



**City of Gainesville  
Department of Doing  
Planning Division**

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## CITY PLAN BOARD STAFF REPORT

**PUBLIC HEARING DATE:** October 24, 2019

**ITEM NO:** 5

**PROJECT NAME AND NUMBER:** Henderson Property, PB-19-107 LUC

**APPLICATION TYPE:** Small-scale Comprehensive Plan Amendment ([Legislative](#))

**CITY PROJECT CONTACT:** Bedez E. Massey, Planner

**RECOMMENDATION:** Approve



**Figure 1. Location Map**

## APPLICATION INFORMATION:

**Agent/Applicant:** City of Gainesville, Florida

**Property Owner(s):** Henderson & Henderson II CO-T

**Related Petition(s):** PB-19-108 ZON: City of Gainesville. Rezone property from Alachua County Agricultural (A) to City of Gainesville Business Industrial (BI). Generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41<sup>st</sup> Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75<sup>th</sup> Street.

**Legislative History:** Ordinance No. 160216: An ordinance of the City of Gainesville, Florida, annexing approximately 100 acres of city-owned and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41<sup>st</sup> Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75<sup>th</sup> Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City Commission Action on February 16, 2017 – Approved (Vote: Aye-6; Absent-1)*

**Neighborhood Workshop(s):** N/A (See Exhibit B-1.)

## SITE INFORMATION:

**Address:** Generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41<sup>st</sup> Boulevard and Interstate 75 (I-75), north of SW Williston Road, and east of SW 75<sup>th</sup> Street

**Parcel Number:** 07245-003-000

**Acreage:** ±4.4

**Existing Use:** Vacant

**Future Land Use Category:** Alachua County Light Industrial

**Zoning District:** Alachua County Agricultural (A)

**Overlay District:** None

**Transportation Mobility Program Area (TMPA):** Zone D (to be assigned when designated a City future land use category)

**Census Tract:** 22.20

**Water Management District:** St. Johns River Water Management District

**Special Feature:** Fred Bear Hammock Strategic Ecosystem

**Annexed:** February 16, 2017

**Code Violations:** There are no open cases.

## PURPOSE AND DESCRIPTION:

The subject property (see Figure 1) is one of 16 tax parcels, and part of approximately 100 acres, the City of Gainesville voluntarily annexed as part of the "Finley Woods Area Annexation" (see Exhibit C-2). It is currently undeveloped, wooded land that is located south of SW Archer Road; north of SW Williston Road; west of Interstate 75; and east of SW 75<sup>th</sup> Street. The boundaries of the subject property fall within the Fred Bear Hammock strategic ecosystem, where there are significant natural resources that include uplands and wetlands. The subject property is also landlocked with no direct access to public right-of-way.

According to State and local laws, the Alachua County land use, zoning and subdivision regulations remain in effect on annexed property until the City amends its Comprehensive Plan (see Exhibit A-1 and C-3). Therefore, this City-initiated petition is to amend the Future Land Use Map of the City's Comprehensive Plan in order to apply a City future land use category to the subject property. The specific request is to approve a small-scale land use amendment application to change the future land use category on the subject property from Alachua County Light Industrial to City of Gainesville Industrial (IND). Details of these future land use categories are provided with this report (see Table 1, Figures 2 and 3, and Exhibits A-2 and C-4). A City-initiated request to change the zoning on the subject property from Alachua County Agricultural (A) to City of Gainesville Business Industrial (BI) is filed concurrently under Petition PB-19-108 ZON.

**Table 1. Proposed Land Use Change (in acres)**

Future Land Use Category	Description	Existing Acres	Proposed Acres
Light Industrial	Alachua County Light Industrial	±4.4	0
IND	City of Gainesville Industrial (IND)	0	±4.4
	<b>Total Acres</b>	<b>±4.4</b>	<b>±4.4</b>

Note: The data in Table 1 was obtained from the following sources: City of Gainesville, Department of Doing, Geographic Information Systems (GIS), August 2019; Alachua County Property Appraiser's Office, August 2019; and City of Gainesville, Ordinance No.160216 (adoption date: February 16, 2017).

## ADJACENT PROPERTY CHARACTERISTICS:

The subject property lies adjacent to large tracts of land that are located within the future land use categories and zoning districts indicated in Table 2. The abutting properties on the north and east are within the Fred Bear Hammock strategic ecosystem, where there are significant natural resources that include uplands and wetlands. The abutting properties on the west and southwest are part of the Finley Woods Planned Development (PD), which is approved for residential land use. Directly south of the subject property is agricultural land that contains a single-family dwelling, but is mostly vacant.

The area surrounding the subject property is serviced with solid waste collection, police and fire protection, transportation facilities and other public services. The nearest city bus routes are Regional Transit System (RTS) Routes 35 and 36, which are located on the east side of Interstate 75. The surrounding area also has Gainesville Regional Utilities (GRU) utilities available for an extension of services to the subject property.

**Table 2. Use of Adjacent Property by Future Land Use Category and Zoning District**

	<b>Existing Use(s)</b>	<b>Future Land Use Category</b>	<b>Zoning District</b>
<b>North</b>	Vacant	Business Industrial (BI)	Business Industrial (BI)
<b>South</b>	Vacant / Residential	Light Industrial (Alachua County) / Planned Use District (PUD)	Agricultural (A) (Alachua County) / Planned Development (PD)
<b>East</b>	Vacant	Light Industrial (Alachua County)	Agricultural (A) (Alachua County)
<b>West</b>	Residential	Planned Use District (PUD)	Planned Development (PD)

*Note:* The data in Table 2 was obtained from the following sources: City of Gainesville, Department of Doing, Planning Division, Field Survey, 2019; City of Gainesville, Department of Doing, Geographic Information Systems (GIS), August 2019; <http://www.org/PlanningDepartment/MappingandGIS/MapLibrary.aspx>; and Alachua County, Growth Management Department, Geographic Information Systems (GIS), August 2019, <<https://growth-management.alachuaCounty.us/gis>>.

