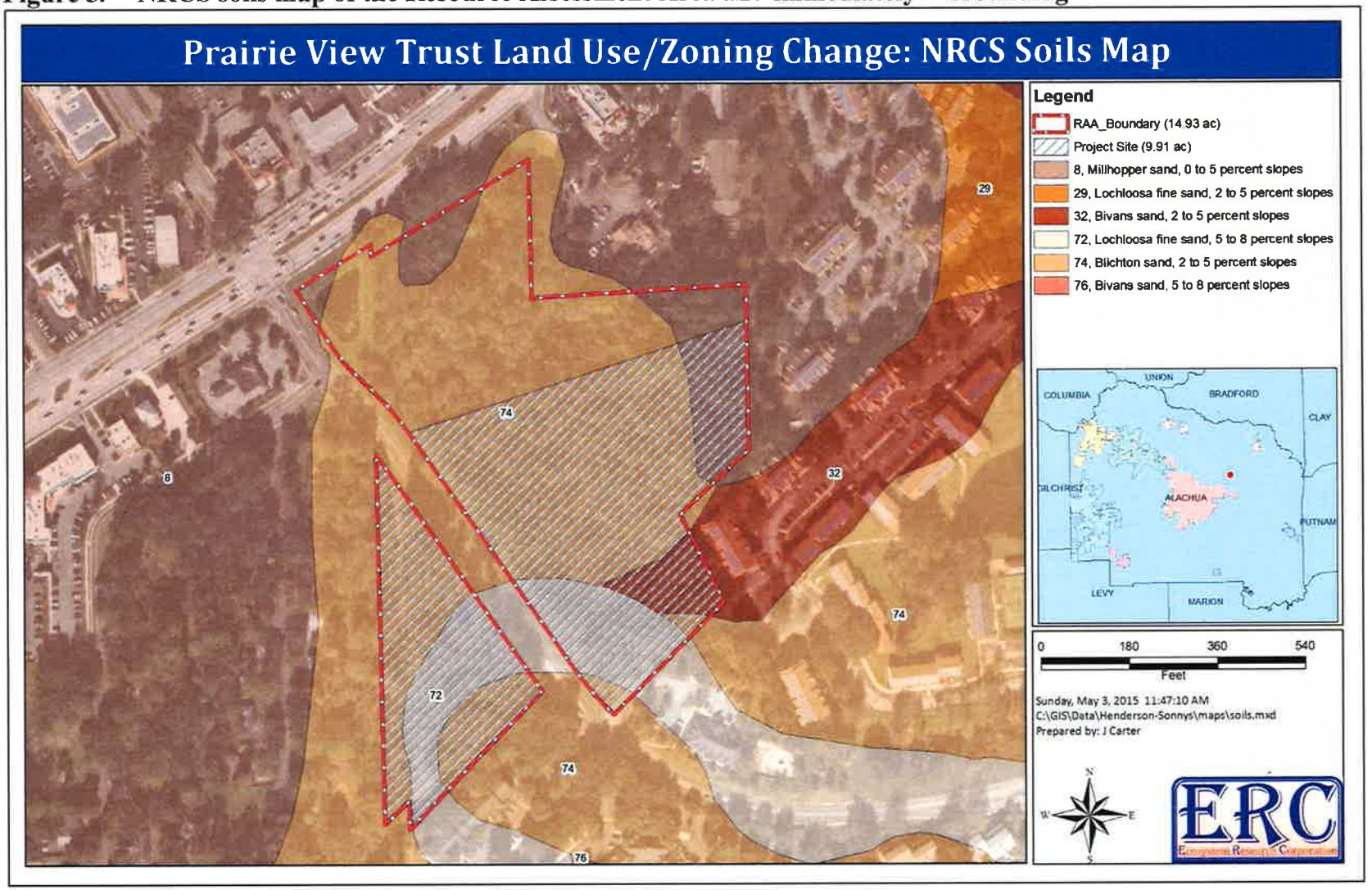

Figure 6. Federal Emergency Management Agency (FEMA) 2013 flood zone map of the Resource Assessment Area.

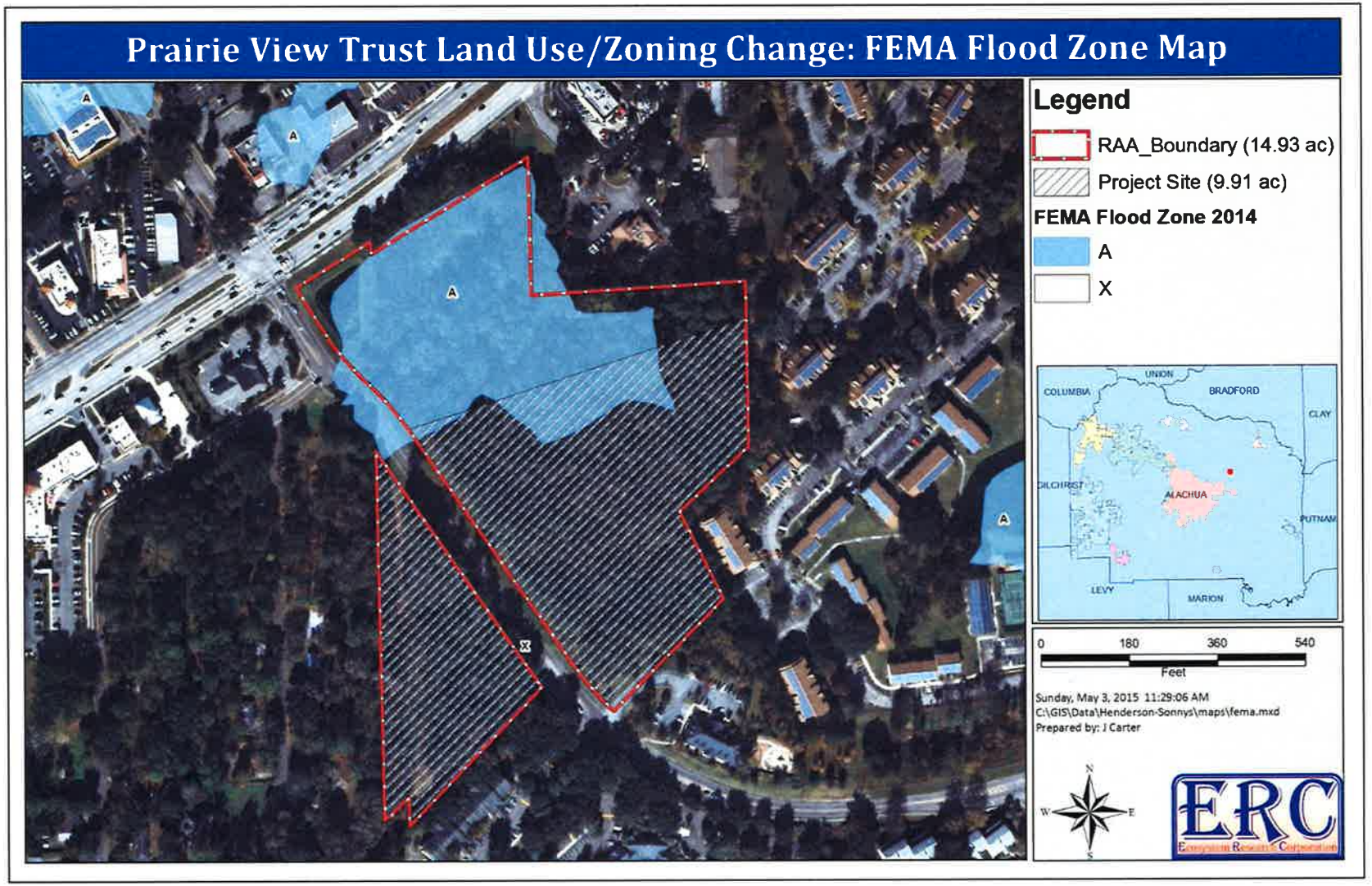

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Figure 7. LiDAR topography map of the Resource Assessment Area.

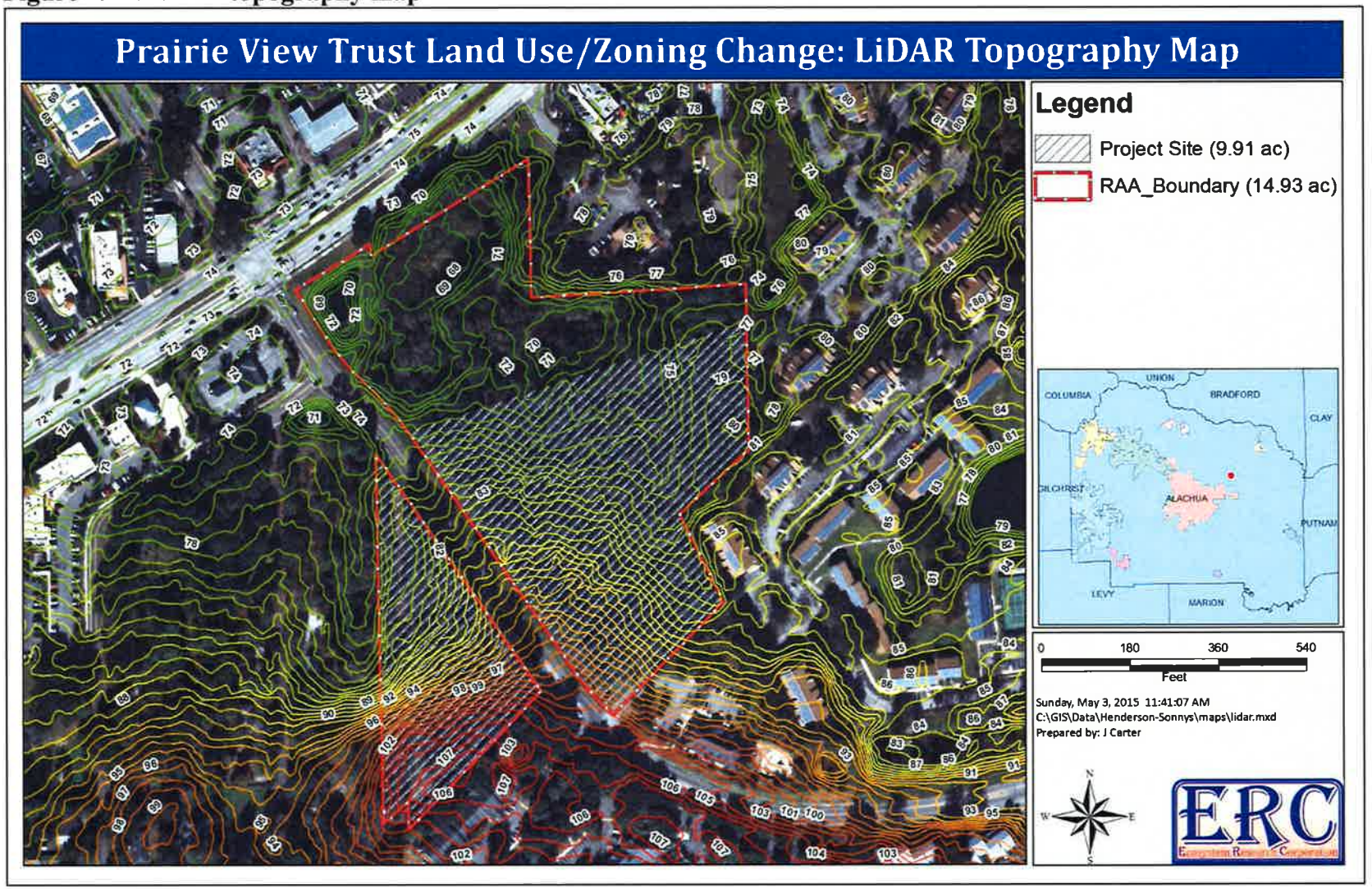

Figure 8. National Wetlands Inventory (NWI) map of the Resource Assessment Area.