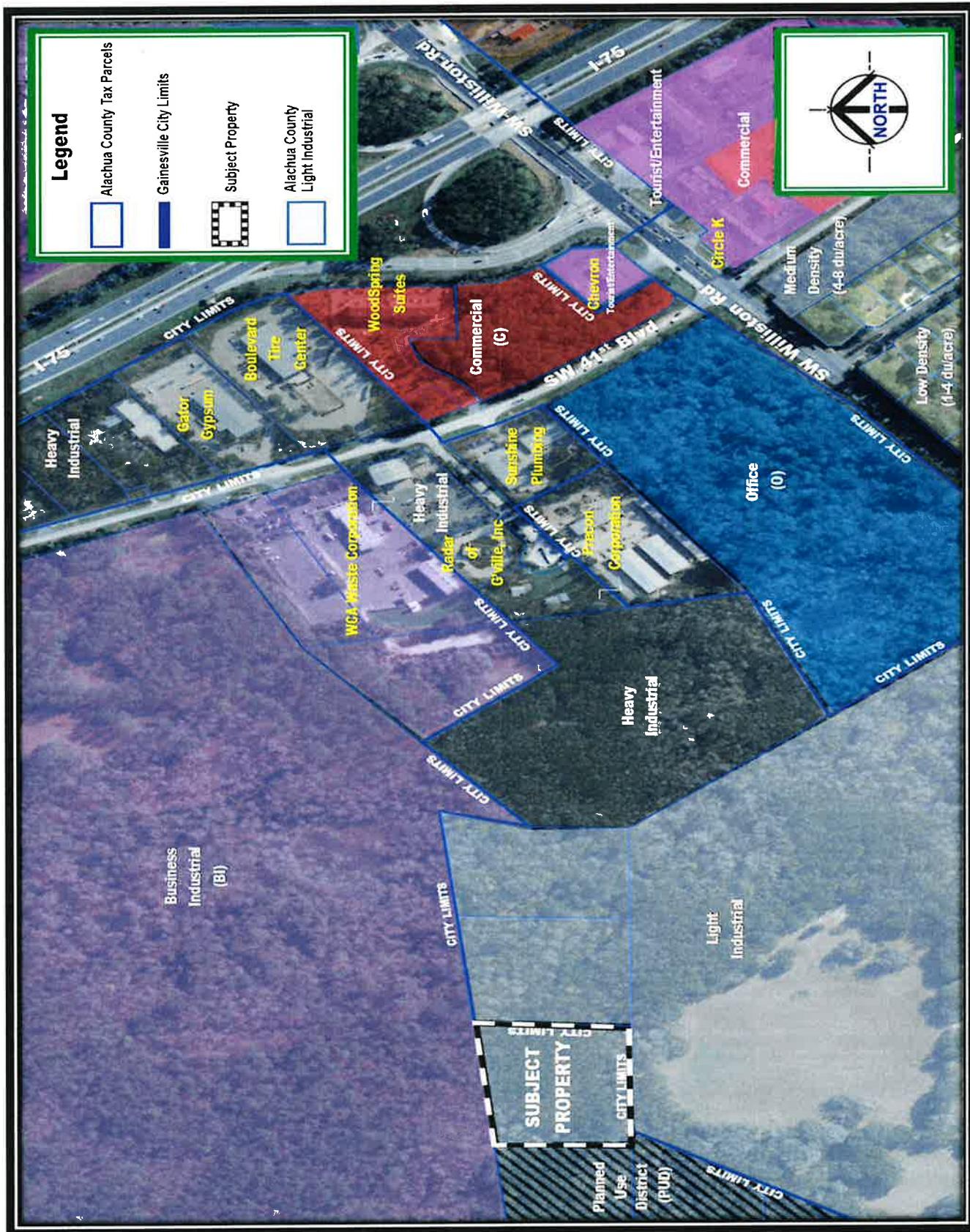


Figure 2. Future Land Use Category (Existing)

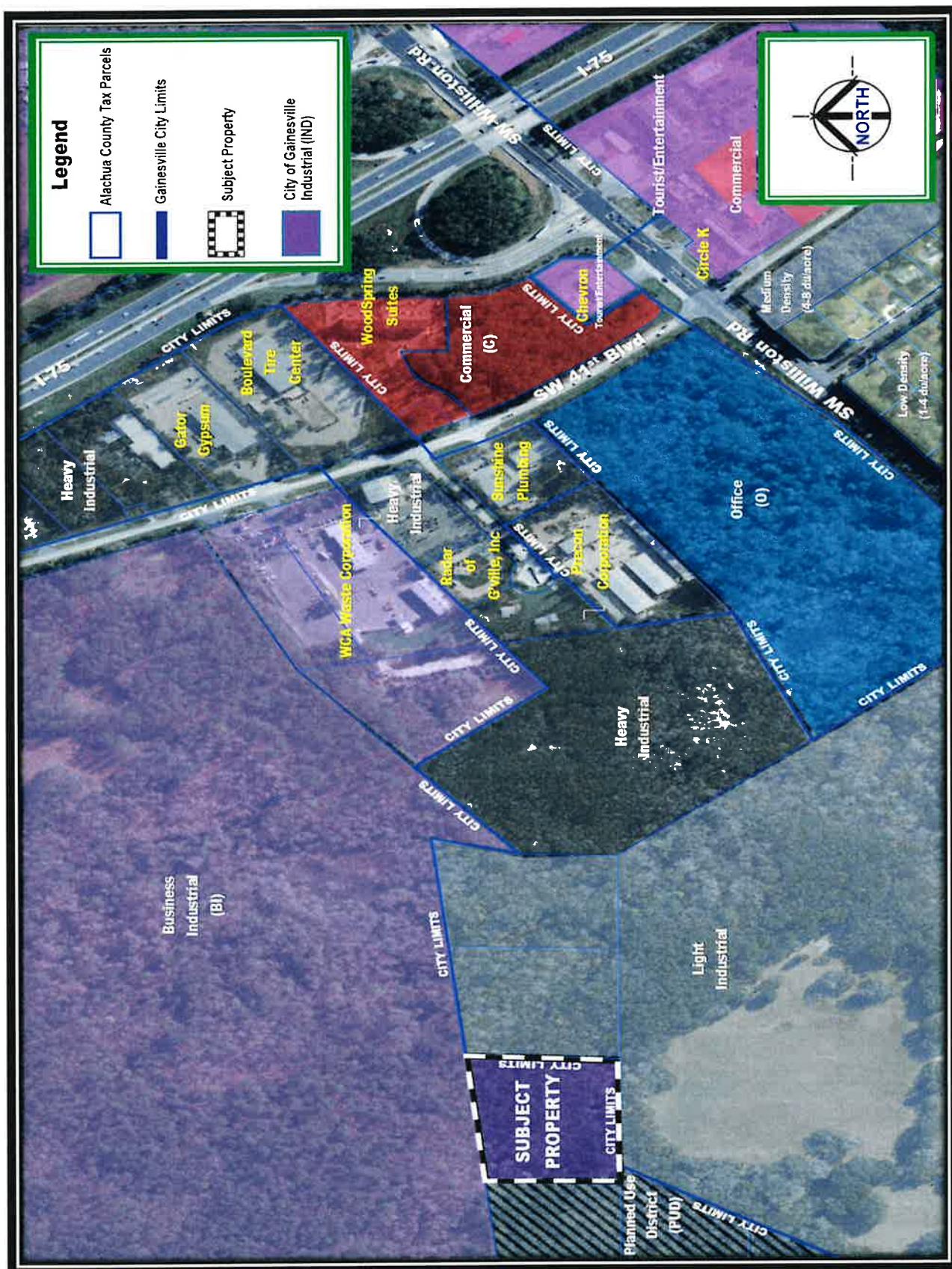


Figure 3. Future Land Use Category (Proposed)

## STAFF ANALYSIS AND RECOMMENDATION:

### ANALYSIS

Discussed below are the following factors the City shall consider in reviewing proposed changes to the Future Land Use Map.

#### 1. Consistency with the Comprehensive Plan

This application is consistent with the Comprehensive Plan, as stated in the finding for the following goals, objectives and policies:

##### Future Land Use Element

**GOAL 1** **IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.**

**Finding:** This application will increase the number of locations approved for industrial activity within the City. The Business Industrial (BI) zoning district proposed in the companion rezoning application permits a mixture of uses, and the proposed location is proximate to other uses that support and complement industrial activity. Transportation facilities, such as Interstate 75, SW Williston Road and Regional Transit System (RTS) Routes 35 and 36, are also nearby to support vehicular and pedestrian access.

**Objective 4.1** **The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.**

**Finding:** Based on the data provided in Table 4, this application will increase the acreage allowed to have industrial land use within the City. The Business Industrial (BI) zoning district proposed in the companion rezoning application requires no maximum lot coverage, which can facilitate development that is physically suitable for the subject property and surrounding area.

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

##### **Industrial (IND)**

**The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary uses. Other uses may be allowed in this land use category as specified in an adopted ordinance rezoning property to Planned Development District (PD). 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.

**Objective 4.6** The City's Land Development Code shall provide a regulating mechanism to ensure consistency between the land use categories established in this Future Land Use Element and the zoning districts established in the Land Development Code.

**Finding:** As part of the companion rezoning application, the land development regulations of the proposed Business Industrial (BI) zoning district will ensure consistency between future development on the subject property and Future Land Use Element, Policy 4.1.1.

**Policy 3.6.1** The City's land development regulations shall require submission of soils and topographic information with any application for developments that require site plan approval or a septic tank permit. The review of development applications shall ensure that the proposed development adequately addresses the particular site conditions.

**Finding:** The allowed uses in the proposed Industrial (IND) future land use category must adhere to the implementing land development regulations of the proposed Business Industrial (BI) zoning district. These land development regulations are written to ensure environmental features, such as wetlands, creeks, lakes, sinkholes, and soils, are not endangered. They also require the submission of an environmental mitigation plan for impacted environmental areas and other reports, as necessary.

### Transportation Element

**Objective 3.1** Establish land use designations and encourage development plans that reduce vehicle miles traveled and are transit supportive.

**Finding:** This application will place the proposed Industrial (IND) future land use category in close proximity to major transportation corridors (i.e., Interstate-75 and SW Williston Road), which will help to reduce travel time and associated costs for allowable uses. The allowable uses that generate employment can create ridership for the nearest city bus routes, which are Regional Transit System (RTS) Routes 35 and 36.

### Conservation Element

**GOAL 2** MITIGATE THE EFFECTS OF GROWTH AND DEVELOPMENT ON ENVIRONMENTAL RESOURCES.

**Policy 2.4.8** The City shall coordinate with Alachua County, the U.S. Fish & Wildlife Service, the Florida Fish & Wildlife Conservation Commission, and the Florida Natural Areas Inventory to conserve environmentally significant natural communities. Such coordination may include the submittal of relevant land development proposals to these entities for comment and recommendation.

**Finding:** The Industrial (IND) future land use category is proposed on property that is partially within the Fred Bear Hammock strategic ecosystem. The natural resource regulations in the proposed Business Industrial (BI) zoning district require coordination among various agencies to ensure new development is designed to protect strategic ecosystems.

## 2. Compatibility and surrounding land uses

The Industrial (IND) future land use category is proposed on undeveloped land that abuts the Finley Woods Planned Development (PD). Finley Woods has a Planned Use District (PUD) future land use overlay

category that allows a mixture of residential housing types. The other abutting properties have an industrial future land use category, which is consistent with what is proposed on the subject property (see Table 2).

The proposed Business Industrial (B1) zoning district will protect the abutting land uses through land development regulations that control use, height, access, building setbacks, landscaping, lighting, screening and stormwater management. Development within the BI zoning district must also conform to the City's performance standards for noise, waste disposal, fire and explosion hazards, radiation, vibration, sound, air and toxics.

### 3. Environmental impacts and constraints

The proposed Industrial (IND) future land use category supports the environmental regulations of the proposed Business Industrial (BI) zoning district. These environmental regulations require set-asides for the protection of all regulated natural and archaeological resources, including the uplands and wetlands in the Fred Bear Hammock strategic ecosystem.

### 4. Support for urban infill and/or redevelopment

This application will support urban infill by allowing industrial land use on vacant property within a recently annexed portion of the City that is mostly developed. This application also involves property located near major transportation corridors and other properties with industrial land use categories, which can help reduce traffic and related costs.

### 5. Impacts on affordable housing

This application will have de minimis impact on affordable housing. The current Alachua County Light Industrial land use and Agricultural (A) zoning designations allow a maximum of 1 dwelling unit on the subject property. The proposed Industrial (IND) future land use category and proposed Business Industrial (B1) zoning district limit residential use on the subject property to adult day care centers, which typically do not serve as a place of residence for the occupants.

### 6. Impacts on the transportation system

This application is not associated with proposed development that will generate vehicular trips or transit passengers. Therefore, it is not expected to impact the available service volume on adjacent roadway segments, as shown in Table 3, or the Regional Transit System (RTS) bus service along SW 34<sup>th</sup> Street and SW Williston Road, on the east side of Interstate 75.

Table 3. Automotive Level of Service Characteristics

Roadway	Segment (From South or West)	Segment (To North or East)	Maximum Service Volume	Available Service Volume	2016 AADT	Level of Service	Adopted Level of Service
<b>SW Archer Road</b>	SW 75 <sup>th</sup> Street (Tower Road)	I-75	39,800	12,550	27,250	C	D
<b>SW Williston Road</b>	Wacahoota Road	I-75 (south)	16,200	5,450	10,750	C	E

Note: The data in Table 3 was obtained from the "Multimodal Level of Service Report: Year 2016 Average Annual Daily Traffic", prepared by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area.

## 7. An analysis of the availability of facilities and services

Needed public facilities and services, such as utilities, roadways, bus transit, fire and police protection, waste collection, and stormwater management, are available in the surrounding area for future connections to the subject property. An analysis of the availability of schools is not warranted, since this application will not result in additional dwelling units.

## 8. Need for the additional acreage in the proposed future land use category

As shown in Table 4, this application will increase the Industrial (IND) future land use category total acreage within the City. The increase in total acreage is expected to help foster economic and employment growth in the City by providing additional location options for businesses.

Table 4. Future Land Use Category Total Acreage for 2013 and 2019

Future Land Use Category	Description	Total Acres 2013	Total Acres 2019	Total Reduction /Increase	Occupied Acres	Vacant Acres
IND	Industrial	2,739.22	2,848.47	+ 109.25	2,452.57	395.90

Note: The data in Table 4 was obtained from the following sources: City of Gainesville "Future Land Use Element Supplemental Data and Analysis Report for the 2013-2023 Planning Period", prepared by the City of Gainesville, Department of Doing, revised April 2, 2013; and the City of Gainesville, Department of Doing, Graphic Information Systems (GIS) Division, September 2019.

## 9. Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6) (a) 9.a., F.S.

Urban sprawl is defined in Subsection 163.3164 (51), F.S. as a "*development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses*". The following analysis is required to determine whether the proposed small-scale land use amendment contributes to urban sprawl, using the indicators as identified in Subsection 163.3177(6) (a) 9.a., F.S. and listed below.

- I. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The proposed small-scale land use amendment will allow ±4.4 acres of vacant land to be developed for a combination of office, business, commercial and industrial activities in one setting.**
- II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land within an urban area. The Finley Woods Planned Development (PD), which is approved for a mixture of over 400 dwelling units, abuts on the west. Approximately 285 acres of vacant land that underwent land use and zoning changes to facilitate the development of a business park abuts on the north. Commercial and industrial land uses are located along SW 41<sup>st</sup> Boulevard to the east.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed small-scale land use**

**amendment involves ±4.4 acres of vacant land that helps to form a compact pattern of urban development within the City, along with other recently annexed tax parcels.**

- IV. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land within the Fred Bear Hammock strategic ecosystem. The proposed Business Industrial (BI) zoning district will require future development to comply with environmental regulations designed to protect and conserve natural resources, such as setbacks, buffers, and set-aside areas.**
- V. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. **The proposed Business Industrial (BI) zoning district provides protection to adjacent properties through land development regulations that control use, height, access, building setbacks, landscaping, lighting, screening and stormwater management. Future development must also conform to the City's performance standards for noise, waste disposal, fire and explosion hazards, radiation, vibration, sound, air and toxics.**
- VI. Fails to maximize use of existing public facilities and services. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land that can potentially access existing public facilities and services (e.g., police and fire protection, roadways, stormwater management facilities, and utilities) through adjoining property that contains urban development.**
- VII. Fails to maximize use of future public facilities and services. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land that can potentially share on-site public facilities and services with adjoining properties in the future through provisions of the proposed Business Industrial (BI) zoning district that allow joint roadway connections, stormwater facilities, and utilities.**
- VIII. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land adjoining urban development, which helps to reduce the cost associated with the provision of public facilities and services.**
- IX. Fails to provide a clear separation between rural and urban uses. **The proposed small-scale land use amendment involves ±4.4 acres of vacant land that adjoins urban development. The adjoining urban development consists of a mixture of housing types built at a density of 4 dwelling units per acre.**
- X. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The proposed small-scale land use amendment supports the proposed Business Industrial (BI) zoning district, which allows a variety of uses to choose from in order to meet changing market demands and achieve compatibility with adjacent land uses.**
- XI. Fails to encourage a functional mix of uses. **The proposed small-scale land use amendment supports the proposed Business Industrial (BI) zoning district, which allows a mixture of office, commercial, business and industrial uses.**
- XII. Results in poor accessibility among linked or related land uses. **The proposed small-scale land use amendment supports the proposed Business Industrial (BI) zoning district, which will**

**allow joint access to roadways, stormwater facilities, and utilities on abutting properties. Approximately 285 acres of vacant land that underwent land use and zoning changes to facilitate the development of a business park abuts on the north.**

XIII. Results in the loss of significant amounts of functional open space. The proposed small-scale land use amendment involves **±4.4 acres of vacant land within the Fred Bear Hammock strategic ecosystem. The land development regulations of the proposed Business Industrial (BI) zoning district are designed to preserve the integrity of strategic ecosystems by requiring set-asides consisting of regulated natural and archaeological resources and allowing alternative methods that provide greater protection.**