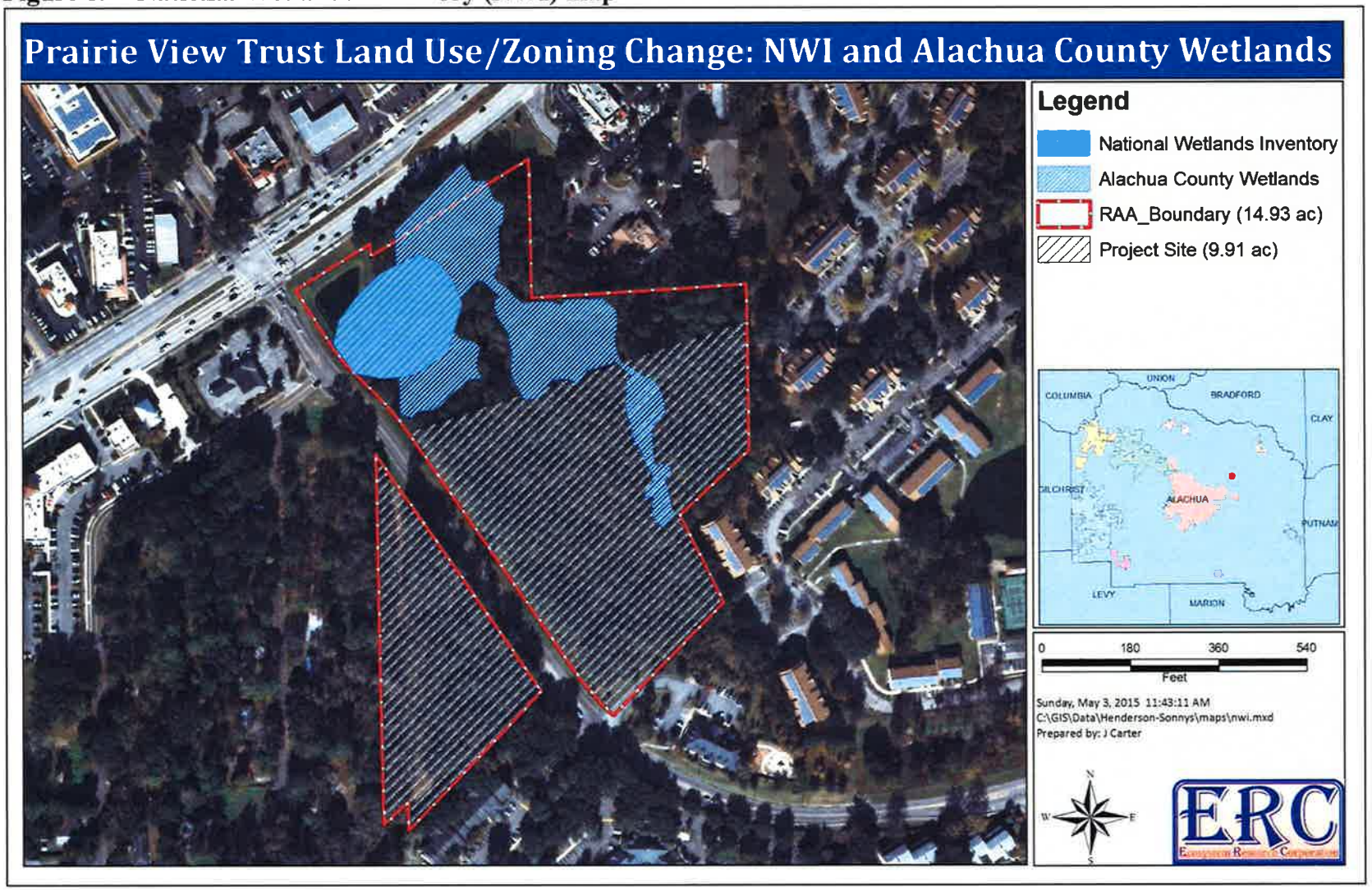

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Figure 9. Eagle nests, wading bird rookeries, and wood stork protected buffers in relation to the Resource Assessment Area.

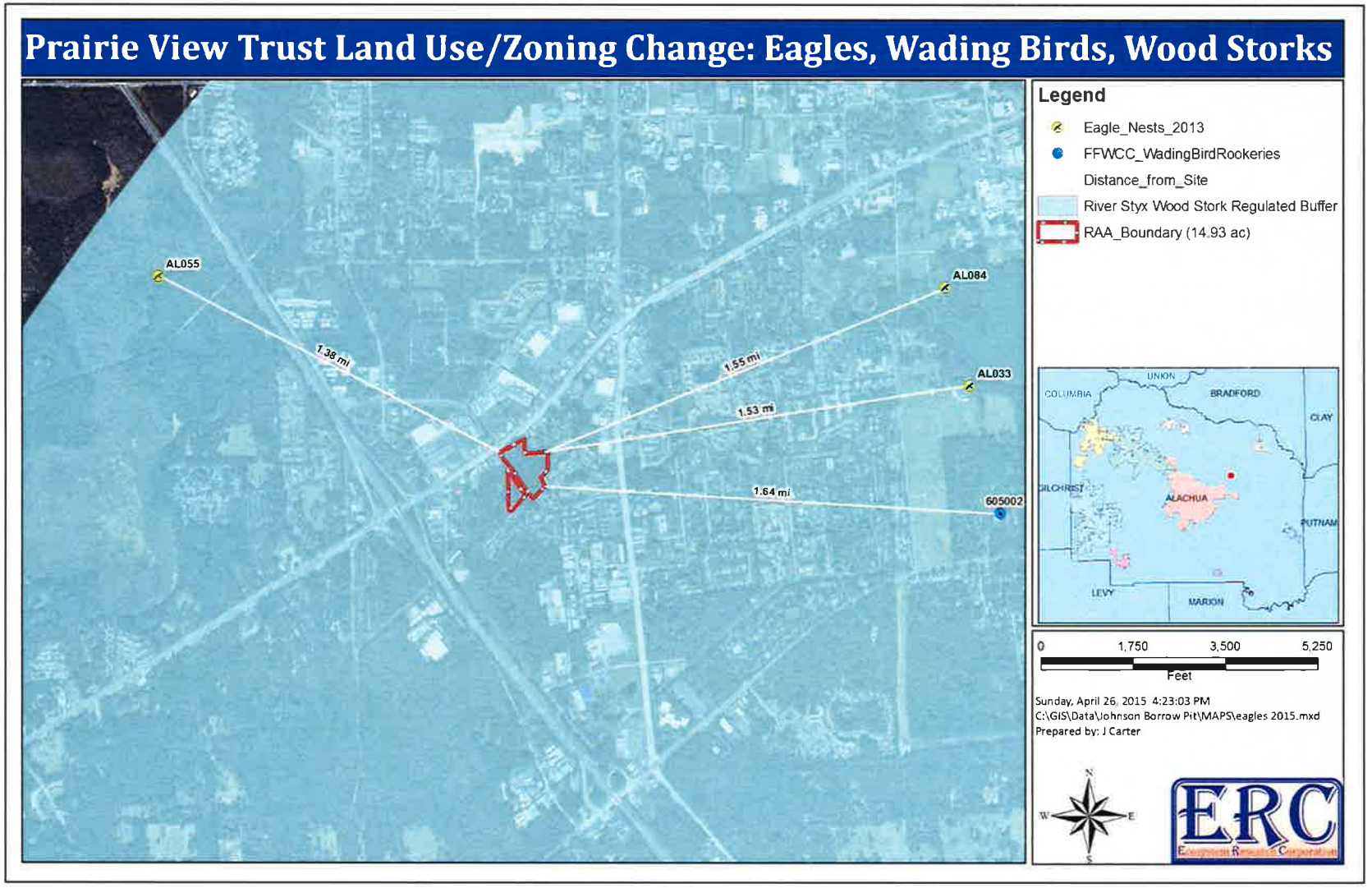

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Figure 10. Florida Natural Areas Inventory (FNAI) element occurrence records for the Resource Assessment Area and surrounding area.

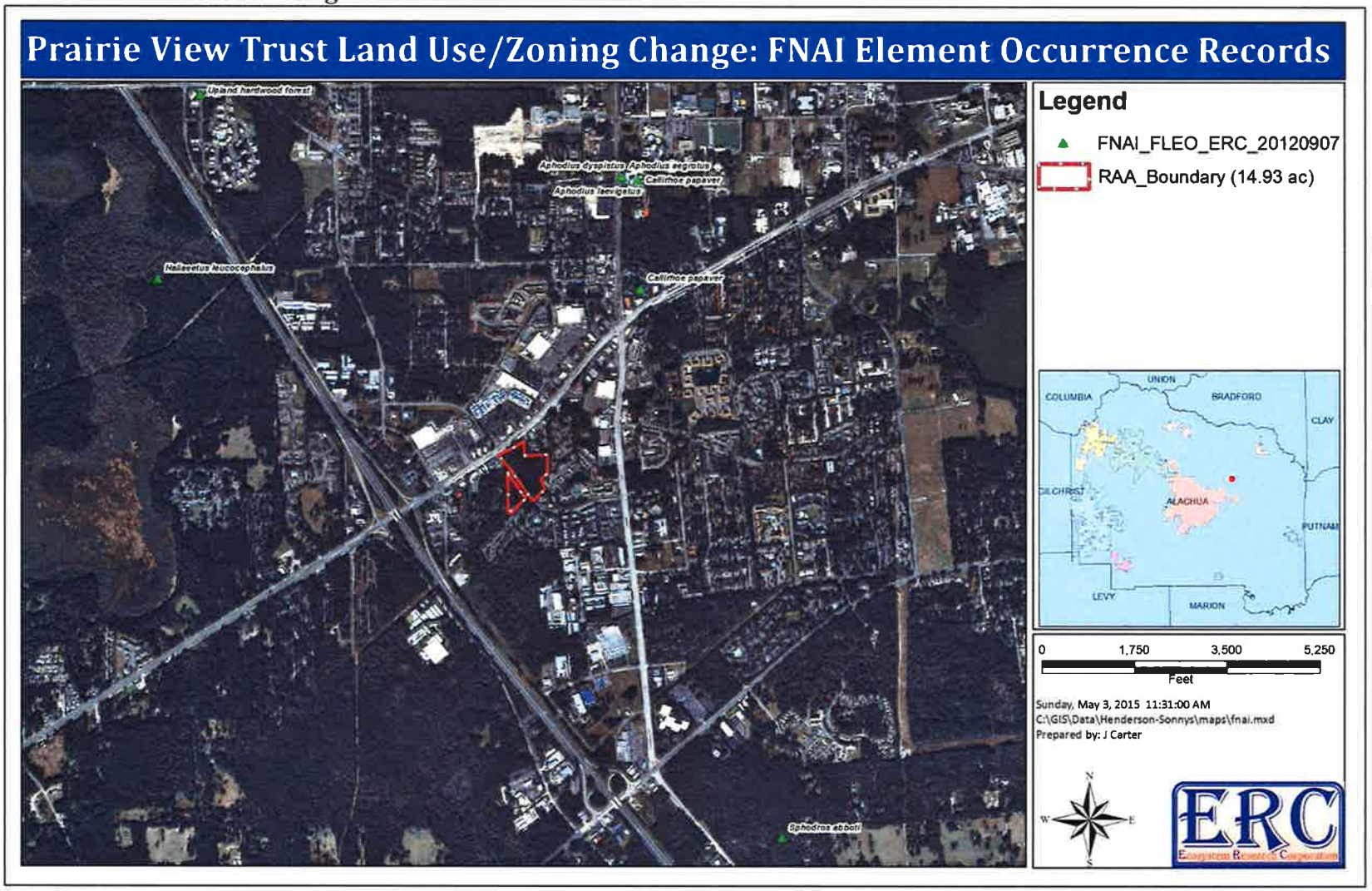

Figure 11. Alachua County hazardous materials storage facilities shown for the Resource Assessment Area and surrounding area.

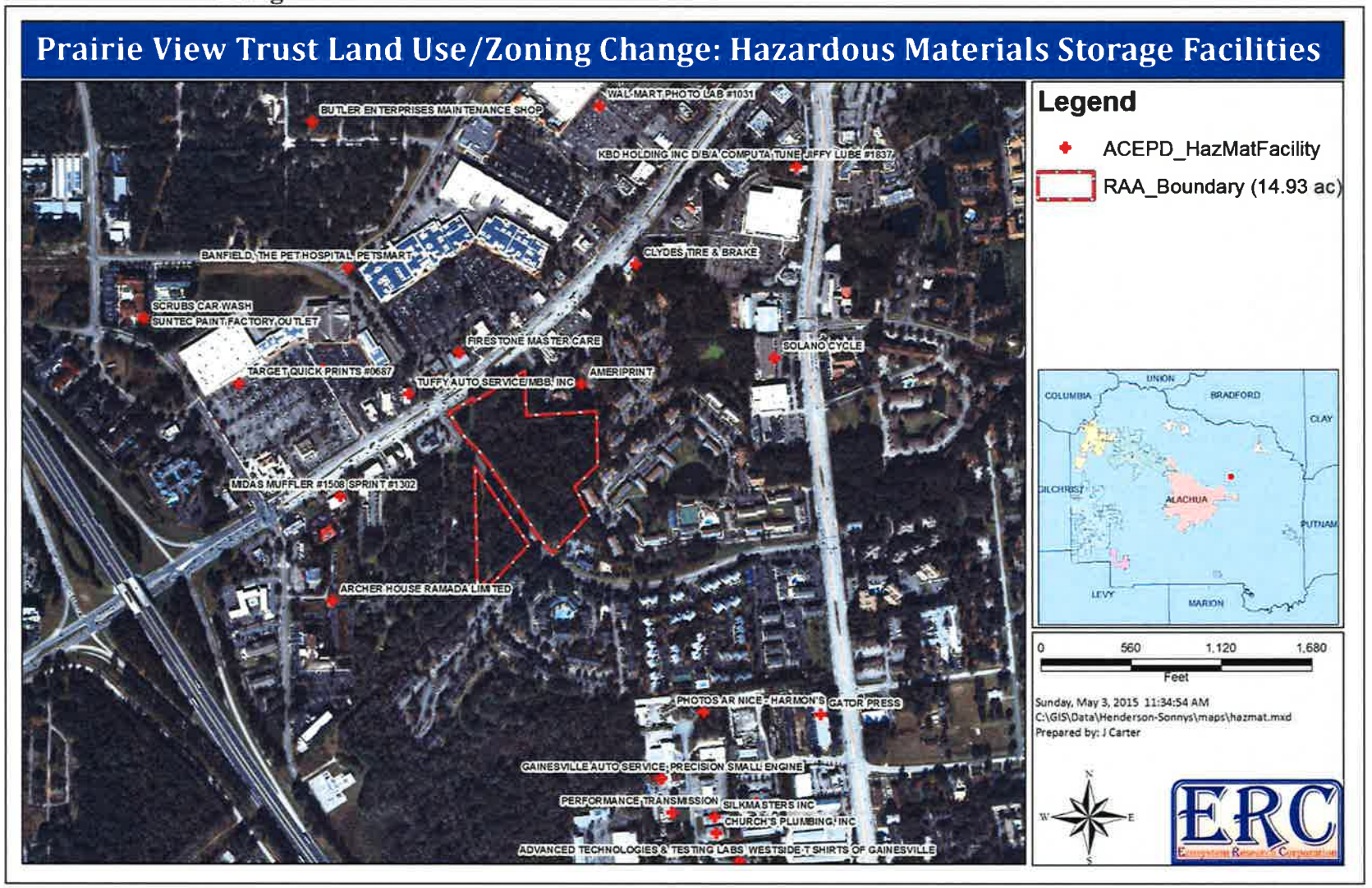

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Figure 12. Historic structures location on the Resource Assessment Area and adjacent areas.