Additional analysis required to determine whether the proposed small-scale land use amendment discourages the proliferation of urban sprawl, using at least four (4) of the criteria identified in Subsection 163.3177(6)(a)9.b.,F.S., is as follows:

- I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems. The proposed small-scale land use amendment involves **4.4 acres of vacant land within the Fred Bear Hammock strategic ecosystem. Some of the adjacent properties contain urban development, while others are vacant. While the proposed Business Industrial (BI) zoning district allows a mixture of uses to support economic growth in the surrounding area, the land development regulations of the district are also designed to protect natural and archeological resources, including strategic ecosystems.**
- II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services. The proposed small-scale land use amendment involves **±4.4 acres of vacant land that adjoins urban development. The proximity of existing urban development makes future extensions of public infrastructure and services possible in order to reduce costs. Police and fire protection, solid waste collection, and utilities are currently available in the surrounding area. RTS (Regional Transit System) bus service is located along SW 34<sup>th</sup> Street and SW Williston Road, on the east side of Interstate 75.**
- III. Promotes walkable and connected communities and provides for compact development and multimodal transportation system, including pedestrian, bicycle, and transit, if available. The proposed small-scale land use amendment involves **4.4 acres of vacant land that adjoins urban development, where connections for streets, sidewalks, and stormwater facilities are possible to promote compact and walkable development.**
- IV. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. The proposed small-scale land use amendment supports the proposed Business Industrial (BI) zoning district, which allows offices, commercial establishments, businesses, and industries to create a balanced mix of land uses in the surrounding area.

**10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy.**

The proposed small-scale land use amendment supports the proposed Business Industrial (BI) zoning district, which allows a mixture of land uses capable of creating employment and providing a diverse selection of goods and services to strengthen the local economy.

**11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.**

The proposed small-scale land use amendment involves a single tax parcel that is undeveloped. It does not involve property within an antiquated subdivision, which is defined in Subsection 163.3164(5), F.S., as

follows: “a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision’s zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located”.

## RECOMMENDATION

Staff recommends approval of Petition PB-19-107 LUC based on a finding of compliance with all applicable review criteria. (See Exhibit C-5.)

## DRAFT MOTION FOR CONSIDERATION

I move to recommend approval of Petition PB-19-107 LUC based on a finding of compliance with all applicable review criteria.

### BACKGROUND:

The subject property was voluntarily annexed into the City of Gainesville by Ordinance No. 160216 (see Exhibit C-2), which was adopted February 16, 2017. Since this time, the Alachua County land use and zoning regulations have remained in effect on the subject property.

### POST- APPROVAL REQUIREMENTS:

The City Planning Staff must forward the City Plan Board recommendation to a City Commission public hearing, where it will be considered for further action.

### LIST OF APPENDICES:

#### Appendix A City of Gainesville Comprehensive Plan Goals, Objectives and Policies

Exhibit A-1: Future Land Use Element, Objective 4.4  
Exhibit A-2: Future Land Use Element, Policy 4.1.1

#### Appendix B City of Gainesville Land Development Code

Exhibit B-1: Article III. Section 30-3.7. Neighborhood Workshop

#### Appendix C Supplemental Documents

Exhibit C-1: Application  
Exhibit C-2 City Ordinance No. 160216  
Exhibit C-3: Subsection 171.062(2), Florida Statutes  
Exhibit C-4: Alachua County Comprehensive Plan: 2011-2030, Future Land Use Element  
Objective 4.3 – LIGHT INDUSTRIAL  
Exhibit C-5: Staff Review Status  
Exhibit C-6: Henderson Property Photos

**Appendix A**

**City of Gainesville**

**Comprehensive Plan Goals, Objectives  
and Policies**



the building plate. The tower features, stairs, elevators, and elevator machine room may exceed the maximum height.

- g. The maximum building height of the parking structure is limited to 110 feet measured from grade level to the top of the guard rail. The tower features, accessory recreational facilities, stairs, elevators, and elevator machine room may exceed the maximum height.
- h. The maximum number of stories for all buildings (except the parking structure) is limited to ten (10) stories above grade level.
- i. Vehicular access to the property shall be limited to ingress and egress from Northwest 14th Street, Northwest 3rd Avenue, and Northwest 13th Street (US 441). Pedestrian and bicycle access to the site shall be provided by sidewalks that surround the four sides of the property. There shall be a system of plazas, arcades and sidewalks that will provide access to all uses throughout the site.
- j. The owner/developer shall construct bus shelter(s) that are architecturally compatible with the development at the development site on either West University Avenue or Northwest 13th Street (US 441), or both, at a location(s) coordinated with the City Manager through the Gainesville Regional Transit System (RTS) and the Gainesville Public Works Department.
- k. This ordinance does not vest any development on the property described in Section 1 of this ordinance for concurrency as provided in the City's Comprehensive Plan. The owner/developer shall apply for and meet concurrency management standards at the time of application for development plan approval. An application for a Certificate of Final Concurrency must be submitted with the application for final development plan approval.

**Objective 4.4**

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

**Policy 4.4.1**

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

**Policy 4.4.2**

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

**Objective 4.5**

**The City's land development regulations shall provide standards and guidelines that will regulate signage, subdivision of land, vehicle parking, and on-site traffic flow.**



compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, as mapped in the Land Development Code, this category is also appropriate to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulations shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

### **Industrial (IND)**

The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary uses. Other uses may be allowed in this land use category as specified in an adopted ordinance rezoning property to Planned Development District (PD). 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.

### **Education (E)**

This land use category identifies appropriate areas for public and private schools and institutions of higher learning. This category includes University of Florida (UF) properties designated in the UF Campus Master Plan as part of the main campus. Land development regulations shall address compatibility with surrounding uses and infrastructure needs.

### **Recreation (REC)**

This land use category identifies appropriate areas for public and private leisure activities. Land development regulations shall address the scale, intensity and buffering of structures and outdoor improvements.

### **Conservation (CON)**

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

### **Agriculture (AGR)**

This land use category identifies existing lands which are expected to continue in agricultural production and ancillary uses. Land development regulations shall allow single-family densities of 1 unit per 5 acres. It is not expected that lands designated for urban uses will be converted to agricultural production.

**Appendix B**

**City of Gainesville**

**Land Development Code**

7. The board shall keep minutes of its proceedings, indicating the attendance of each member, and the decision on every question.

### Section 30-3.7. Neighborhood Workshop.

- A. *Purpose and intent.* Neighborhood workshops are intended to encourage applicants to be good neighbors and to allow for informed decision making, although not necessarily to produce complete consensus on all applications, by:
  - 1. Ensuring that applicants pursue early and effective citizen participation in conjunction with their applications, giving the applicants the opportunity to understand and try to mitigate any real or perceived impacts their applications may have on the community;
  - 2. Ensuring that citizens and property owners have an adequate opportunity to learn about applications that may affect them and to work with the applicant to resolve concerns at an early stage of the process; and
  - 3. Facilitating ongoing communication among the applicant, interested citizens and property owners, and city staff throughout the application review process.
- B. *Applicability.* Every application that requires board approval, including future land use map changes, rezonings, Special Use Permits, subdivisions, or development plans shall first hold a neighborhood workshop and shall include in the application a written record of such meeting. Development plans located within a transect zone that meet or exceed the thresholds for intermediate or major development review shall also conduct a neighborhood workshop. The following development applications are exempt from the requirements of this section:
  - 1. Text changes to the Comprehensive Plan or Land Development Code.
  - 2. City-initiated amendments to the future land use map of the Comprehensive Plan that change the future land use from Alachua County to City of Gainesville categories.
  - 3. City-initiated amendments to the zoning map that change the zoning from Alachua County to City of Gainesville districts.
  - 4. Development plan applications for nonresidential projects of 10,000 square feet or less of floor area when not abutting or adjacent to property zoned for single-family residential use.
  - 5. Development plan applications for residential projects of 10 units or less.
  - 6. Environmental remediation or safety improvements required by local, state, and federal agencies.
- C. *Workshop requirements.*
  - 1. The applicant shall provide the opportunity for a workshop to inform neighboring property owners of the proposed application. The workshop shall be held in a location generally near the subject property and shall be held in a facility that is ADA compliant. The applicant shall provide notification by mail to all owners of property located within 400 feet of the subject property and to all neighborhood associations registered with the city and located within  $\frac{1}{2}$ -mile of the property. The City Manager or designee shall provide mailing labels to the applicant. The applicant shall mail these notices with proper postage at least 15 calendar days before the workshop. The applicant shall also advertise the workshop in a newspaper of general circulation at least 15 calendar days before the date of the workshop.