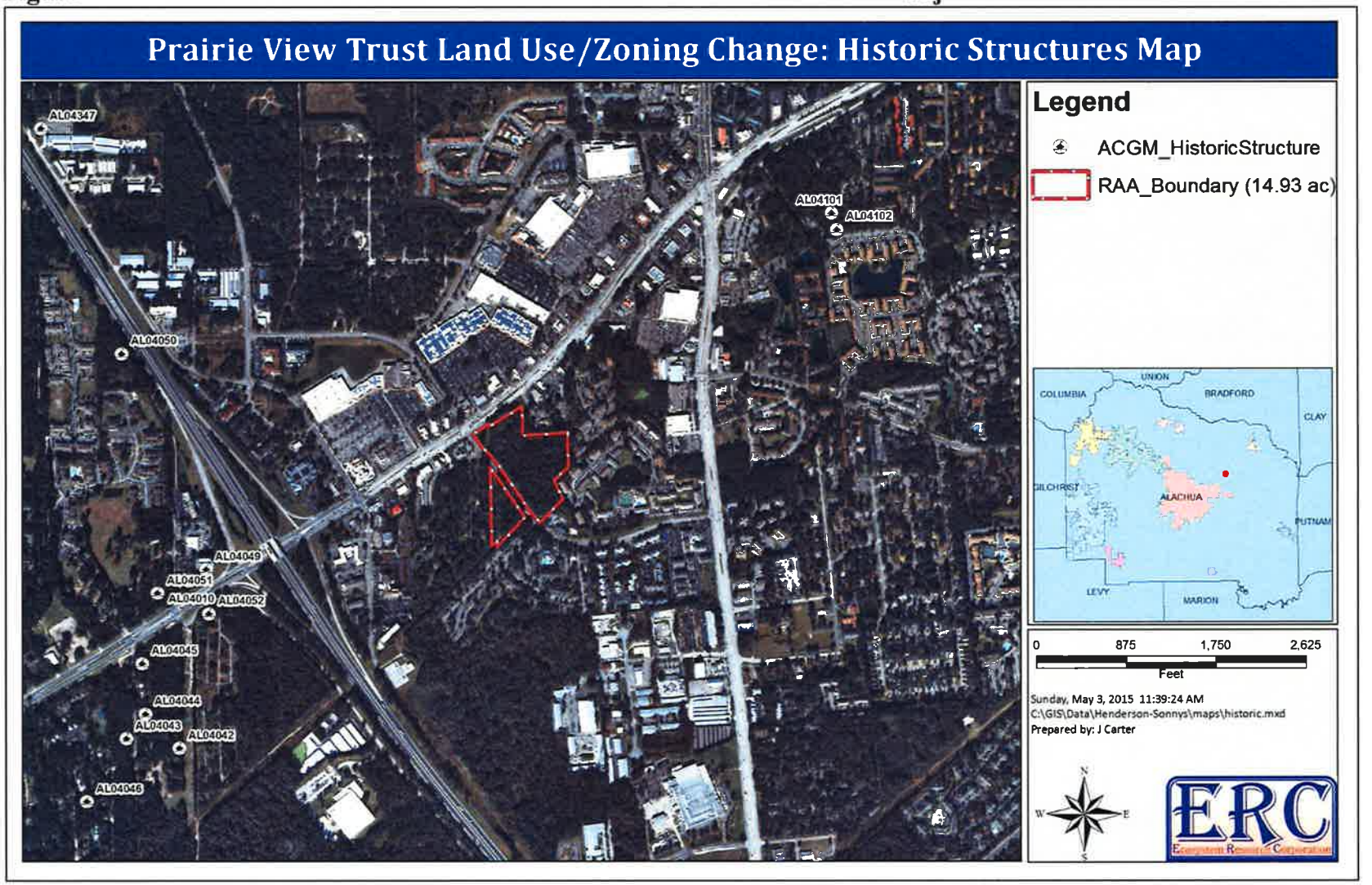

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Figure 13. GPS locations where site specific data were collected on the Resource Assessment Area.

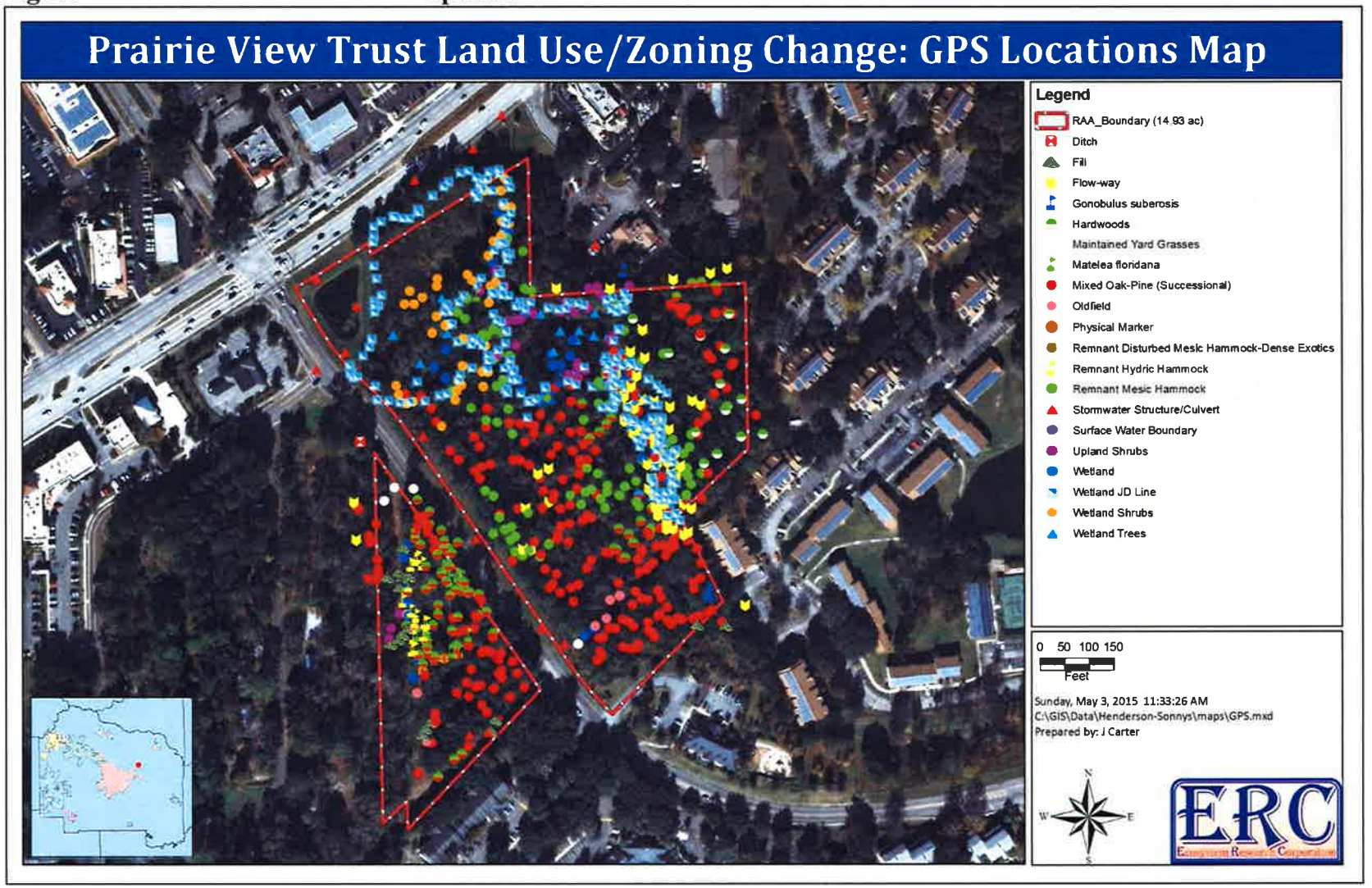

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Figure 14. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 2014 aerial photograph.

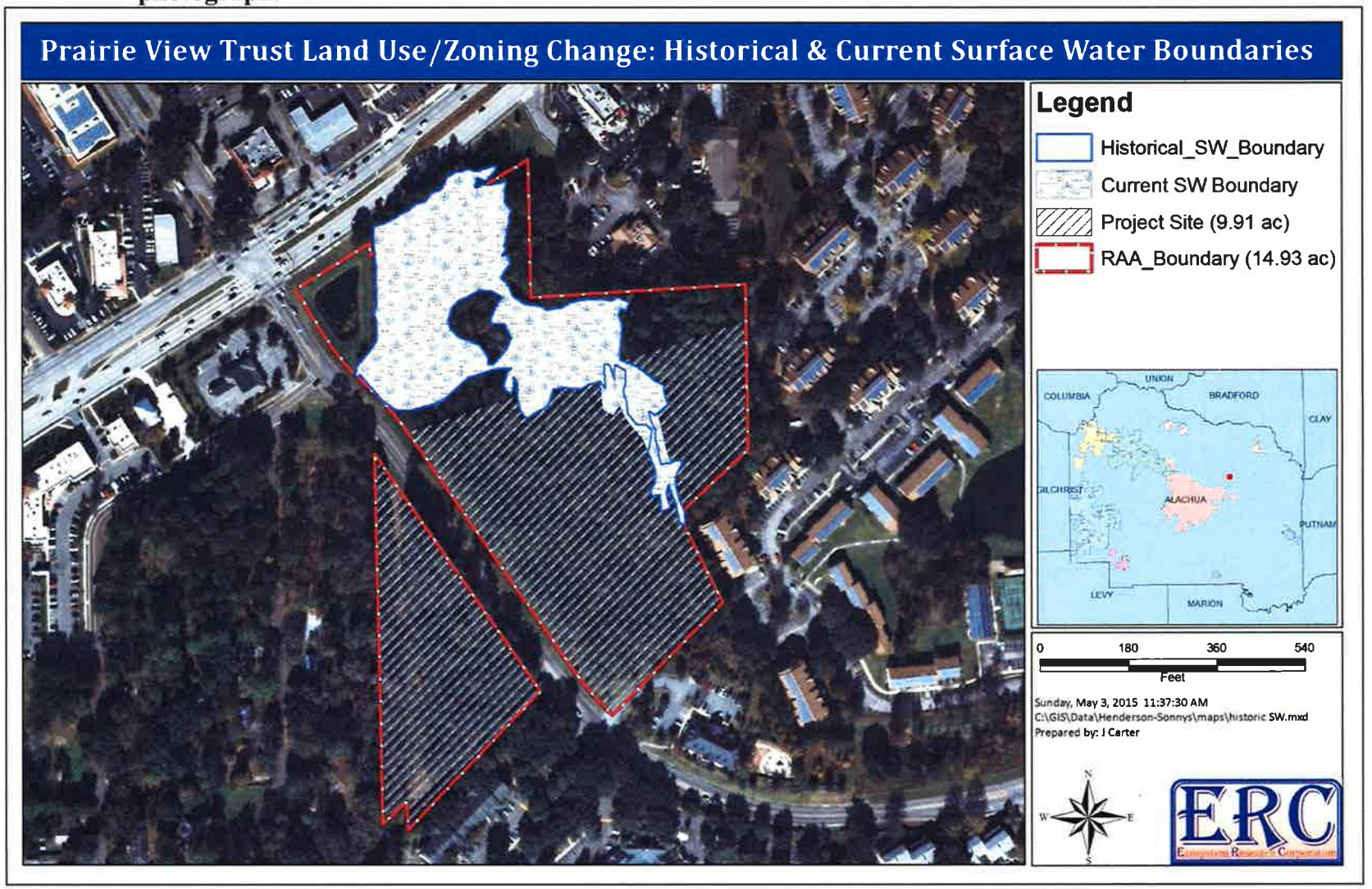

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Figure 15. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1937 aerial photograph.