1        2. The workshop shall start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m.  
 2        and 5:00 p.m. on a weekend. All required workshops shall be held prior to submittal of the  
 3        application. The applicant shall be required to schedule an additional workshop if the initial  
 4        workshop has occurred more than 6 months prior to submittal of the application.

5        **Section 30-3.8. Public Notice.**

6        A. *General.* The notice provisions in this section shall be required prior to all board hearings and are  
 7        supplemental to any notice required by state law. If two public hearings are required, then  
 8        supplemental notice shall be provided prior to the first public hearing. A request by the applicant to  
 9        continue a board hearing shall require the applicant to incur re-notification and re-advertising costs.

10       B. *Mailed notice.* Unless otherwise provided by law, addresses for mailed notice required by this  
 11       chapter shall be obtained from the latest ad valorem tax records provided by the county property  
 12       appraiser. The failure of any person to receive notice shall not invalidate an action if a good faith  
 13       attempt was made to comply with the notice requirements. The notice shall identify the physical  
 14       address of the subject property; the date, time, and location of the public hearing; and a description  
 15       of the application including the nature and degree of the request, potential uses, and other  
 16       information as required by the city. The notice shall be mailed at least 15 calendar days prior to the  
 17       date of the board hearing to all real property owners whose land will be affected and whose  
 18       property lies within 400 feet of any affected property.

19       C. *Posted notice.* Posted notice signs shall be posted by the applicant in accordance with procedures  
 20       established by the city, and shall include a description of the application with the nature and degree  
 21       of the request, potential uses, and other information as required by the city, and shall identify the  
 22       date, time, and location of the public hearing. Signs shall be posted at least 15 calendar days prior to  
 23       the date of the board hearing. Properties under consideration for a land use or zoning map change  
 24       that involve more than 50 non-contiguous acres shall not be required to post signs when the  
 25       application is initiated by the city.

26       D. *Failure to perfect supplemental notice.* If an applicant fails to provide supplemental notice in  
 27       accordance with this section prior to the public hearing, then the public hearing shall be cancelled to  
 28       allow compliance with the notice requirements. The failure to provide the supplemental notice  
 29       required by this section shall not be construed to invalidate any final action on a land development  
 30       decision, if discovered after final action has been taken.

31       **Table III - 1: Public Notice.**

APPLICATION TYPE	NEWSPAPER AD	MAILED NOTICE	POSTED NOTICE
<b>COMPREHENSIVE PLAN AMENDMENTS/LAND USE CHANGES</b>			
Text changes not including amendments to the list of permitted/prohibited uses.	As required by law.	Not required.	Not required.
Text changes amending the list of permitted/prohibited uses involving less than 5% of the total land	As required by law.	Required.	Not required.

**Appendix C**

**Supplemental Documents**

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

**OFFICE USE ONLY**

Petition No. PB-19-00107 Fee: \$ N/A  
 1<sup>st</sup> Step Mtg Date: N/A EZ Fee: \$ N/A  
 Tax Map No. 4644 Receipt No. N/A  
 Account No. **001-660-6680-3401** [ ]  
 Account No. **001-660-6680-1124 (Enterprise Zone)** [ ]  
 Account No. **001-660-6680-1125 (Enterprise Zone Credit)** [ ]

**Owner(s) of Record (please print)**

Name: Henderson & Henderson II CO-T

Address:

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

(Additional owners may be listed at end of applic.)

**Applicant(s)/Agent(s), if different**

Name: City of Gainesville, FL

Address: PO Box 490, Station 11

\_\_\_\_\_

\_\_\_\_\_

Phone: 352-334-5023 Fax: \_\_\_\_\_

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

**REQUEST**

Check applicable request(s) below:

Future Land Use Map <input checked="" type="checkbox"/>	Zoning Map <input type="checkbox"/>	Master Flood Control Map <input type="checkbox"/>
Present designation: *	Present designation: _____	Other <input type="checkbox"/> Specify: _____
Requested designation: **	Requested designation: _____	

**INFORMATION ON PROPERTY**

1. Street address: See Staff Report

2. Map no(s): 4644

3. Tax parcel no(s): 07245-003-000

4. Size of property: ±4.4 acre(s)

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

**Certified Cashier's Receipt:**

- \* Alachua County Light Industrial
- \*\* City of Gainesville Industrial (IND)

**5. Legal description (attach as separate document, using the following guidelines):**

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

**6. INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES (NOTE: *All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.*)****A. What are the existing surrounding land uses? See Staff Report**

North

South

East

West

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

NO \_\_\_\_\_

YES XIf yes, please explain why the other properties  
cannot accommodate the proposed use? See Staff Report

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

Residential streets

Noise and lighting

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

NO \_\_\_\_\_

YES X

(If yes, please explain below)

See Staff Report

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

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

NO X

YES \_\_\_\_\_

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

NO X

YES \_\_\_\_\_

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

Redevelopment \_\_\_\_\_

Urban Infill X

Activity Center \_\_\_\_\_

Urban Fringe \_\_\_\_\_

Strip Commercial \_\_\_\_\_

Traditional Neighborhood \_\_\_\_\_

**Explanation of how the proposed development will contribute to the community.  
See Staff Report**

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

**H. What impact will the proposed change have on level of service standards?  
See Staff Report  
Roadways**

**Recreation**

**Water and Wastewater**

**Solid Waste**

**Mass Transit**

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

NO \_\_\_\_\_ YES X (please explain)

See Staff Report

## CERTIFICATION

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

<b>Owner of Record</b>	
Name:	N/A
Address:	
Phone:	Fax:
Signature:	

<b>Owner of Record</b>	
Name:	
Address:	
Phone:	Fax:
Signature:	

<b>Owner of Record</b>	
Name:	
Address:	
Phone:	Fax:
Signature:	

<b>Owner of Record</b>	
Name:	
Address:	
Phone:	Fax:
Signature:	

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

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

City of Gainesville, FL  
Owner/Agent Signature

October 24, 2019

Date

STATE OF FLORDIA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
Signature – Notary Public

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

TL—Applications—djh

## ORDINANCE NO. 160216

An ordinance of the City of Gainesville, Florida, annexing approximately 100 acres of city-owned and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41st Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75th Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**WHEREAS**, the Municipal Annexation or Contraction Act, Chapter 171, Florida Statutes, (the "Act"), sets forth criteria and procedures for adjusting the boundaries of municipalities through annexations or contractions of corporate limits; and

**WHEREAS**, on August 4, 2016, the City Commission of the City of Gainesville received a petition for voluntary annexation of real property located in the unincorporated area of Alachua County, as more specifically described in this ordinance, and determined that the petition included the signatures of all owners of property in the area proposed to be annexed; and

**WHEREAS**, the subject property meets the criteria for annexation under the Act; and

**WHEREAS**, the City has provided all notices required pursuant to the Act, including notice that has been published in a newspaper of general circulation at least once a week for two consecutive weeks prior to first reading that notified the public of this proposed ordinance and of public hearings in the City Commission Auditorium located on the first floor of City Hall in the City of Gainesville; and

**WHEREAS**, public hearings were held pursuant to the notice described above during which the parties in interest and all others had an opportunity to be and were, in fact, heard.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE  
CITY OF GAINESVILLE, FLORIDA:**

**Section 1.** The City Commission finds that the property described in Section 2 of this ordinance is reasonably compact and contiguous to the present corporate limits of the City of Gainesville and that no part of the subject property is within the boundary of another municipality or outside of the county in which the City of Gainesville lies. The City Commission finds that annexing the subject property into the corporate limits of the City of Gainesville does not create an enclave of unincorporated property.