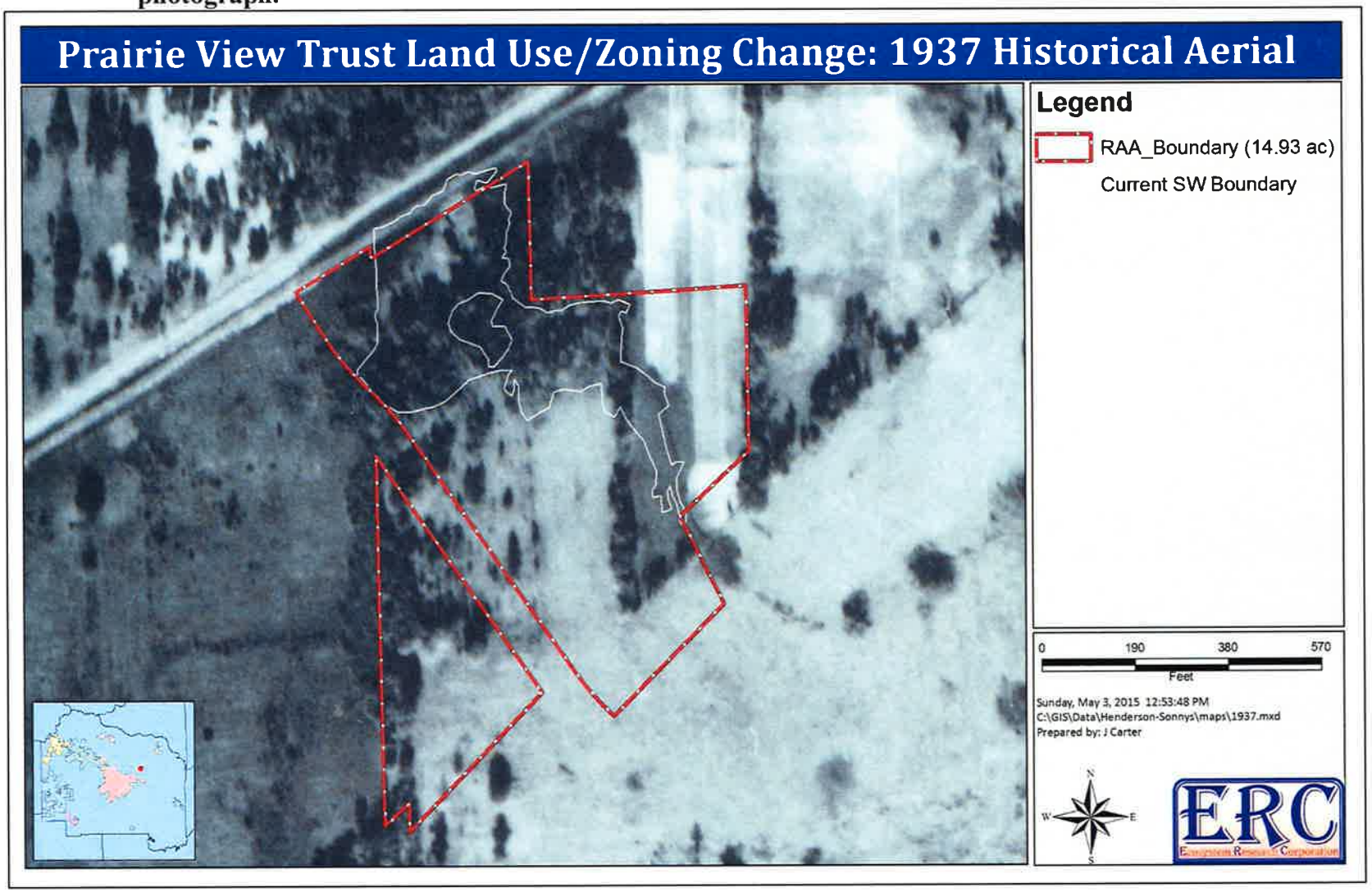

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Figure 16. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1949 aerial photograph.

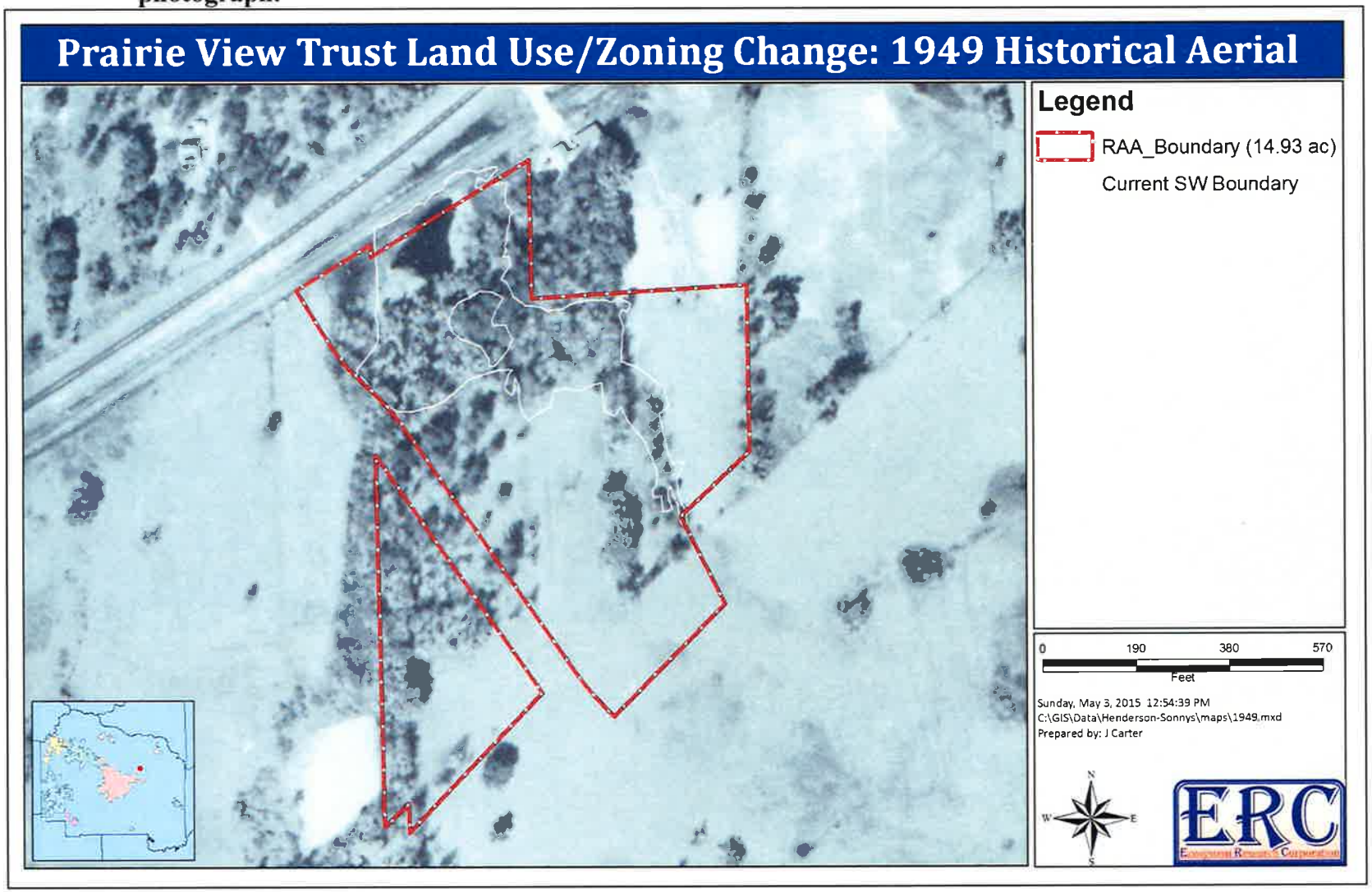

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Figure 17. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1955 aerial photograph.

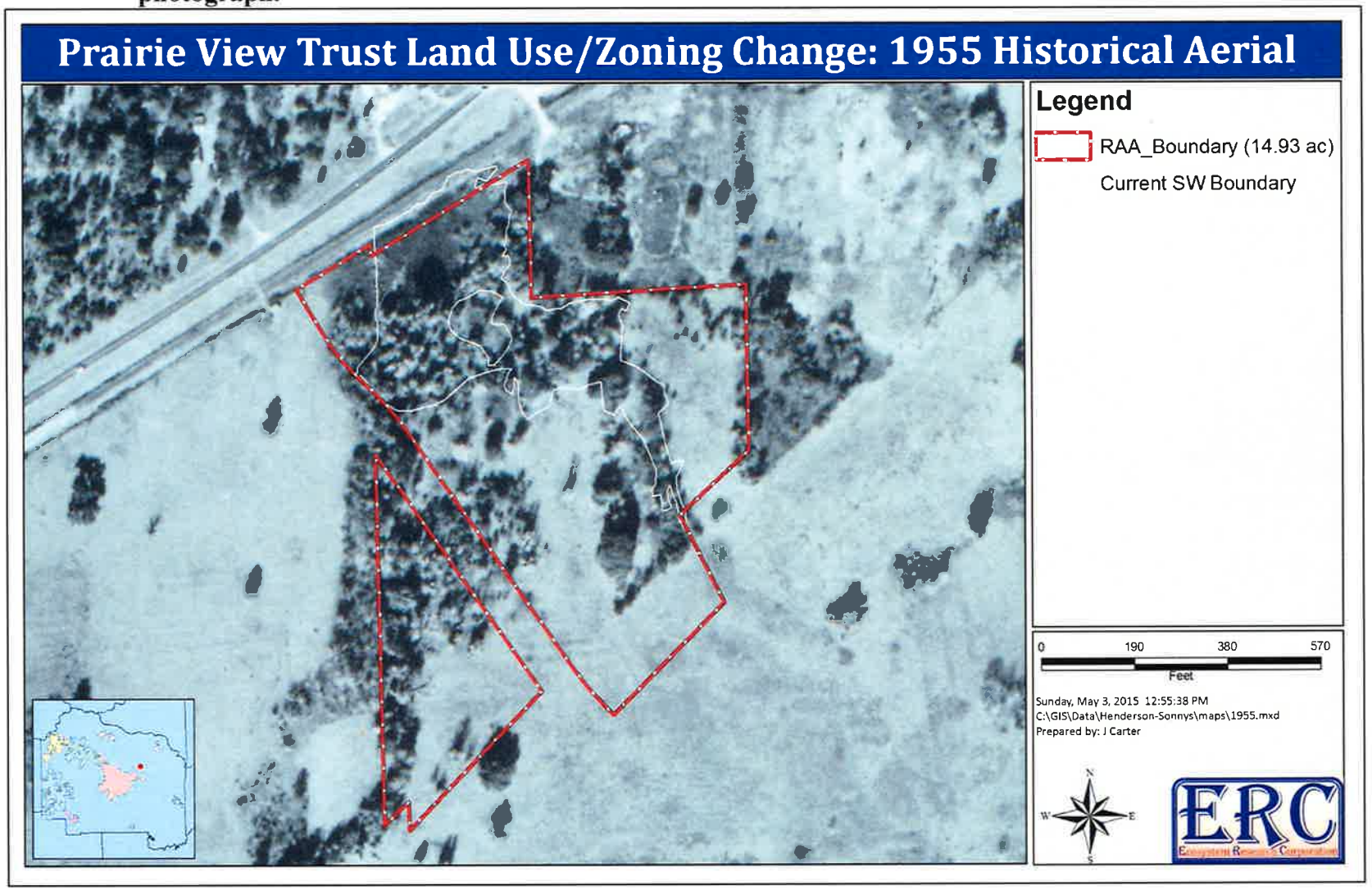

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Figure 18. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1961 aerial photograph.

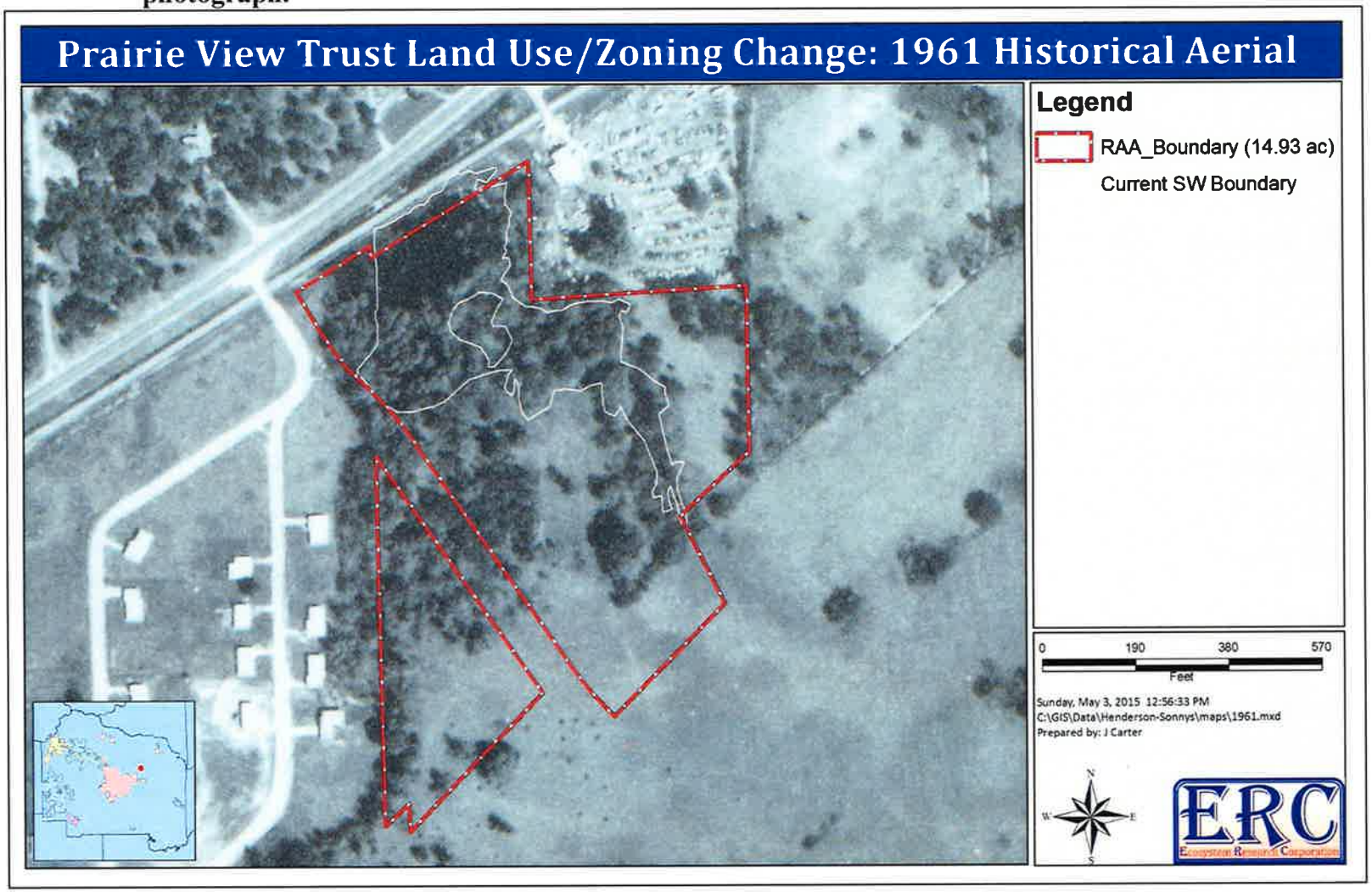

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Figure 19. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1968 aerial photograph.

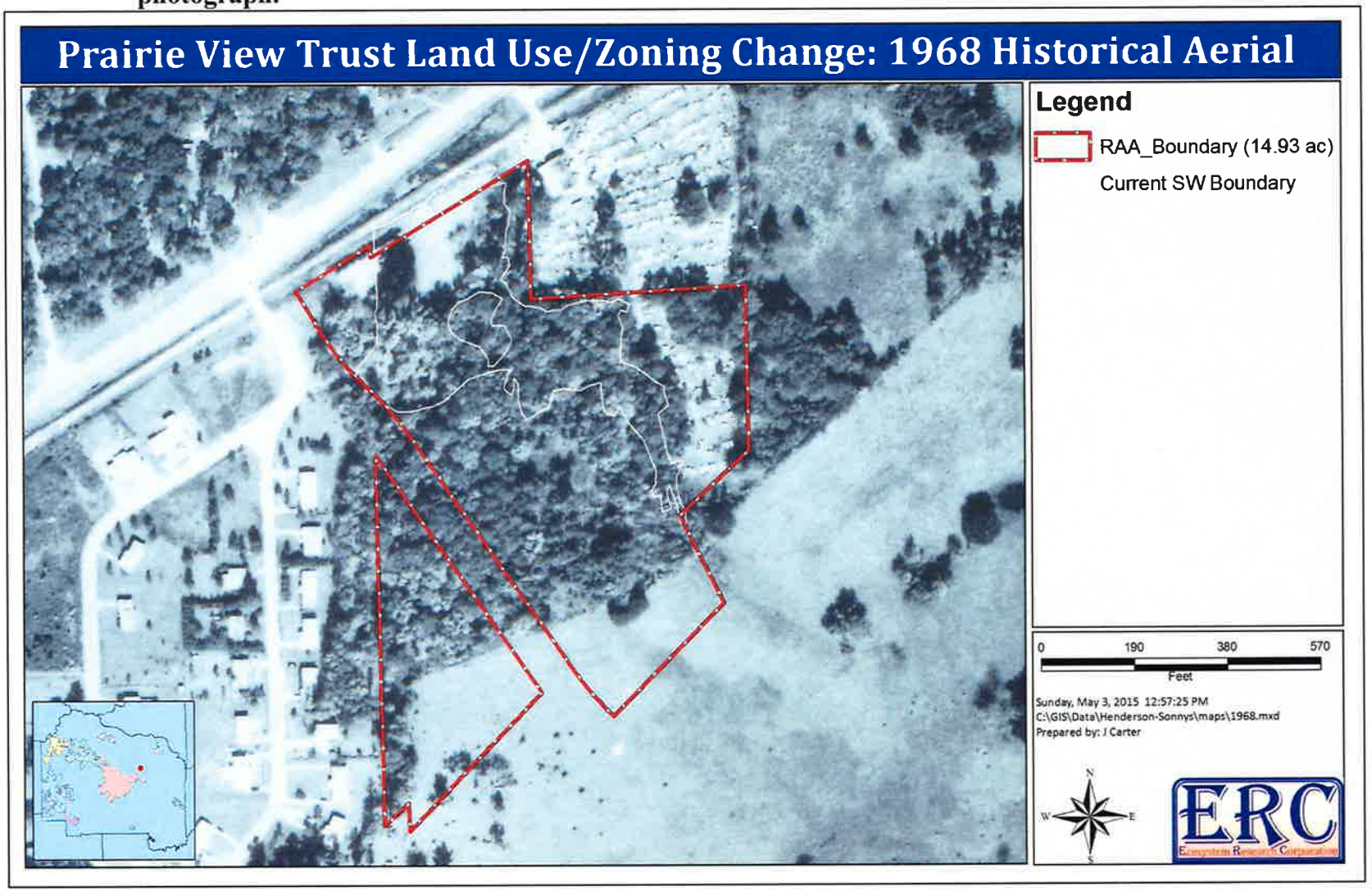

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Figure 20. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1971 aerial photograph.

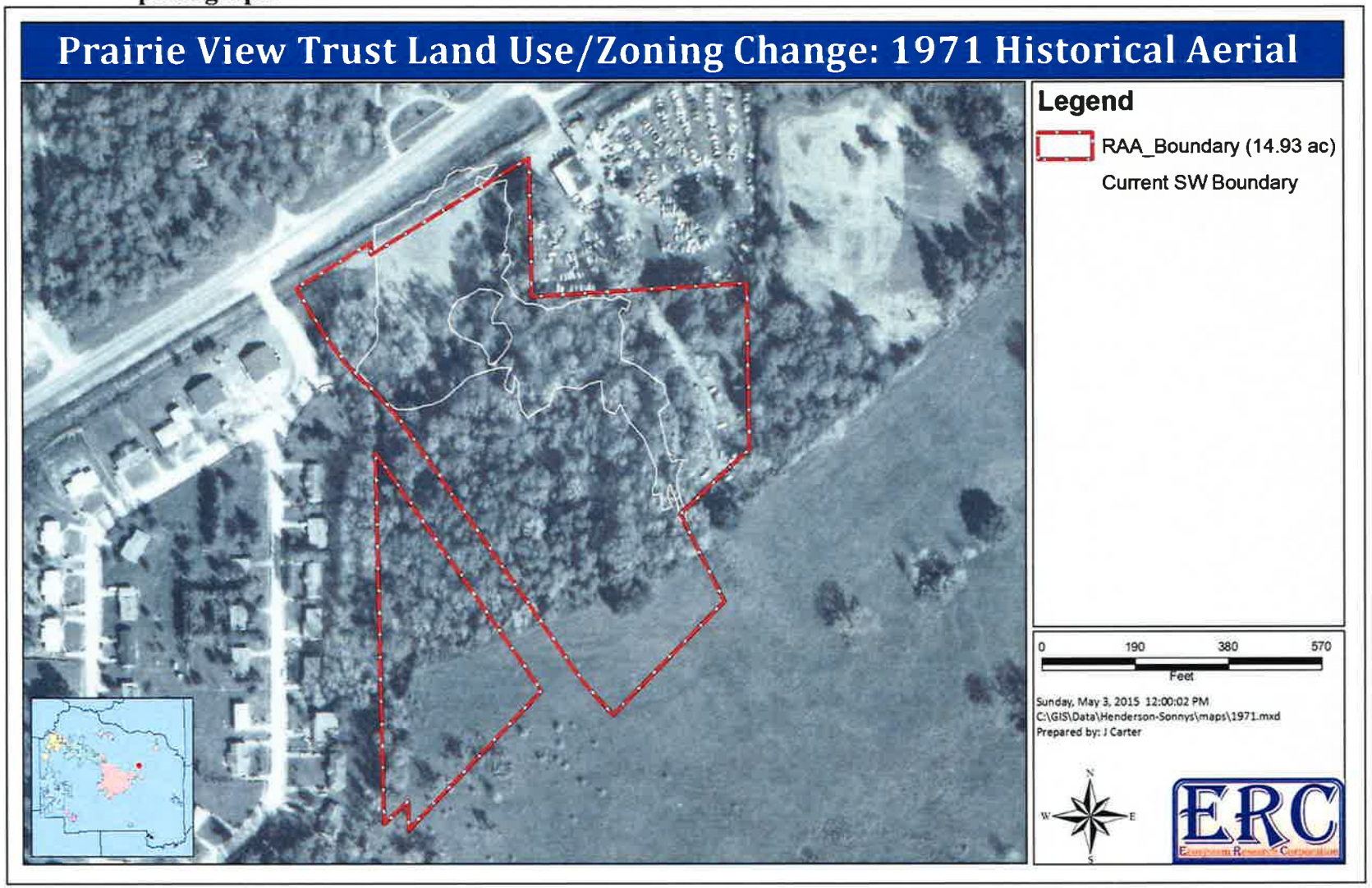

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Figure 21. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1974 aerial photograph.

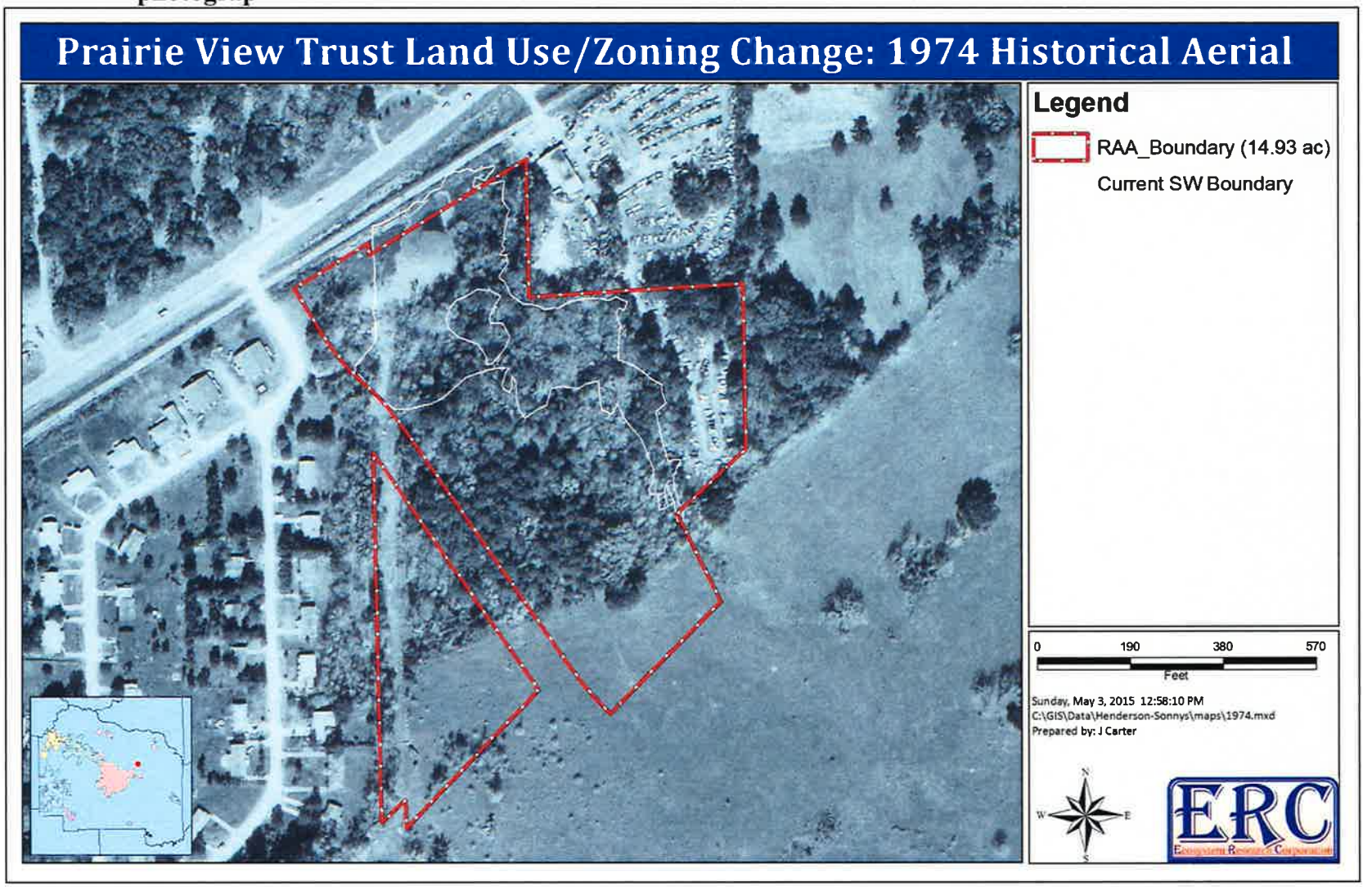

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Figure 22. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1984 aerial photograph.