**Section 2.** The following described property is annexed and incorporated within the corporate limits of the City of Gainesville, Florida:

See legal description attached hereto as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

**Section 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Appendix I, Charter Laws of the City of Gainesville, are amended and revised to include the property described in Section 2 of this ordinance.

**Section 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County land use plan and zoning or subdivision regulations shall remain in full force and effect in the property described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the Alachua County land use plan and zoning or subdivision regulations through the City of Gainesville's code enforcement and civil citation processes.

**Section 5.** (a) All persons who are, as of the effective date of this ordinance, lawfully engaged in any occupation, business, trade, or profession within the property area described in

Section 2 of this ordinance shall have the right to continue such occupation, business, trade, or profession, but shall obtain a business tax receipt from the City of Gainesville for the term commencing on October 1, 2017, which tax receipt shall be issued upon payment of the appropriate fee in accordance with the Gainesville Code of Ordinances in effect on October 1, 2017.

(b) All persons who are, as of the effective date of this ordinance, lawfully engaged in any construction trade, occupation, or business within the property area described in Section 2 of this ordinance and who possess a valid certificate of competency issued by Alachua County shall have the right to continue the construction trade, occupation, or business within the entire corporate limits of the City of Gainesville, including the subject area, subject to the terms, conditions, and limitations imposed on the certificate by Alachua County, and provided that such persons register the certificate with the Building Inspections Division of the City of Gainesville and the Department of Business and Professional Regulation of the State of Florida, if applicable, on or before 4:00 p.m. of the effective date of this ordinance.

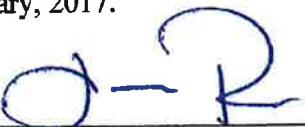
**Section 6.** The Clerk of the Commission is directed to submit a certified copy of this ordinance to: 1) the Florida Department of State; 2) the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida; and 3) the Chief Administrative Officer of Alachua County.

**Section 7.** If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 8.** All other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

**Section 9.** This ordinance shall become effective immediately upon adoption.

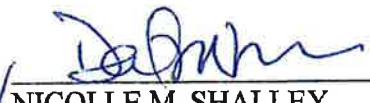
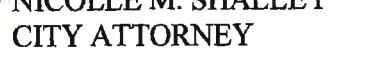
**PASSED AND ADOPTED** this 16th day of February, 2017.

  
LAUREN POE  
MAYOR

Attest:

  
KURT LANNON  
CLERK OF THE COMMISSION

Approved as to form and legality:

  
for /   
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this 2<sup>nd</sup> day of February, 2017.

This ordinance passed on second reading this 16<sup>th</sup> day of February, 2017.

## FINLEY WOODS AREA ANNEXATION

A TRACT OF LAND LYING AND BEING IN THE GAREY GRANT, SECTIONS 22, 23, 26 AND 27, TOWNSHIP 10 SOUTH, RANGE 19 EAST OF ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 070721, SAID POINT LYING N 40°28'21" W AT A DISTANCE OF 104.14 FEET FROM THE SOUTHWEST CORNER OF LOT 4 OF BROOKS ADDITION AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 40 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREIN AFTER ABBREVIATED "PRACF") SAID POINT OF BEGINNING ALSO BEING THE NORTHWEST CORNER OF PARCEL 5 (TAX PARCEL # 7245) OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3590, PAGE 155 (HEREAFTER ABBREVIATED "ORB#/P#"); THENCE ALONG SAID CITY LIMIT LINE, THE NORTH LINE OF SAID LANDS, THE NORTH LINES OF PARCELS 6 & 7 (TAX PARCEL # 7245-1 & 7245-2) OF SAID ORB 3590/P155 AND THE NORTH LINE OF THOSE LANDS DESCRIBED IN ORB 4311/ P 2337 (TAX PARCEL # 7245-3), N 83°01'44" E, A DISTANCE OF 2946.15 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE LEAVING SAID CITY LIMIT LINE, ALONG THE EAST LINE OF SAID LANDS S 01°05'11" W A DISTANCE OF 412.38 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE ALONG THE SOUTH LINE OF SAID LANDS THE FOLLOWING COURSES: 1.) S 89°17'32" W, 402.52 FEET, 2.) S 30°19'02" W, 32.42 FEET, 3.) S 88°38'17" W, 7.05 FEET TO A POINT ON THE EAST LINE OF PARCEL 2 OF THOSE LANDS DESCRIBED IN AFOREMENTIONED ORB 3590/P155 (TAX PARCEL # 6975-5); THENCE ALONG THE EAST LINE OF SAID PARCEL 2 AND ALONG THE EAST LINES OF PARCELS 3, 4 AND 10 OF SAID ORB 3590/P155 AND THE SOUTHWESTERLY PROJECTION THEREOF (TAX PARCELS # 6975-6, 6975-7 AND 7002-1-1) S 30°02'16" W A DISTANCE OF 1917.23 FEET TO THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE; THENCE RUN ALONG SAID RIGHT OF WAY LINE N 78°10'44" W, A DISTANCE OF 163.26 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH WITH A RADIAL BEARING OF S 10°35'37" W, HAVING A RADIUS OF 2716.10 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 78°50'08" W 54.12 FEET; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND CURVE AN ARC DISTANCE OF 54.12 FEET THROUGH A CENTRAL ANGLE OF 01°08'30"; THENCE LEAVING SAID NORTHERLY MAINTAINED RIGHT OF WAY N 00°09'35" E, A DISTANCE OF 70.13 FEET; THENCE N 88°02'36" W A DISTANCE OF 34.83 FEET; THENCE N 42°10'08" W A DISTANCE OF 23.06 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED AS PARCEL 10 IN ORB 3590/155 (TAX PARCEL # 7002-1-1); THENCE ALONG SAID WEST LINE N 00°04'06" E A DISTANCE OF 1184.37 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS DESCRIBED IN ORB 3834/P500 (TAX PARCEL # 7002-1), THENCE S 89°23'25" E ALONG THE SOUTHERLY LINE OF SAID LANDS A DISTANCE OF 26.93 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE ALONG THE EAST LINE OF SAID LANDS N 00°09'35" W A DISTANCE OF 338.81 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE ALONG THE NORTH LINE OF SAID LANDS AND THOSE LANDS DESCRIBED IN ORB 3950/P151 (TAX PARCEL # 6975-1), N 89°24'01" W A DISTANCE OF 671.85 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE ALONG THE WEST LINE OF SAID LANDS S 00°36'58" E A DISTANCE OF 369.20 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE ALONG THE SOUTH LINE OF SAID LANDS S 82°06'32" E A DISTANCE OF 620.72 FEET TO THE SOUTHEAST CORNER OF SAID LANDS ALSO BEING THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN ORB 3590/P153 PRACF (TAX PARCEL # 6975-1-1); THENCE ALONG THE EAST LINE OF SAID LANDS AND THE EAST LINE OF THOSE LANDS DESCRIBED IN ORB 3590/P163 (TAX PARCEL # 6991-1) S 00°04'06" W A DISTANCE OF 548.96 FEET TO A POINT OF INTERSECTION ON THE EASTERN LINE OF SAID LANDS; THENCE ALONG SAID EASTERN LINE THE FOLLOWING TWO COURSES: N 89°55'49" W, 588.04 FEET; S 00°26'51" W, 572.01 FEET TO THE SOUTHEAST CORNER OF SAID LANDS, ALSO BEING A POINT ON THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE; THENCE CONTINUE ALONG THE SOUTHERLY PROJECTION OF SAID EASTERN LINE S 00°26'51" E A DISTANCE OF 62.70 FEET TO THE SOUTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE, ALSO BEING A POINT ON THE NORTHERLY LINE OF THOSE LANDS DESCRIBED IN ORB 3495/P62 PRACF (TAX PARCEL # 7007-1); THENCE ALONG SAID NORTHERLY LINE AND SOUTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE N 89°57'32" E A DISTANCE OF 228.14 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY WITH A RADIAL BEARING OF S 00°00'05"E, HAVING A RADIUS OF 2120.06 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 86°58'47" E 223.52 FEET; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND CURVE AN ARC DISTANCE OF 223.62 FEET THROUGH A CENTRAL ANGLE OF 06°02'37" TO THE NORTHEAST CORNER OF SAID LANDS

DESCRIBED IN ORB 3495/P62 PRACF AT THE INTERSECTION OF SAID MAINTAINED RIGHT OF WAY LINE AND WITH THE WEST LINE OF THE FLORIDA GAS TRANSMISSION LINE EASEMENT (30 FEET WIDE EASEMENT); THENCE LEAVING SAID SOUTHERLY MAINTAINED RIGHT OF WAY LINE, ALONG SAID EASEMENT LINE S 11°24'09" W A DISTANCE OF 1426.80 FEET TO THE SOUTHEAST CORNER OF SAID LANDS ALSO BEING AT THE INTERSECTION OF SAID EASEMENT LINE AND THE EASTERNLY BOUNDARY LINE OF THE PRAIRIE VIEW TRUST PARCEL PER LETTER DATED 11-4-85 FROM HENDERSON (TAX PARCEL # 07002); THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN ORB 3495/P62 PRACF ALSO BEING THE EASTERNLY AND NORTHERLY LINE OF SAID PRAIRIE VIEW TRUST PARCEL THE FOLLOWING TWO COURSES: 1.) N 40°04'39" W, 472.89 FEET; 2.) S 89°15'08", 298.68 FEET TO THE SOUTHEAST CORNER OF THE "TOGETHER WITH" PORTION (DRAINAGE EASEMENT AND OPEN SPACE) OF "FINLEY WOODS, PHASE 1A" PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK "29" PAGE 56, PRACF; THENCE LEAVING THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN ORB 3495/P62 PRACF AND NORTHERLY LINE OF SAID PRAIRIE VIEW TRUST PARCEL CONTINUE ALONG THE EASTERNLY LINE OF SAID "TOGETHER WITH" PORTION OF SAID PLAT THE FOLLOWING THREE COURSES: 1.) N 01°03'02" W, 123.72 FEET; 2.) N 55°48'50" W, 338.87 FEET; 3.) S 88°49'40" W, 53.87 FEET TO THE "POINT OF BEGINNING" OF SAID "TOGETHER WITH" PORTION ALSO BEING A POINT ON THE EASTERNLY LINE OF "FINLEY WOODS, PHASE 1B" PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK "29" PAGE 58, PRACF; THENCE ALONG SAID EASTERNLY LINE THE FOLLOWING THREE COURSES: 1.) N 06°05'16" W, 65.07 FEET; 2.) N 03°24'28" W, 66.05 FEET; 3.) N 16°14'07" W A DISTANCE OF 75.01 FEET TO A POINT ON THE EASTERNLY LINE OF AFOREMENTIONED "FINLEY WOODS, PHASE 1A"; THENCE ALONG SAID EASTERNLY LINE THE FOLLOWING SIX COURSES: 1.) N 32°38'50" W, 97.59 FEET; 2.) N 42°59'22" E, 46.31 FEET; 3.) N 47°00'38" W, 60.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY WITH A RADIAL BEARING OF S 47°00'38" E HAVING A RADIUS OF 525.42 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 46°18'54" E 60.95 FEET; 4.) SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 60.99 FEET THROUGH A CENTRAL ANGLE OF 06°39'03"; 5.) N 40°19'59" W, 109.50 FEET; 6.) N 01°30'39" W, 252.67 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE; THENCE CONTINUE ON A NORTHERLY PROJECTION OF THE EAST LINE OF SAID "FINLEY WOODS, PHASE 1A" N 01°30'39" W A DISTANCE OF 63.97 FEET TO THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 62<sup>ND</sup> AVENUE; THENCE ALONG SAID RIGHT OF WAY LINE N 88°46'10" E A DISTANCE OF 56.73 FEET; THENCE ALONG SAID RIGHT OF WAY LINE S 89° 48' 58" E A DISTANCE OF 515.03 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF THOSE LANDS DESCRIBED IN ORB 3590/P163 (TAX PARCEL # 6991-1); THENCE LEAVING SAID RIGHT OF WAY LINE, ALONG SAID SOUTHERLY PROJECTION AND WEST LINE N 00°27'29" W, A DISTANCE OF 727.74 FEET TO THE NORTHWEST CORNER OF SAID LANDS, ALSO BEING A POINT ON THE SOUTH BOUNDARY OF LANDS AS DESCRIBED IN ORB 3664/P375, PRACF (TAX PARCEL # 6975-2); THENCE ALONG SAID SOUTH BOUNDARY S 89°11'00" W, A DISTANCE OF 310.28 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE ALONG THE WESTERNLY BOUNDARY OF SAID LANDS THE FOLLOWING THREE COURSES: 1.) N 00°31'42 W, 850.24 FEET; 2.) N 89°10'59" E, 61.25 FEET; 3.) N 00°49'01" W, 6.83 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 100.36 ACRES, MORE OR LESS.

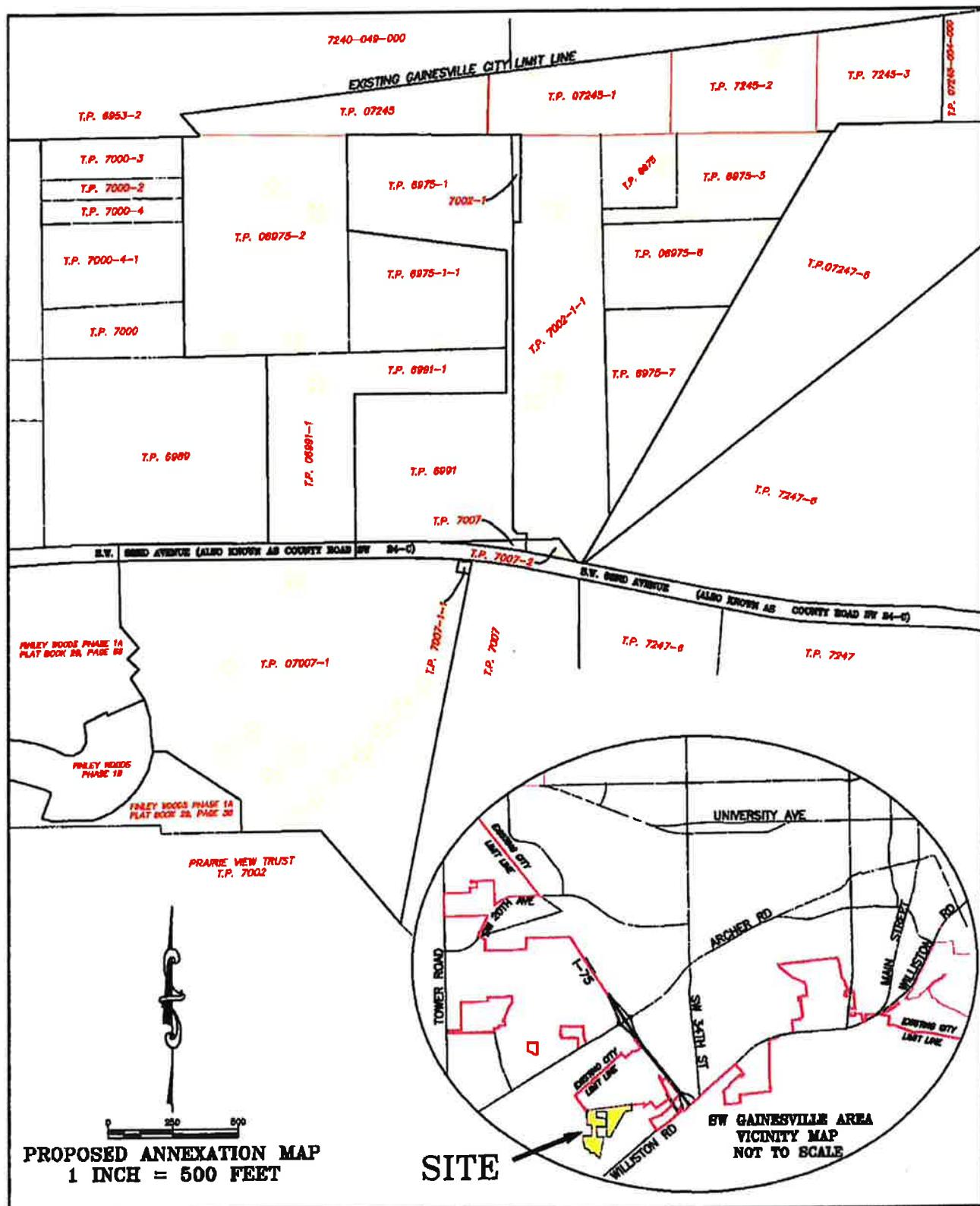


Exhibit "B" to Ordinance No. 160216

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Select Year: 2018 ▾ Go

## The 2018 Florida Statutes

Title XII**MUNICIPALITIES**Chapter 171**LOCAL GOVERNMENT BOUNDARIES**[View Entire Chapter](#)**171.062 Effects of annexations or contractions.—**

(1) An area annexed to a municipality shall be subject to all laws, ordinances, and regulations in force in that municipality and shall be entitled to the same privileges and benefits as other parts of that municipality upon the effective date of the annexation.