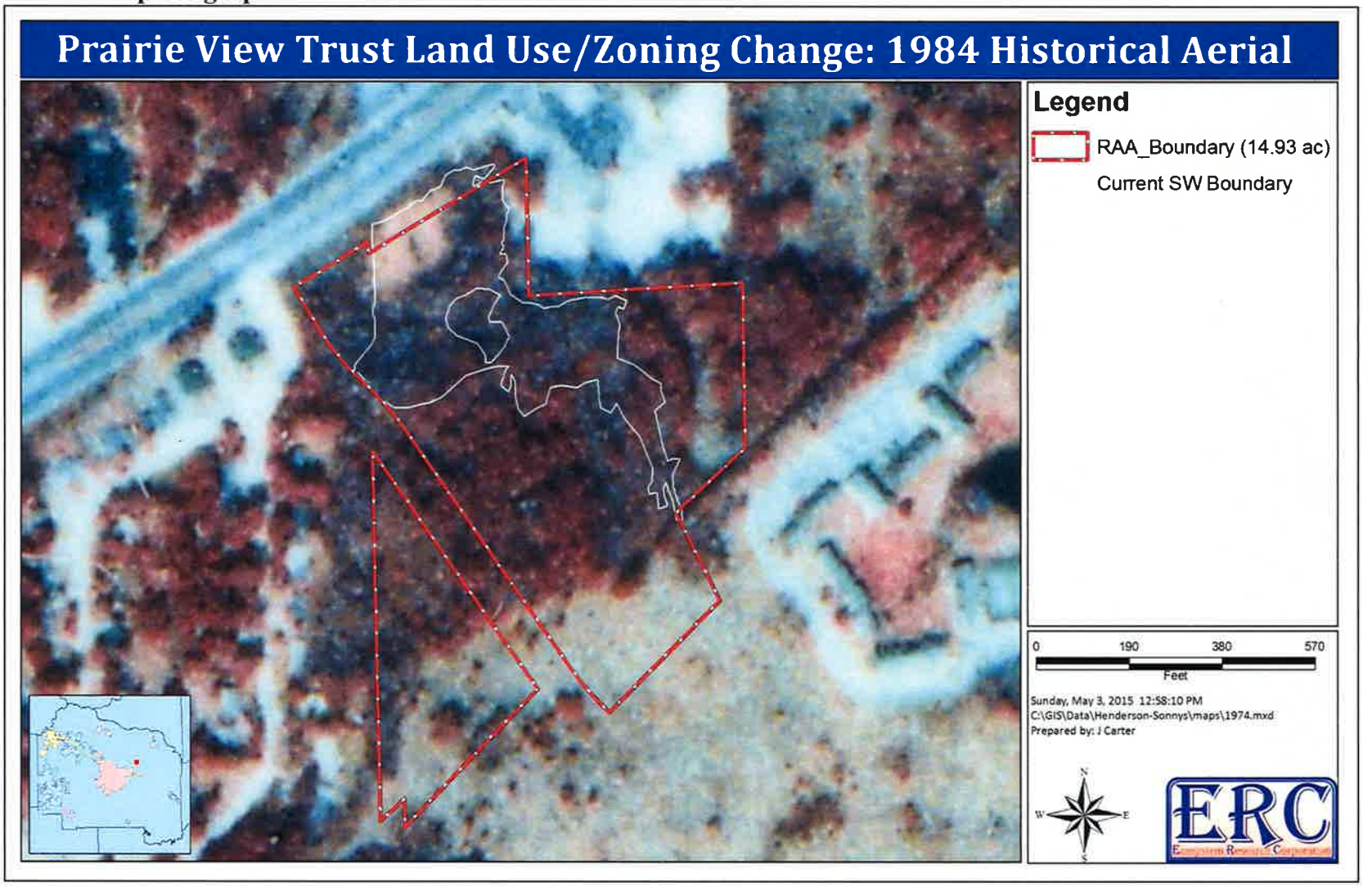

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Figure 23. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 2000 aerial photograph.

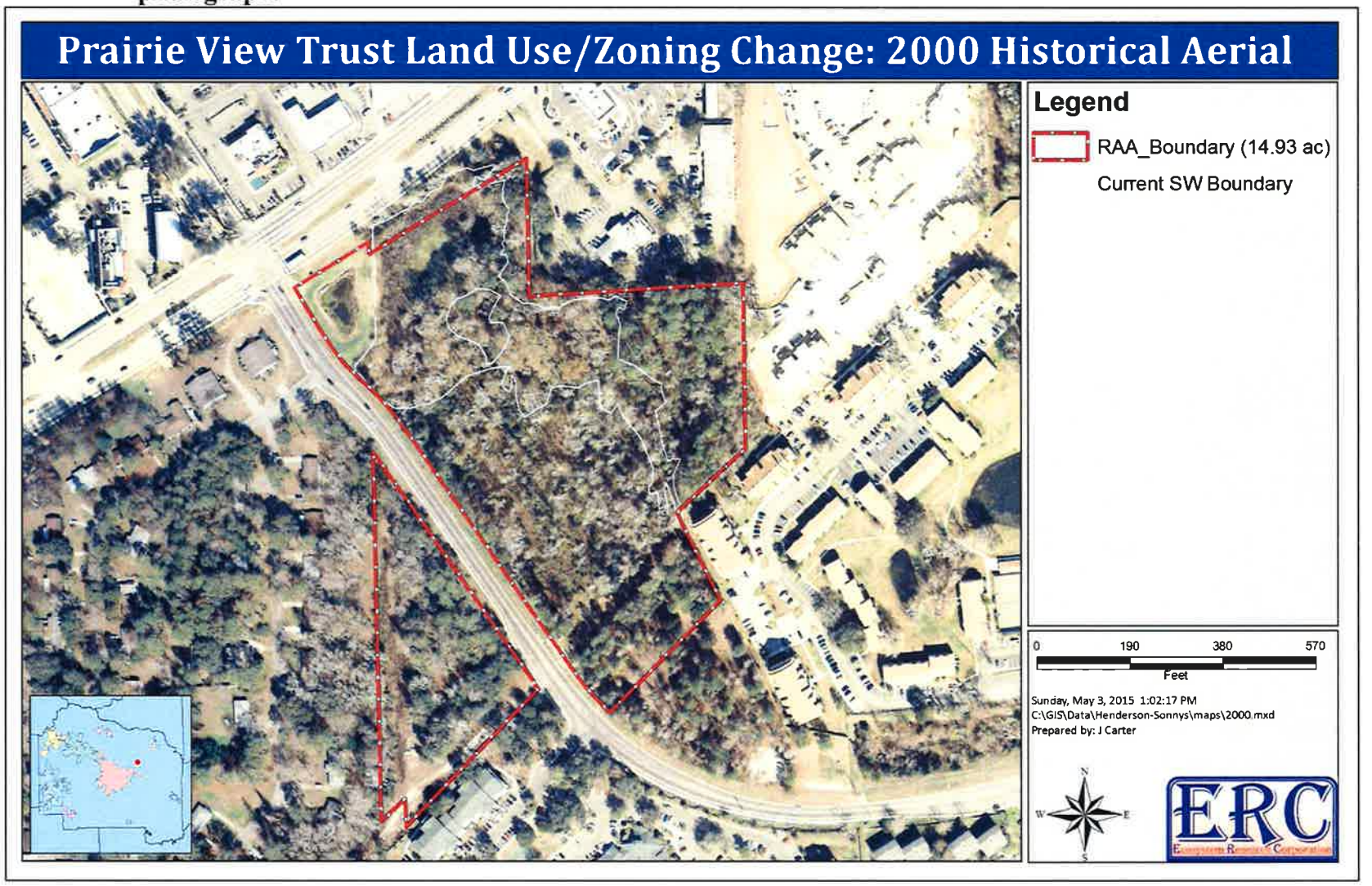

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Figure 24. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 2005 aerial photograph.

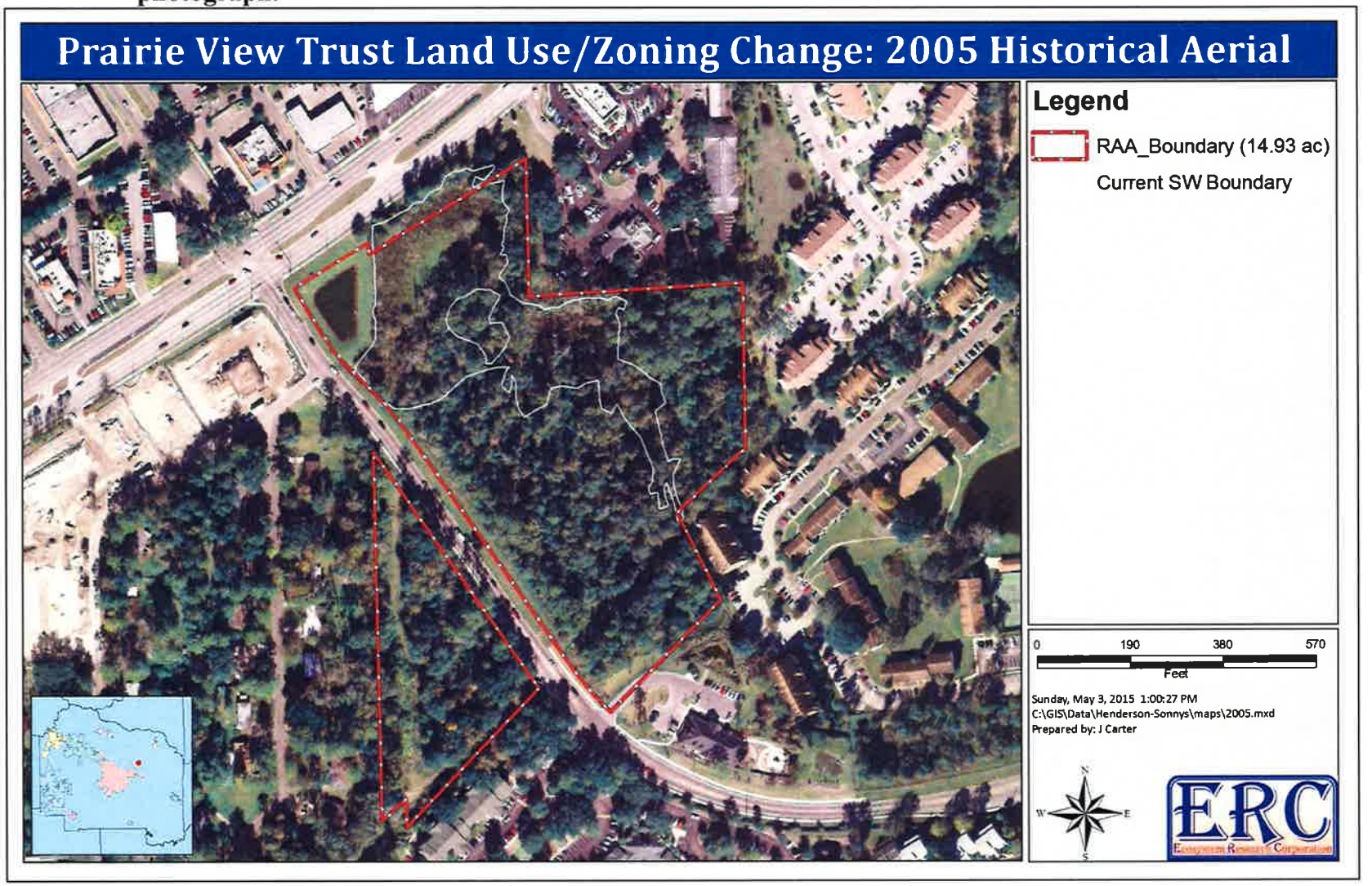

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Figure 25. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 2011 aerial photograph.

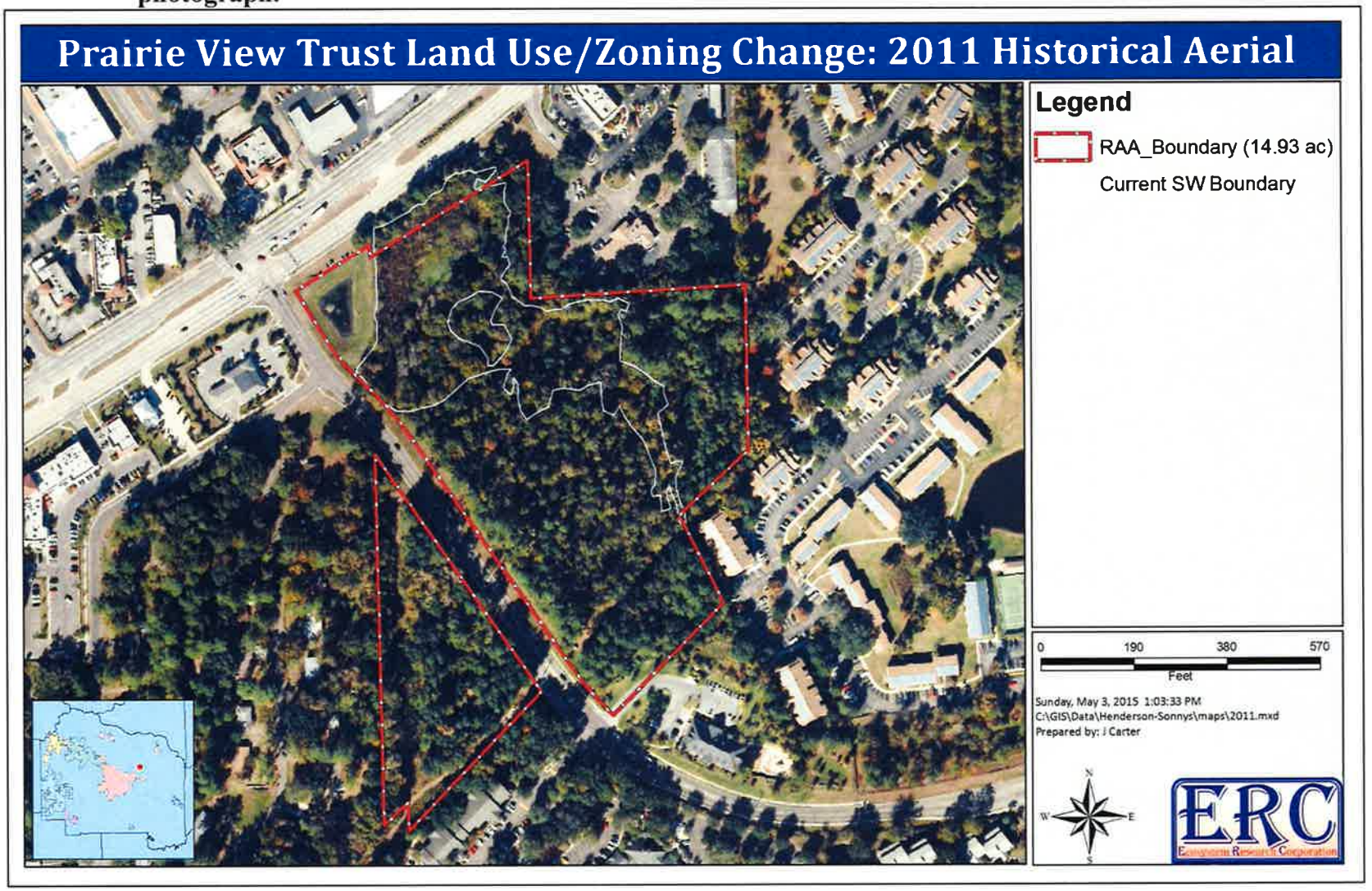

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Figure 26. General wetland areas occurring on the Resource Assessment Area and immediately surrounding area.