(2) If the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area.

(3) An area excluded from a municipality shall no longer be subject to any laws, ordinances, or regulations in force in the municipality from which it was excluded and shall no longer be entitled to the privileges and benefits accruing to the area within the municipal boundaries upon the effective date of the exclusion. It shall be subject to all laws, ordinances, and regulations in force in that county.

(4)(a) A party that has an exclusive franchise which was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the franchise term, whichever is shorter, if:

1. The franchisee provides, if the annexing municipality requires, a level of quality and frequency of service which is equivalent to that required by the municipality in other areas of the municipality not served by the franchisee, and

2. The franchisee provides such service to the annexed area at a reasonable cost. The cost must include the following as related to providing services to the annexed area:

- a. Capital costs for land, structures, vehicles, equipment, and other items used for solid waste management;
- b. Operating and maintenance costs for solid waste management;
- c. Costs to comply with applicable statutes, rules, permit conditions, and insurance requirements;
- d. Disposal costs; and
- e. A reasonable profit.

If the municipality and the franchisee cannot enter into an agreement as to such cost, they shall submit the matter of cost to arbitration.

(b) A municipality, at its option, may allow the franchisee to continue providing services pursuant to the existing franchise agreement.

(c) A municipality may terminate any franchise if the franchisee does not agree to comply with the requirements of paragraph (a) within 90 days after the effective date of the proposed annexation.

(5) A party that has a contract that was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the contract term, whichever is shorter. Within a reasonable time following a written request to do so, the party shall provide the annexing municipality with a copy of the pertinent portion of the contract or other written evidence showing the duration of the contract, excluding any automatic renewals or so-called "evergreen" provisions. This subsection does not apply to contracts to provide solid waste collection services to single-family residential properties in those enclaves described in s. 171.046.

**History.**—s. 1, ch. 74-190; s. 22, ch. 85-55; s. 1, ch. 88-92; s. 17, ch. 93-206; s. 2, ch. 93-243; s. 2, ch. 2000-304.

**Policy 4.2.3** Commercial uses within an area designated for industrial land use shall be limited to neighborhood convenience, except as provided in Objective 4.1 for that portion of Tax Parcels 07872-003-002 and 07872-003-008 described in the Declaration of Covenants, Conditions and Restrictions recorded in Book 3598, Page 1133 of the Official Records of Alachua County.

**Policy 4.2.4** Alachua County shall utilize a public planning process to evaluate alternatives to the Industrial Future Land Use designation to the southeast of the Gainesville Regional Airport. The process should include private property owners, representatives of the Gainesville Regional Airport, and other interested members of the public. The process shall evaluate the needs of existing residents of the area, as well as evaluating any new regulations related to the airport.

#### **OBJECTIVE 4.3 - LIGHT INDUSTRIAL**

The Light Industrial future land use classification is established to accommodate certain office and light industrial uses, such as research and development and experimental laboratories and similar uses or the manufacturing or fabrication of products that have minimal off-site impacts.

**Policy 4.3.1** Certain office and light industrial uses, such as research, development, and experimental laboratories and similar uses, or the manufacturing or fabrication of products that have minimal off-site impacts and that do not require specialized sites may also be appropriate within Transit Oriented Developments (TODs) or Activity Centers. Stringent performance standards shall be incorporated into the land development regulations to provide buffering, signage, landscaping, and architectural standards, and other methods to limit any adverse impacts and ensure compatibility with adjacent areas. Certain warehousing, transportation and distribution uses may be appropriate if all performance standards can be achieved.

#### **OBJECTIVE 4.4 - HEAVY INDUSTRIAL**

The Heavy Industrial Future Land Use is established to accommodate traditional industrial uses that are dependent on transportation and large volumes of raw materials. Heavy Industrial uses have unique potential impacts on surrounding lands including noise, odor, smoke, vibration and other hazards. Heavy Industrial uses shall be located to provide the most efficient provision of services while minimizing potential impacts to adjacent development and environmental features.

**Policy 4.4.1** Heavy Industrial uses shall not be located adjacent to residential or agricultural areas without adequate buffering or integrating design and business practices to eliminate or minimize adverse impacts. Land use decisions concerning location of industrial uses shall take into consideration environmental justice.

**Policy 4.4.2** Prime heavy industrial locations, pursuant to Policy 4.1.2 above, shall be kept free from encroachment of incompatible land uses.

#### **OBJECTIVE 4.5 - DESIGN AND SITE STANDARDS**

**Policy 4.5.1** Industrial facilities in the urban cluster shall group together in planned industrial districts on sites capable of being expanded and developed in stages. Criteria for permitting industrial development shall include but are not limited to:

- (a) topography and soils-land having stable, well-drained soils, free from flooding;
- (b) climate--prevailing wind direction that does not impact adjacent residential areas;

## Department Review Status Report

**Project Name and No.:** Henderson Property, PB-19-107 LUC

**Application Type:** Small-Scale Comprehensive Plan Amendment

**Public Hearing Date:** October 24, 2019

Cycle	Department	Reviewer	Email	Status	Reviewer Comments
	Alachua County EPD	Gus Olmos	gus@alachuacounty.us	No Review Required	
	Building Coordinator	John Freeland	freelandjc@cityofgainesville.org	No Review Required	
	Environmental	Liliana Kolluri	kollurilc@cityofgainesville.org	Approved	The parcel falls within the mapped Fred Bear Hammock Strategic Ecosystem and contains wetlands. Any future development must comply with required wetland buffers and upland set-asides for strategic ecosystem resources.
	Gainesville Fire Rescue Department	Tom Burgett	burgettta@cityofgainesville.org	Approved	Approvable
	GRU New Services Department	Wendy Mercer	MercerWL@gru.com	Approved	
	Historic Preservation	Jason Simmons	simmonsja@cityofgainesville.org	Approved	
	Planners	Bedez Massey	masseybe@cityofgainesville.org	Approved	
1	Public Works - Design	Rick Melzer	melzerra@cityofgainesville.org	Approved	Approval is subject to City Commission approval.
	Public Works Construction	Matt Williams	williamsrm@cityofgainesville.org	No Review Required	
	Public Works Solid Waste	Steve Joplins	joplinsh@cityofgainesville.org	Approved	
	Public Works Stormwater	Gail Mowry	mowryg@cityofgainesville.org	Approved	
	Public Works Survey	Pat Durbin	durbinp@cityofgainesville.org	No Review Required	
	Transportation Mobility	Jason Simmons	simmonsja@cityofgainesville.org	Approved	
	Urban Forestry	Liliana Kolluri	kollurilc@cityofgainesville.org	Approved	
	Department of Mobility	Scott Wright	wrightsa@cityofgainesville.org	Approved	
	Public Works Stormwater Management Utility	Mary Frieg	FriegMC@cityofgainesville.org	Approved	

# HENDERSON PROPERTY PUBLIC MEETING NOTICES

(Photos taken from SW 62<sup>nd</sup> Avenue)



EXHIBIT

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