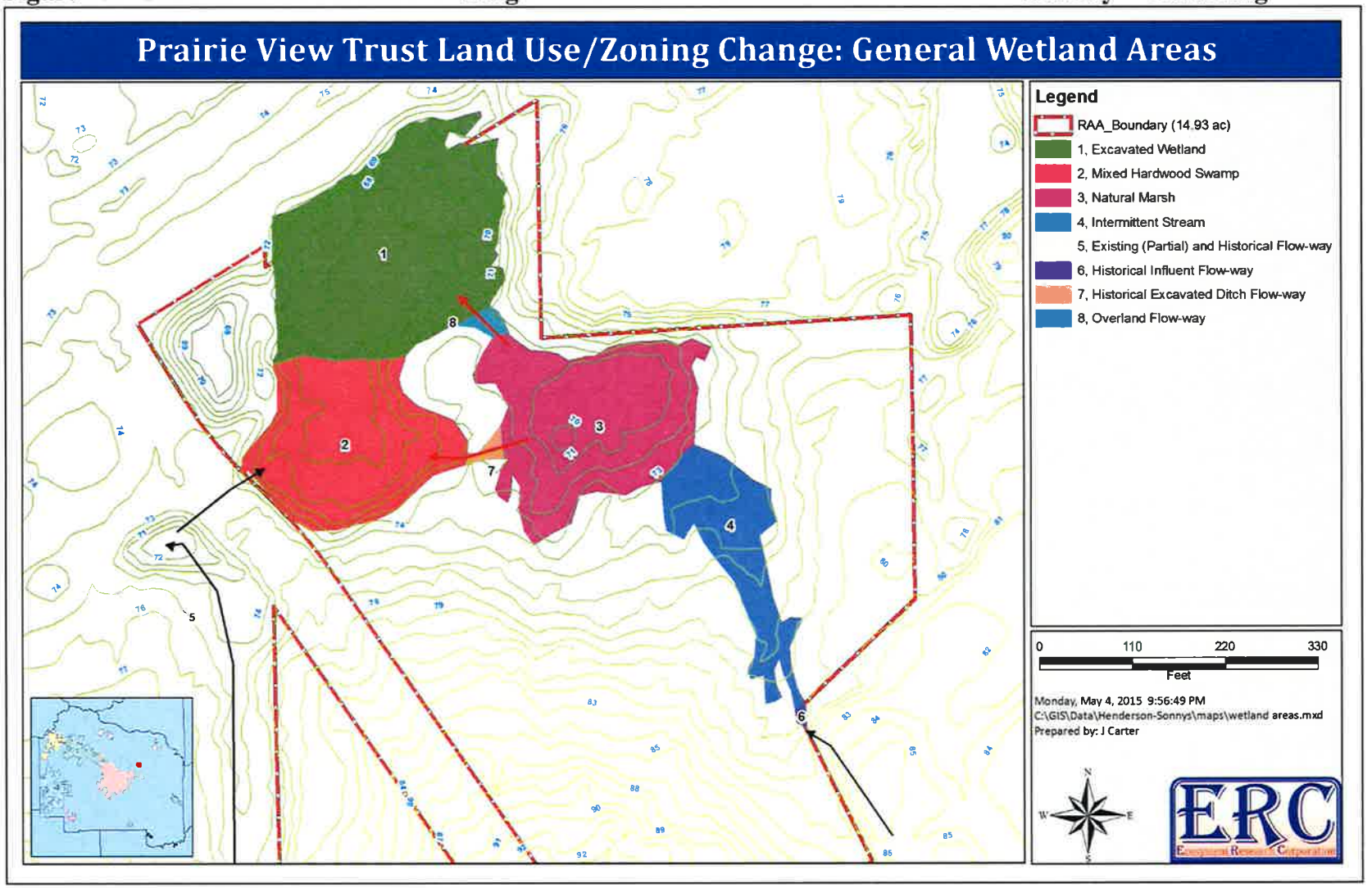

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Figure 27. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1949 aerial photograph in relation to the Alachua County LiDAR.

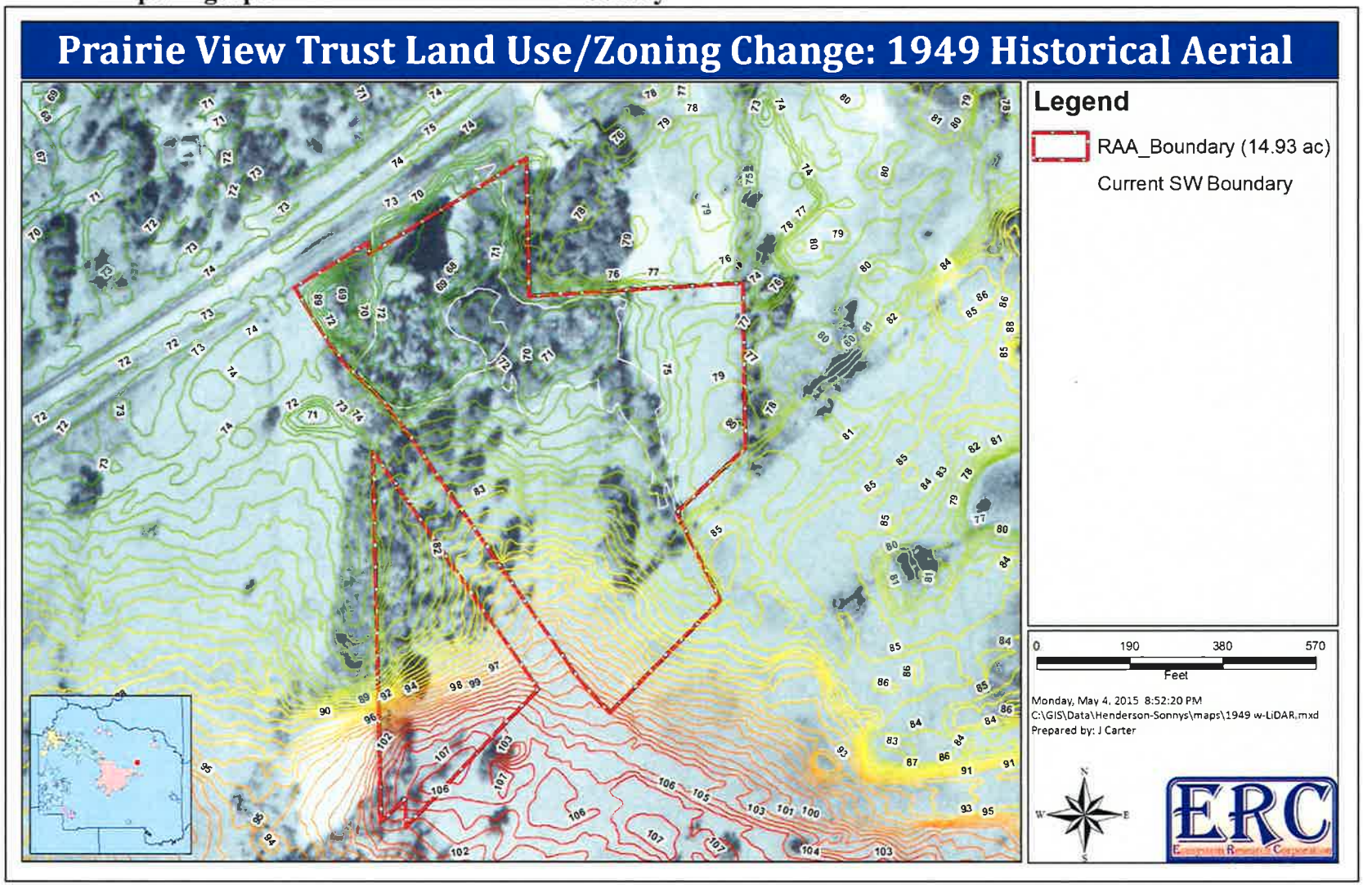

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Figure 28. Wetland and surface waters occurring on the Resource Assessment Area as shown on a 1955 aerial photograph in relation to the Alachua County LiDAR.

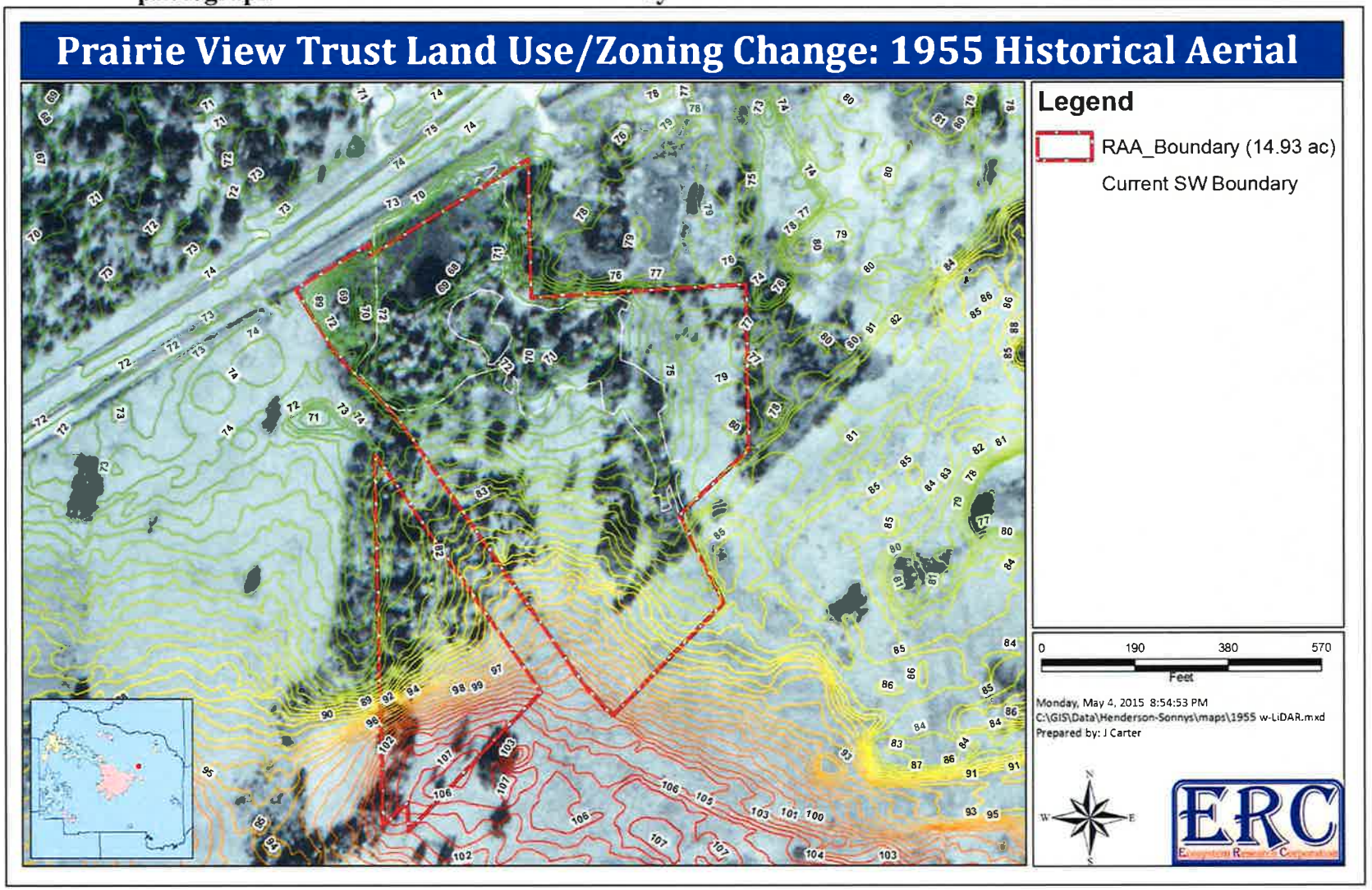

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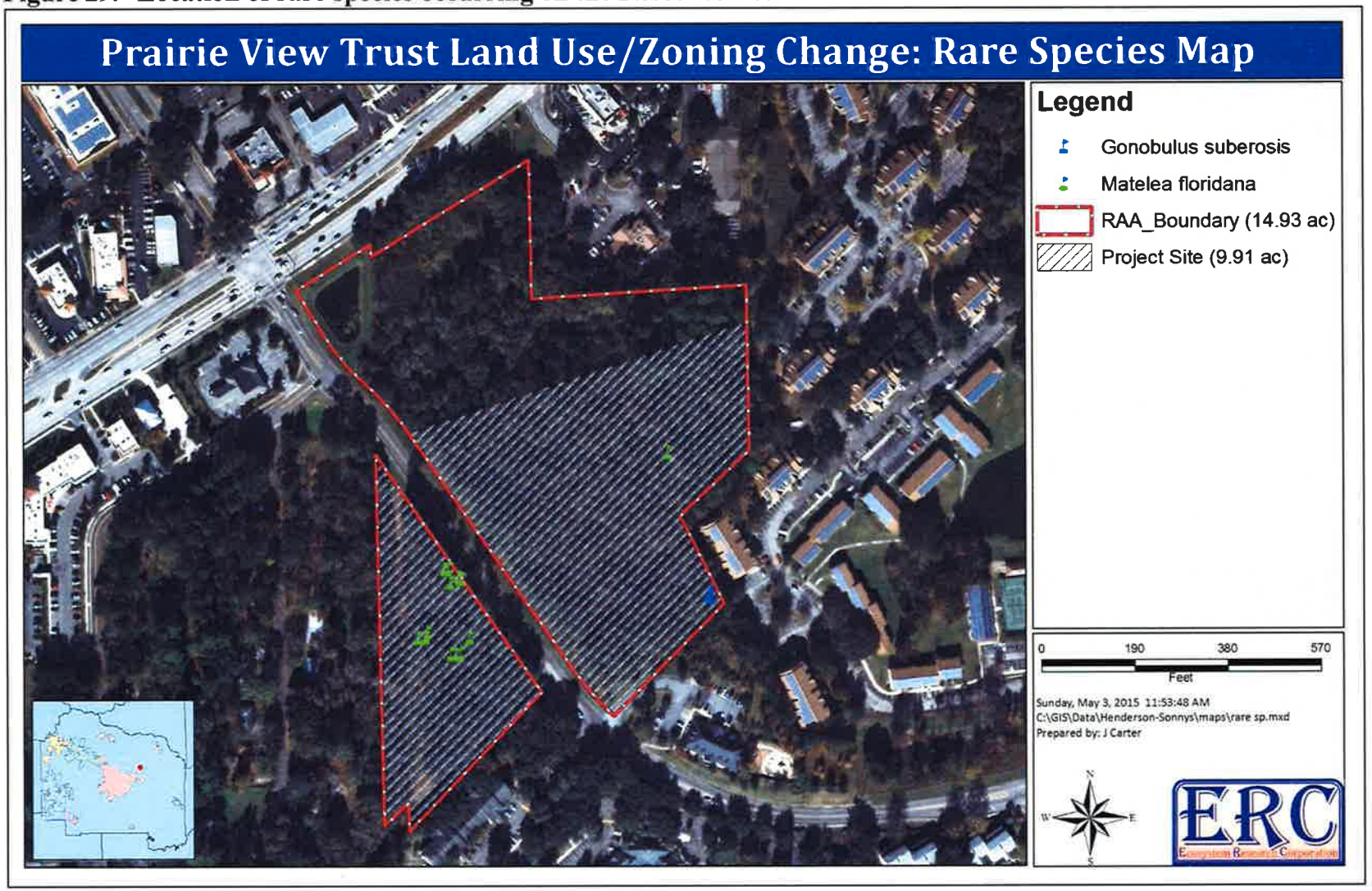
Figure 29. Location of rare species occurring on the Resource Assessment Area.



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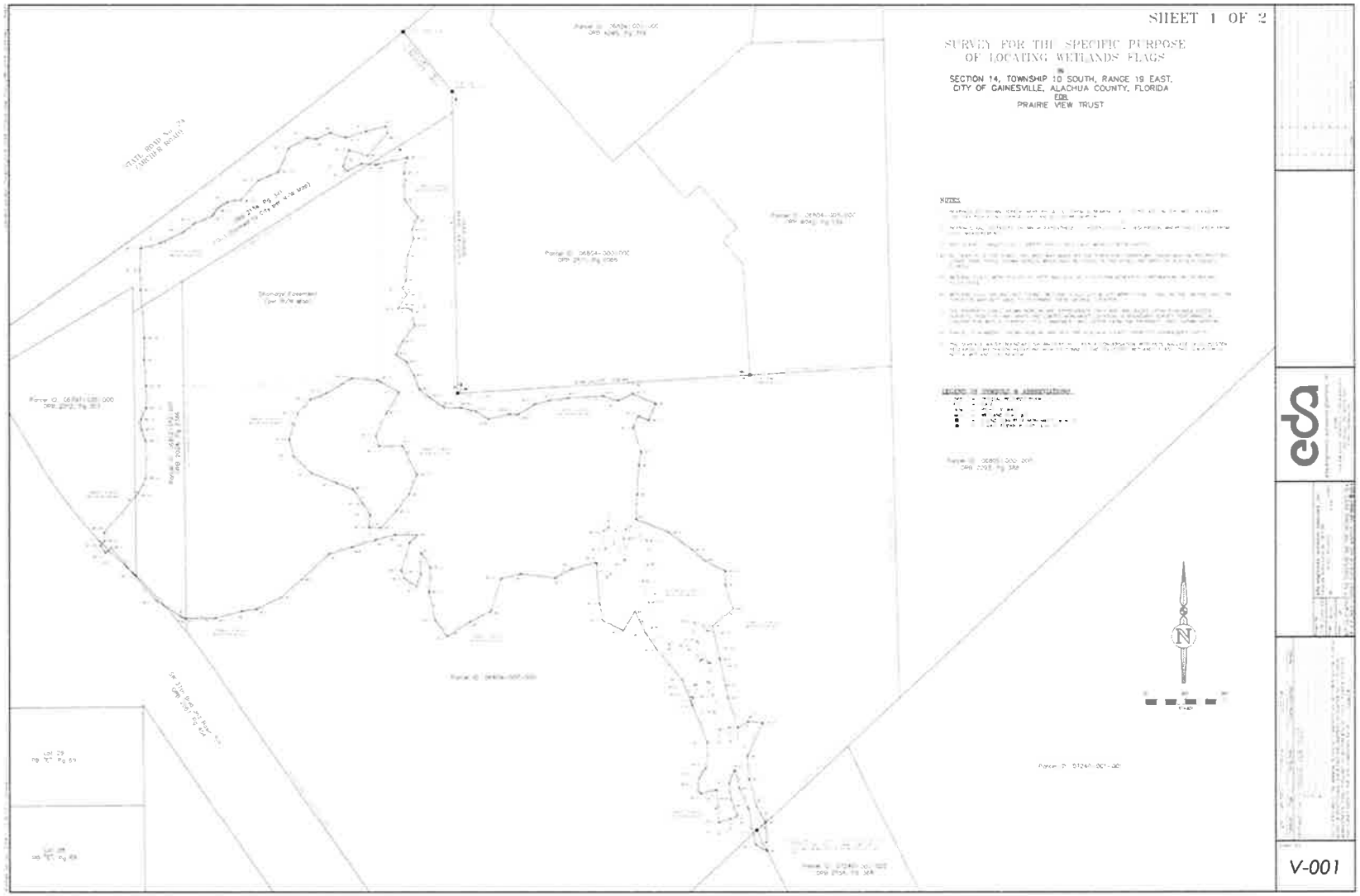
Attachment 1—Alachua County Tax Parcels Shown within the RAA in the Alachua County Tax Database

PIN	LASTNAME	Shape_Area
0		0.126734
06797-022-000	FURMAN	0.003603
06797-023-000	FURMAN	0.006484
06797-024-000	THE EMORY GROUP LLC	0.00666
06797-025-000	ZULOAGA	0.006824
06797-026-000	ARMETTA & POGUE-ARMETTA	0.007084
06797-027-000	3819 SW 37TH STREET LLC	0.00735
06797-028-000	SMITH	0.007595
06797-029-000	JBSS LLC	0.0076
06797-031-000	HENDERSON & HENDERSON TRUSTEES	0.557805
06804-000-000	SONNY'S FRANCHISE CO	0.001513
06809-000-000	PRAIRIE VIEW TRUST	11.26289
06812-011-000	CITY OF GAINESVILLE	0.128484
06812-012-000	CITY OF GAINESVILLE	0.757936
06812-012-001	HENDERSON & HENDERSON II	0.364605
07240-012-000	LSREF3 ARIZONE REO LLC	0.233164
07240-046-000	PRAIRIE VIEW TRUST	1.442559

Attachment 2—Wetland Survey



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Alachua County Public Schools

620 E. University Avenue
Gainesville, Florida 32601
www.sbac.edu
(352) 955-7880
Fax (352) 955-7255

We are committed to the success of every student!

*Facilities Department ** 3700 NE 53rd Avenue ** Gainesville, Florida 32609 ** 352-955-7400*

May 13, 2015

Dean Mimms, AICP
Lead Planner
Planning Department
City of Gainesville
Gainesville, FL

RE: **Petition PB-15-29 LUC / PB-15-30 ZON.** Review of Comprehensive Plan Amendment and Rezoning Petition including a net increase of124 multi-family dwelling units on 9.9 acres.

Dear Mr. Mimms:

A School Capacity Review for the above referenced project has been completed. The review was conducted in accordance with the City of Gainesville Public School Facilities Element as follows:

POLICY 1.1.2: Coordinating School Capacity with Planning Decisions

The City shall coordinate land use decisions with the School Board's Long Range Facilities Plans by requesting School Board review of proposed comprehensive plan amendments and rezonings that would increase residential density. This shall be done as part of a planning assessment of the impact of a development proposal on school capacity.

POLICY 1.1.3: Geographic Basis for School Capacity Planning.

For purposes of coordinating land use decisions with school capacity planning, the SCSAs that are established for high, middle and elementary schools as part of the Interlocal Agreement for Public School Facility Planning shall be used for school capacity planning. For purposes of this planning assessment, existing or planned capacity in adjacent SCSAs shall not be considered.

POLICY 1.1.5: SBAC Report to City

The School Board shall report its findings and recommendations regarding the land use decision to the City. If the SBAC determines that capacity is insufficient to support the proposed land use decision, the SBAC shall include its recommendations to remedy the capacity deficiency including estimated cost and financial feasibility. The School Board shall forward the Report to all municipalities within the County.

POLICY 1.1.6 City to Consider SBAC Report

The City shall consider and review the School Board's comments and findings regarding the availability of school capacity in the evaluation of land use decisions.

This review does not constitute a "concurrency determination" and may not be construed to relieve the development of such review at the final subdivision or final site plan stages as by the City of Gainesville Comprehensive Plan. It is intended to provide an assessment of the relationship between the project proposed and school capacity – both existing and planned.

The **Petition PB-15-29 LUC / PB-15-30 ZON** consists of 124 multi-family units.

Table 1: Petition PB-15-29 LUC / PB-15-30 ZON – Projected Student Generation at Buildout

	Elementary	Middle	High	Total
Single Family	**0**			
Multiplier	0.159	0.080	0.112	0.351
Students				
Multi Family	**124**			
Multiplier	.042	.016	.019	0.077
Students	5	2	2	9
Total Students*	**5**	**2**	**2**	**9**

Elementary Schools. The **Petition PB-15-29 LUC / PB-15-30 ZON** is situated in the South Gainesville Concurrency Service Area. The South Gainesville Concurrency Service Area currently provides a capacity of 2,351 seats. The current enrollment is 2,540 students representing a 108% utilization compared to an adopted LOS standard of 100%.

Student generation estimates for the **Petition PB-15-29 LUC / PB-15-30 ZON** indicate that 5 elementary seats would be required at buildout. Based on capacity and level of service projections the South Gainesville Concurrency Service Area is currently deficient. The school district is currently reviewing options for resolving level of service issues in this CSA.

Middle Schools. The **Petition PB-15-29 LUC / PB-15-30 ZON** is situated in the Kanapaha Concurrency Service Area. The Kanapaha Concurrency Service Area provides a capacity of 1,113 seats. The current enrollment is 991 students representing a 89% utilization compared to an adopted LOS standard of 100%.

No new capacity is planned for the Kanapaha Concurrency Service Area during the five, ten and twenty year planning periods.

Student generation estimates for the **Petition PB-15-29 LUC / PB-15-30 ZON** indicate that 2 middle seats would be required at buildout. Capacity and level of service projections indicate that this demand can be reasonably accommodated during the five, ten and twenty year planning period.

High Schools. The **Petition PB-15-29 LUC / PB-15-30 ZON** is situated in the Gainesville Concurrency Service Area. The Gainesville Concurrency Service Area currently has a capacity of 2,170 seats. The current enrollment is 1,832 students representing a 84% utilization compared to an adopted LOS standard of 100%..

Student generation estimates for the **Petition PB-15-29 LUC / PB-15-30 ZON** indicate that 2 high school seat would be required at buildout. Capacity and level of service projections indicate that this demand can be reasonably accommodated during the five, ten and twenty year planning period.

Summary Conclusion. Students generated by the **Petition PB-15-29 LUC / PB-15-30 ZON** at the middle and high levels can be reasonably accommodated for the five, ten and twenty year planning periods.

The South Gainesville Concurrency Service Area (elementary) is currently deficient and no capacity enhancements are planned or programmed. The status of this CSA is currently under review.

This evaluation is based on best projections and upon the 2014-2015 Five Year District Facilities Plan adopted by the School Board of Alachua County. The **Petition PB-15-29 LUC / PB-15-30 ZON** project is subject to concurrency review and determination at the final site plan for multi-family and the availability of school capacity at the time of such review.

If you have any questions, please contact this office.

Regards,

Vicki McGrath

CC: Gene Boles